COMMISSION OF THE EUROPEAN COMMUNITIES



Brussels, 02.07.1997 COM(97) 336 final

97/0190 (COD)

Proposal for a

EUROPEAN PARLIAMENT AND COUNCIL DIRECTIVE RELATING TO MOTOR VEHICLES AND THEIR TRAILERS

TRANSPORTING CERTAIN ANIMALS

AND

AMENDING DIRECTIVE 70/156/EEC

IN RESPECT OF THE TYPE-APPROVAL

OF

MOTOR VEHICLES AND THEIR TRAILERS (presented by the Commission)

EXPLANATORY MEMORANDUM

A. Objective of the proposal

The objective of this proposal for a Directive is to establish the technical requirements for motor vehicles and their trailers intended for the transport of certain types of animals. The directive will contribute to ensuring that the technical conditions exist to ensure that the welfare of animals is safeguarded during their transport.

The establishment of a European system of type-approval for vehicles used for the transport of certain types of animals will offer significant advantages to manufacturers who will then be subject to one set of rules for the construction of vehicles. These vehicles will be accepted throughout the Union. In addition, costs will come down as the internal market for these vehicles is realised. This situation has obvious benefits also for operators and users.

B. Legal basis

The draft proposal lays down requirements on the basis of Article 100A of the Treaty and provides for total harmonisation of the relevant technical provisions of vehicles intended for the transport of certain types of animals. This approach is consistent with the general approach followed in the motor vehicle sector as established in the framework directive regulating the type-approval of motor vehicles⁽¹⁾ in the European Union (Council Directive 70/156/EEC⁽²⁾ of 6 February 1970, as last amended by Directive 95/54/EC⁽³⁾).

The text is relevant for the EEA Treaty

⁽¹⁾ It will be recalled that at the current time, <u>whole</u> vchicle type-approval is only possible for cars, since it is only for this product sector that all the "<u>separate</u>" directives have been adopted and implemented. Whole vehicle type-approval is currently mandatory for new types of cars from 1 January 1996 in the Union.

By contrast, for all other vehicle categories, certain separate directives still have to be adopted before a whole vehicle typeapproval can be envisaged. In the case of vehicles used for the transport of certain types of animals one key directive is missing, namely, a directive on the technical construction characteristics and the fitting out of those vehicles. This draft directive, which is based on article 100A of the Treaty, addresses this gap.

⁽²⁾ OJ No. L 42, 23. 2. 1970, p. 1

⁽³⁾ OJ No. L 266, 08. 11. 1995, p. 1

C. Background

General standards for the welfare of animals during transport are laid down in Council Directive 91/628/EEC⁽⁴⁾ as amended by Directive 95/29/EC⁽⁵⁾. In view of the increasing use of vehicles and their trailers intended for the transport of certain types of animals, it is necessary to lay down at European level, within the framework of the European type-approval system, special provisions for ventilation, loading and unloading facilities, floor capacity, side-wall construction, and the accessibility to the load compartment.

This directive is a separate directive within the meaning of the European type-approval system. Compliance with all relevant technical requirements compliance will ensure free circulation for the vehicles concerned within the internal market of the EU. Thus when a vehicle type obtains an approval in accordance with this directive, Member States will be neither able to prohibit manufacturers from offering it for sale, nor to refuse its registration nor entry into service for reasons relating to its construction.

Like all other separate directives relating to type-approval of commercial vehicles - except those on air polluting or noise emissions - this new directive will be based on <u>optional harmonisation</u>. Member States may require that only the prescriptions of the EC separate directive apply. Alternatively they may maintain national legislation on this matter in which case the manufacturer can choose between this and the harmonised requirements. Member States are free to oblige a manufacturer, who has not opted for an EC type-approval, to comply with their national requirements.

This directive does not effect national or Community legislation addressing the use of such vehicles. In this regard, the Commission intends to make a follow-up proposal for legislation immediately after adoption of the proposal in order to oblige Member States to register any new vehicle intended for the transportation of livestock only if it complies with the technical requirements set out in this proposal.

The administrative provisions of the draft proposal are aligned with those of Directive 70/156/EEC, in order to ensure its continued applicability.

Owing to the specific nature of vehicles used for the transport of certain types of animals, a range of specific characteristics must be taken into account when establishing the technical criteria to be included in a directive on the special prescriptions for these vehicles. These prescriptions cover the following:

⁽⁴⁾ OJ L 340, 11.12.1991, p. 17

⁽⁵⁾ OJ L 148, 30.06.1995, p. 52

- the suitable design and construction of the transport compartment in which the animals are to be transported;
- the protection of the animals by a weather proofed, insulated roof;
- the technical specifications governing the loading and unloading ramps;
- the technical specifications regarding the intermediate floors;
- the technical specifications regarding the partitions in the transport compartment
- the approved access through service doors of the transportation compartment for inspection;
- the suitable ventilation devices and its capacity;
- the use of suitable materials in the construction of the transport compartment;
- the effectiveness of the light sources in the transport compartment.

One Member State argued that it could not accept the proposed classification with regard to the age/weight of the animals, whilst another Member State has the position that the proposed draft is not stringent enough and would like to see more precise requirements.

The two key controversial issues are the following:

a Classification of certain types of animals

The majority of national experts considered that the classification as shown below would be acceptable.

b Ventilation and space available for each specie

It should be recalled that nearly all Member States have established in their national legislation a minimum standard for vehicles transporting animals. The national experts of the United Kingdom considered, however, that the minimum requirements for vehicles used for the transport of certain types of animals will lower their national standards currently in use for these vehicles.

The majority considered, however, that for vehicles used for the transport of certain types of animals during short time and short distance travel will be sufficient.

Therefore, having regard to the principle of subsidiarity, this draft directive establishes the technical conditions which vehicles used for the transport of certain types of animals must meet.

This directive will remain optional until such time as the framework directive becomes mandatory for vehicles used for the transport of certain types of animals in all Member States. This will require a separate decision by the Council and Parliament. Whenever a manufacturer chooses to avail himself of the provisions of this directive, he shall be permitted to do so, and as stated above, other Member States must give free circulation to vehicles, the technical requirements of which meet the conditions of this directive.

D. Consultations of interested parties

In 1995, the Commission requested the Motor Vehicle Working Group (MVWG)⁽⁶⁾ to study a draft proposal for a directive relating to vehicles used for the transport of certain types of animals which would remove existing technical barriers to the free movement of these vehicles. This Working Group has assisted the Commission with the preparation of the Annexes used for the drafting of the present proposal for a directive.

E. Content of the proposal

Articles

Generally speaking, the articles are similar to those of the other separate directives adopted under framework directive 70/156/EEC, and apply the provisions of the latter.

Technical annexes

The technical annexes to the draft directive cover all the specific aspects of the construction of these vehicles that must be taken into account to improve the technical harmonisation which is not dealt with in the other separate directives. The draft is largely based on the requirements and standards set out in the report of the Scientific Veterinary Committee⁽⁷⁾, in which Member States are presented.

 ⁽⁶⁾ An advisory Group of Member States, international organisations and interested Industry Groups, as well as consumers and operators.
(7) Scientific Veterinary Committee Animal Welfare Section on the Transport of Farm Animals

⁽⁷⁾ Scientific Veterinary Committee, Animal Welfare Section, on the Transport of Farm Animals, Brussels, 18.05.1992

<u>Annex 1</u> contains the scope and the classification for five classes of vehicle, defined as follows:

Class A:	Cattle over 6 months
Class B:	Horses
Class C:	Calves up to 6 months, sheep, and goats
Class D:	Pigs and lambs up to 30 kg
Class E:	Pigs over 30 kg

<u>Appendix 1</u> sets out the general requirements of minimum standards for vehicles used for the transport of certain types of animals. The Annex also contains additional requirements for each specific class. These requirements concern the following:

- ventilation,
- loading and unloading facilities,
- floor capacity,
- side-wall construction, and
- the accessibility to the load compartment.

In <u>Annex II</u> and Appendix 1 an example of the EC type-approval marking is given to be used when the approval authorities have granted type-approval in accordance with framework directive 70/156/EEC.

Every transport unit approved according to this Directive and transporting certain animals must bear an identification plate stating the class(es) to which the unit is approved. An example of an identification plate is given in <u>Annex III</u>.

Every transport unit approved according to this Directive and transporting certain animals must bear a user's plate containing the following information:

- identity of the unit,
- square meters available for animals, and
- date for next inspection.

An example of an identification plate is given in Annex IV.

V

Annex V sets out the procedures governing applications for type-approval of a separate technical unit, the granting of approvals, modification of the types and amendments to approvals and conformity of production with reference to the procedures established by framework Directive 70/156/EEC.

<u>Annex VI</u> sets out the procedures governing applications for type-approval of a complete/completed vehicle, the granting of approvals, modification of the types and amendments to approvals and conformity of production with reference to the procedures established by framework Directive 70/156/EEC.

1

. COMMISSION PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL DIRECTIVE / /EC RELATING TO MOTOR VEHICLES AND THEIR TRAILERS TRANSPORTING CERTAIN ANIMALS

AND

AMENDING DIRECTIVE 70/156/EEC IN RESPECT OF THE TYPE-APPROVAL OF MOTOR VEHICLES AND THEIR TRAILERS

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty $^{(2)}$,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Having regard to Council Directive 70/156/EEC relating to the type-approval of motor vehicles and their trailers⁽⁴⁾ as last amended by Commission Directive $95/54/EC^{(5)}$ and in particular Article 13 (2) thereof;

Whereas the internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital must be ensured; whereas total harmonisation is necessary in order fully to achieve that objective;

Whereas the technical requirements which motor vehicles and their trailers must satisfy pursuant to national laws relate to the transport equipment of such vehicles transporting certain types of animals;

Whereas these requirements differ from one Member State to another; whereas these different procedures and requirements create technical barriers to trade in the transport of live animals;

⁽¹⁾ OJ No. L

⁽²⁾ OJ No. L

⁽³⁾ OJ No. L

⁽⁴⁾ OJ No. L 42, 23. 2. 1970, p. 1

⁽⁵⁾ OJ No. L 266, 08, 11, 1995, p. 1

Whereas technical barriers to trade in the means of transport of live animals should be eliminated and the market organisations concerned should be allowed to function smoothly;

Whereas it is therefore necessary in the context of the internal market to harmonise the technical standard for means of transport; whereas it is necessary to harmonise the approval procedures in the Member States;

Whereas this Directive will be one of the separate directives which must be fulfilled by the vehicles concerned in order to comply with the EC type-approval procedure which has been established by Council Directive 70/156/EEC;

Whereas, consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive;

Whereas, given the scale and impact of the action proposed in the sector in question, the Community measures which are the subject of this Directive are necessary, or even indispensable, to attain the objective set, namely Community vehicle type approval; whereas this objective cannot be adequately achieved by the Member States individually;

Whereas, in particular, Articles 3 (4) and 4 (3) of Directive 70/156/EEC necessitate that each separate Directive has attached to it an information document incorporating the relevant items of Annex I to that Directive and also a type-approval certificate based on Annex VI thereto in order that type-approval may be computerised;

HAS ADOPTED THIS DIRECTIVE

Article 1

For the purpose of this Directive:

- 'vehicle' means any vehicle other than M as defined in Annex II A to Directive 70/156/EEC.
- 'superstructure' means a bodywork for which type-approval as a separate technical unit as defined in Article 2 to Directive 70/156/EEC may be granted.
- 'transport unit' means a vehicle fitted with a superstructure or the superstructure itself.
- 'power operated' means hydraulically, electrically or pneumatically operated.

Article 2

Directive 70/156/EEC shall be amended by the addition of items in Part I of Annex IV as follows:

Part I

55. Animal transport vehicles

Article 3

OJ...etc.

N1

N2

N3

01

02 03

04

97/.../EC

Member States may not, on grounds relating to the construction of the superstructure of a vehicle intended for the transport of certain animals:

refuse, grant EC separate technical unit type-approval or to grant national type-approval,

or

prohibit the sale or use of a superstructure

if the requirements of the relevant Annexes are satisfied.

Article 4

Member States may not on grounds relating to the equipment and construction of the transport unit intended for the transport of certain animals:

refuse, in respect of a type of vehicle to grant EC type-approval or to grant national type-approval,

or

prohibit the registration, sale or entry into service of vehicles -

if the requirements of the relevant Annexes are satisfied.

Article 5

1. Member States shall bring into force the laws, regulations and administrative provisions necessary in order to comply with this Directive by, at the latest, 1 November 1998. They shall forthwith inform the Commission thereof.

They shall apply these provisions from 1 May 1999.

- 2. When the Member States adopt these provisions they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.
- 3. Member States shall communicate to the Commission the texts of the main provisions of the national law which they adopt in the field governed by this Directive.

Article 6

This Directive shall enter into force the twentieth day following its publication in the Official Journal of the European Communities.

Article 7

This Directive is addressed to the Member States.

Done at Brussels,

For the Parliament

For the Council

LIST OF ANNEXES

Annex I	Scope, classification
	Appendix 1 Minimum standards
•	Appendix 2 Testing requirements
Annex II	EC Type-Approval marking
Appendix 1	Example of EC separate technical unit type-approval marking for a superstructure
Annex III	Example of an identification plate
Annex IV	Example of an user's plate
Annex V	Administrative provisions for separate technical unit type-approval
Appendix 1	Information document.
Appendix 2	EC separate technical unit type-approval certificate and
	Addendum
Annex VI	Administrative provisions for type-approval of a vehicle
Appendix 1	Information document.
Appendix 2	EC type-approval certificate and
	Addendum
Annex VII	Provisions for EC type-approval of a vehicle fitted with a superstructure already approved as a separate technical unit

ANNEX I

	1.	Scope
	1.1	This Directive shall apply to the type-approval of superstructures of motor vehicles and their trailers intended for the transport of certain types of animals.
-	1.2	This Directive shall apply to type-approval of motor vehicles and their trailers fitted with superstructures intended for the transport of certain types of animals.
	2	Classification
	2.1	The classification of "certain type of animals" is according to type, weight and age of the animals. The classification is as follows:
	2.1.1	Class A: Cattle over 6 months
	2.1.2	Class B: Horses other than those transported in individual stalls
	2.1.3	Class C: Calves up to 6 months, sheep, and goats
	2.1.4	Class D: Pigs and lambs up to 30 kg
	2.1.5	Class E: Pigs over 30 kg
	3	Requirements

The general requirements and the additional requirements for each class regarding the floor, sidewalls, frontwall, ventilation, interior and loading/unloading facilities laid down in Appendix 1 have to be fulfilled.

4. Definitions

- 4.1. <u>Type of vehicle</u>
- 4.1.1 For the purposes of categories N1, N2, N3, O1, O2, O3 and O4, a 'type' shall consist of vehicles which do not differ in at least the following essential aspects:
 - vehicle manufacturer,
 - manufacturer's type designation,
 - category,
 - essential aspects of construction and design:
 - chassis/floor pan (obvious and fundamental differences),
 - number of axles,
 - technically permissible maximum mass $\pm 20\%$;

4.2 <u>Type of superstructure</u>

- 4.2.1 For the purposes of this Directive a 'type of superstructure' means a bodywork ' which do not differ in at least the following essential aspects:
 - manufacturer of the superstructure,
 - manufacturer's type designation,
 - classification of animal types (class A, B, C, D and/or E)
 - essential aspects of construction and design (wooden materials, light metal, reinforced plastics, etc.).
 - mass of complete superstructure $\pm 20\%$
 - dimensions of superstructure:
 - width ± 0.5 m,
 - nominal length \pm 20%,
 - nominal height $\pm 20\%$

APPENDIX 1

MINIMUM STANDARDS FOR TRANSPORT UNITS

0 GENERAL REQUIREMENTS

0.1 Suitability

- 0.1.1 The transport unit shall from technical point of view, be of a suitable design and construction which will protect the welfare of the animals intended to be carried in it;
- 0.1.2 No sharp edges or protrusions are allowed in the load compartment;
- 0.1.3 If the side and front walls are made of light metal, they shall be of cavity-wall construction with a gap of ≥ 20 mm;
- 0.1.4 The superstructure must be capable of easy cleaning and disinfection.
- 0.1.5 The requirements described in Appendix 2 regarding the surface pressure test (applicable to the floor, sides and frontwall) shall be fulfilled.

0.2 Protection from weather

0.2.1 The roof of the transport unit shall be solidly constructed so as to be weatherproof and protect animals from wide variations of temperature.

0.3 Loading and unloading

0.3.1 The transport unit shall be provided with a loading ramp or loading lift suitable for loading and unloading. Where animals are to be carried at more than one level in a transport unit, suitable equipment shall also be provided to enable them to be loaded and unloaded from each level.

0.4 <u>Ventilation</u>

- 0.4.1 The transport unit shall be sufficiently and suitably ventilated for the species; Ventilation apertures shall, as a minimum, be in accordance with the additional ventilation requirements
- 0.4.2 If the load compartment is equipped with a device for forced ventilation (e.g. air conditioning system), then the ventilation related paragraphs below are not applicable. In case of failure of this equipment, however, another sufficient ventilation must be present.

0.5 <u>Strength</u>

- 0.5.1 The transport unit and its fittings/equipment shall be constructed of suitable materials which are of sufficient size and strength to withstand the forces to which they will be subjected during the transport;
- 0.5.2 The superstructure being a separate technical unit shall be capable of being securely attached to the vehicle.

0.6 Floors

- 0.6.1 The construction of floors and their supports/bearers shall be strong enough to withstand the weight of the animals.
- 0.6.2 The floor surface and every part of the transport unit on which the animals are accommodated, and the floor surface of any part of the transport unit over which the animals are moved, shall be designed to give the animals an adequate footing and prevent them from slipping.
- 0.6.3 No intrusions, such as wheel arches, etc., shall be permitted in the floor of the super structure.
- 0.6.4 Where animals are accommodated at more than one level within transport unit, any livestock floor which will have animals accommodated directly below it shall be constructed to prevent urine and dung from falling onto the animals at a lower level.

0.7 <u>Height adjustable intermediate floors</u>

- 0.7.1 Height adjustable intermediate floors must be equipped with automatic or mechanical locking devices to prevent the floor from over-elevating or collapsing. The height adjusting system must be securely protected from unintentional operation and all controls must return automatically to the neutral position when released and thereby locking the floor.
- 0.7.2 Height adjustable intermediate floors must be designed and constructed and positioned in relation to the walls of the superstructure, such that the animals or any part of them, cannot fall or be trapped, or injured, either when the floor is moving or fixed in position.

0.8 <u>Partitions</u>

- 0.8.1 The transport unit shall be fitted with partitions, where necessary, to separate individuals or groups of animals from each other, and to provide them with sufficient support against the motion of the transport.
- 0.8.2 The partitions must be designed and constructed so that they will not cause the animals injury.

0.8.3 The partitions must be capable of being firmly secured and be constructed so as not to interfere with the designed ventilation arrangement of the transport unit.

0.9 Inspection

0.9.1 The transport unit shall be designed and constructed so that the animals can be inspected during transport.

0.10 Lighting

0.10.1 Sufficient lighting in the transport unit shall be fitted to enable the animals to be loaded, carried and unloaded safely in dark weather conditions and during the night and to be inspected at any time.

ADDITIONAL REQUIREMENTS FOR TRANSPORT UNIT CLASS "A"

1 CATTLE (over 6 months);

1.1 Floors

- 1.1.1 Floors shall be made of suitable material and shall be constructed to withstand the following loads:
 - locally applied: 4 kN
 - uniformly distributed: 6 kN/m^2

1.2 Side and front walls

- 1.2.1 Side and front walls shall be made of suitable material and shall be constructed to withstand the following loads:
 - horizontal and locally applied: 10 kN
- 1.2.2 Side and front walls shall be closed with the exception of the ventilation apertures.

1.3 Ventilation apertures

- 1.3.1 Each livestock floor must have ventilation apertures in its side walls with a total surface area of at least 20% (10% per side) of the livestock floor surface and at a height of at least 1300 mm above the floor.
- 1.3.1.1 Ventilation apertures should be evenly distributed throughout the length of the transport unit.
- 1.3.2. Additional ventilation apertures may be fitted in the front and rear wall and/or roof of the transport unit.
- 1.3.3 The ventilation apertures must be capable of being closed weather tight.
- 1.3.4 Ventilation apertures with a vertical dimension greater than 130 mm shall be protected in such a way that parts of the animals cannot protrude or become trapped.

1.4 Interior

- 1.4.1 Securing devices (rings or bars), if fitted, must be strong enough for their purpose, and must be designed with rounded surfaces or be recessed into the walls, so that they cannot cause injury.
- 1.4.2 Securing devices, if fitted, must be of metal and should be at a height of at least 1200 mm above the loading floor.
- 1.4.3 It must be possible to fit adjustable transverse partitions in order to subdivide each livestock floor into pen lengths of no greater than 3.0 m.

- 1.5.1 Within the overall loading unloading arrangements there shall be no step which exceeds 100 mm in height, nor gap/space between adjacent parts which exceed 25 mm in width.
- 1.5.2 A loading ramp or loading lift must be provided on the transport unit.
- 1.5.2.1 All floors of the vehicle shall be fitted with an inner safety barrier or gate to prevent animals falling out of the vehicle when the loading door is open. The safety barrier or gate must be constructed so that the animals can be viewed before it is opened.
- 1.5.2.2 In multi-tier vehicles internal ramps may be installed for the transfer of animals from the lowest deck to the upper decks. Internal ramps, however, must be of similar maximum slope and have the similar bars as external loading ramps.
- 1.5.3 Ramps shall have a maximum incline of 25° and shall be equipped with bars, or equivalent means of preventing animals slipping, which are not more than 100 mm apart and at least 25 mm high.
- 1.5.4 If the floor of the transport unit is more than 500 mm above the ground, rails of a minimum height of 1300 mm must be fitted to the ramps. The rails must be designed so that the animals cannot slip sideways from the loading ramp.
- 1.5.5 If a loading lift is provided it must be fitted with rails of at least 1300 mm height.
- 1.5.6 In multi-tier vehicles any movable upper floor must be power operated if animals are lifted on it.

ADDITIONAL REQUIREMENTS FOR TRANSPORT UNIT CLASS "B"

2 HORSES

2.1 Floors

2.1.1 Floors shall be made of suitable material and shall be constructed to withstand the following loads:

· loo	ally applied:	4 kN
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uniformly distributed: 6 kN/m^2

2.2 Side and front walls

- 2.2.1 Side and front walls shall be made of suitable material and shall be constructed to withstand the following loads:
 - horizontal and locally applied: 10 kN
- 2.2.2 Side and front walls shall be closed with the exception of the ventilation apertures.

2.3 Ventilation apertures

- 2.3.1 Each livestock floor must have ventilation apertures in its side walls with a total surface area of at least 20% (10% per side) of the livestock floor surface and at a height of at least 1300 mm above the floor.
- 2.3.1.1 Ventilation apertures should be evenly distributed throughout the length of the transport unit.
- 2.3.2. Additional ventilation apertures may be fitted in the front and rear wall and/or roof of the transport unit.
- 2.3.3 The ventilation apertures must be capable of being closed weather tight.
- 2.3.4 Ventilation apertures with a vertical dimension greater than 130 mm shall be protected in such a way that parts of the animals cannot protrude or become trapped.
- 2.3.5 These requirements do not apply to vehicles constructed for carrying individually separated horses

2.4 Interior

- 2.4.1 Securing devices (rings or bars) shall be fitted and must be strong enough for their purpose, and must be designed with rounded surfaces or be recessed into the walls, so that they cannot cause injury.
- 2.4.2 Securing devices must be of metal and should be at a height of at least 1200 mm above the loading floor.

2.4.3 Transverse partitions shall be fitted to divide each livestock floor into pen length no greater than 3.0 m.

- 2.5.1 Within the overall loading unloading arrangements there shall be no step which exceeds 100 mm in height, nor gap/space between adjacent parts which exceed 25 mm in width.
- 2.5.2 A loading ramp or loading lift must be provided on the transport unit.
 - 2.5.2.1 The floor of the vehicle shall be fitted with an inner safety barrier or gate to prevent animals falling out of the vehicle when the loading door is open. The safety barrier or gate must be constructed so that the animals can be viewed before it is opened.
 - 2.5.2.2 Horses may only be carried in a single-decked vehicle.
 - 2.5.3 Ramps shall have a maximum incline of 25° and shall be equipped with bars, 100 mm apart and at least 25 mm high or other materials, to prevent animals from slipping.
 - 2.5.4 If the floor of the transport unit is more than 500 mm above the ground, rails of a minimum height of 1300 mm must be fitted to the ramps. The rails must be designed so that the animals cannot slip sideways from the loading ramp.
 - 2.5.5 If a loading lift is provided it must be fitted with rails of at least 1300 mm height.

ADDITIONAL REQUIREMENTS FOR TRANSPORT UNIT CLASS "C"

3. CALVES (up to 6 months)/SHEEP/GOATS

3.1 Floors

- 3.1.1 Floors shall be made of suitable material and shall be constructed to withstand the following loads:
 - locally applied: 1.3 kN
 - uniformly distributed: 3.2 kN/m²

3.2 Side and front walls

- 3.2.1 Side and front walls shall be made of suitable material and shall be constructed to withstand the following loads:
 - horizontal and locally applied: 3.2 kN
- 3.2.2 Side and front walls shall be closed with the exception of the ventilation apertures.

3.3 Ventilation apertures

- 3.3.1 Each livestock floor must have ventilation apertures in its side walls with a total surface area of at least 20% (10% per side) of the livestock floor surface and at a height of at least 600 mm above the floor.
- 3.3.1.1 Ventilation apertures should be evenly distributed throughout the length of the transport unit.
- 3.3.2. Additional ventilation apertures may be fitted in the front and rear wall and/or roof of the transport unit.
- 3.3.2.1 There may be additional openings in the front and rear as well in the roof.
- 3.3.2.2 The ventilation openings and air distribution must be at both sides of the load compartment.
- 3.3.3 The ventilation apertures must be capable of being closed weather tight.
- 3.3.4 Ventilation apertures with a vertical dimension greater than 130 mm shall be protected in such a way that parts of the animals cannot protrude or become trapped.

3.4 Interior

3.4.1 Transverse partitions shall be fitted to divide each livestock floor into pen lengths no greater than 3.0 m.

- 3.5.1 Within the overall loading unloading arrangements there shall be no step which exceeds 100 mm in height, nor gap/space between adjacent parts which exceed 25 mm in width.
- 3.5.2 A loading ramp or loading lift must be provided on the transport unit.
- 3.5.2.1 All floors of the vehicle shall be fitted with an inner safety barrier or gate to prevent animals falling out of the vehicle when the loading door is open. The safety barrier or gate must be constructed so that the animals can be viewed before it is opened.
- 3.5.2.2 In multi-tier vehicles internal ramps may be installed for the transfer of animals from the lowest deck to the upper decks. Internal ramps, however, must be of similar maximum slope and have the similar bars as external loading ramps.
- 3.5.3 Ramps shall have a maximum incline of 25° and shall be equipped with bars, or equivalent means of preventing animals slipping, which are not more than 100 mm apart and at least 25 mm high.
- 3.5.4 If the floor of the transport unit is more than 500 mm above the ground, rails of a minimum height of 750 mm must be fitted to the ramps. The rails must be designed so that the animals cannot slip sideways from the loading ramp.
- 3.5.5 If a loading lift is provided it must be fitted with rails of at least 750 mm height.
- 3.5.6 In multi-tier vehicles any movable upper floor must be power operated if animals are lifted on it.

ADDITIONAL REQUIREMENTS FOR TRANSPORT UNIT CLASS "D"

4. **PIGS and LAMBS** (up to 30 kg)

4.1 Floors:

Floors shall be made of suitable material and shall be constructed to withstand the following loads:

- locally applied: 0.5 kN
- uniformly distributed: 2.0 kN/m^2

4.2 Side and front walls

- 4.2.1 Side and front walls shall be made of suitable material and shall be constructed to withstand the following loads:
 - horizontal and locally applied: 1.3 kN
- 4.2.2 Side and front walls shall be closed with the exception of the ventilation apertures.

4.3 <u>Ventilation apertures</u>

- 4.3.1 Each livestock floor must have ventilation apertures in its side walls with a total surface area of at least 20% (10% per side) of the livestock floor surface and at a height of at least 400 mm above the floor.
- 4.3.1.1 Ventilation apertures should be evenly distributed throughout the length of the transport unit.
- 4.3.2. Additional ventilation apertures may be fitted in the front and rear wall and/or roof of the transport unit.
- 4.3.3 The ventilation apertures must be capable of being closed weather tight.
- 4.3.4 Ventilation apertures with a vertical dimension greater than 50 mm shall be protected in such a way that parts of the animals cannot protrude or become trapped.

4.4 Interior

4.4.1 Transverse partitions shall be fitted to divide each livestock floor into pen lengths no greater than 3.0 m.

- 4.5.1 Within the overall loading unloading arrangements there shall be no step which exceeds 100 mm in height, nor gap/space between adjacent parts which exceed 25 mm in width.
- 4.5.2 A loading ramp or loading lift must be provided on the transport unit.

- 4.5.2.1 All floors of the vehicle shall be fitted with an inner safety barrier or gate to prevent animals falling out of the vehicle when the loading door is open. The safety barrier or gate must be constructed so that the animals can be viewed before it is opened.
- 4.5.2.2 In multi-tier vehicles internal ramps may be installed for the transfer of animals from the lowest deck to the upper decks. Internal ramps, however, must be of similar maximum slope and have the similar bars as external loading ramps.
- 4.5.3 ramps shall have a maximum incline of 25° and shall be equipped with bars, or equivalent means of preventing animals slipping, which are not more than 100 mm apart and 25 mm high.
- 4.5.4 If the floor of the transport unit is more than 500 mm above the ground, rails of a minimum height of 750 mm must be fitted to the ramps. The rails must be designed so that the animals cannot slip sideways from the loading ramp.
- 4.5.5 If a loading lift is provided it must be fitted with rails of at least 750 mm height.
- 4.5.6 In multi-tier vehicles any movable upper floor must be power operated if animals are lifted on it.

ADDITIONAL REQUIREMENTS FOR TRANSPORT UNIT CLASS "E"

5. PIGS (over 30 kg)

5.1 Floors

Floors shall be made of suitable material and shall be constructed to withstand the following loads:

-	locally applied:	1.3 kN
---	------------------	--------

uniformly distributed: 3.0 kN/m^2

5.2 Side and front walls

- 5.2.1 Side and front walls shall be made of suitable material and shall be constructed to withstand the following loads:
 - horizontal and locally applied: 3.2 kN
- 5.2.2 Side and front walls shall be closed with the exception of the ventilation apertures.

5.3 <u>Ventilation apertures</u>

- 5.3.1 Each livestock floor must have ventilation apertures in its side walls with a total surface area of at least 20% (10% per side) of the livestock floor surface and at a height of at least 400 mm above the floor.
- 5.3.1.1 Ventilation apertures should be evenly distributed throughout the length of the transport unit.
- 5.3.2. Additional ventilation apertures may be fitted in the front and rear wall and/or roof of the transport unit.
- 5.3.3 The ventilation apertures must be capable of being closed weather tight.
- 5.3.4 Ventilation apertures with a vertical dimension greater than 50 mm shall be protected in such a way that parts of the animals cannot protrude or become trapped.

5.4 Interior

5.4.1 Transverse partitions shall be fitted to divide each livestock floor into pen lengths no greater than 3.0 m.

- 5.5.1 Within the overall loading unloading arrangements there shall be no step which exceeds 100 mm in height, nor gap/space between adjacent parts which exceed 25 mm in width.
- 5.5.2 A loading ramp or loading lift must be provided on the transport unit.

- 5.5.2.1 All floors of the vehicle shall be fitted with an inner safety barrier or gate to prevent animals falling out of the vehicle when the loading door is open. The safety barrier or gate must be constructed so that the animals can be viewed before it is opened.
- 5.5.2.2 In multi-tier vehicles internal ramps may be installed for the transfer of animals from the lowest deck to the upper decks. Internal ramps, however, must be of similar maximum slope and have the similar bars as external loading ramps.
- 5.5.3 Ramps shall have a maximum incline of 25° and shall be equipped with bars, or equivalent means of preventing animals slipping, which are not more than 100 mm apart and 25 mm high.
- 5.5.4 If the floor of the transport unit is more than 500 mm above the ground, rails of a minimum height of 750 mm must be fitted to the ramps. The rails must be designed so that the animals cannot slip sideways from the loading ramp.
- 5.5.5 If a loading lift is provided it must be fitted with rails of at least 750 mm height.
- 5.5.6

In multi-tier vehicles any movable upper floor must be power operated if animals are lifted on it.

APPENDIX 2

TESTING OF SURFACE PRESSURE AND BENDING FOR TRANSPORT UNITS

- ---

The surface pressure test (applicable to the floor, sides and front wall of the load compartment) shall be carried out at a randomly chosen place but not over a supporting beam. The required test load for the class shall be applied to an area 50 mm x 50 mm, normal to the surface, and sustained for at least 10 s. During the test breakage of the surface shall not occur, but a residual deformation of up to 100 mm in the direction of the test load shall be permitted.

ANNEX II

EC Separate technical unit Type-Approval marking

EC SEPARATE TECHNICAL UNIT TYPE-APPROVAL MARK

1 1.1

There shall be affixed to every superstructure approved to this Directive a separate technical unit type-approval mark as specified in Appendix 1 to this Annex.

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APPENDIX 1

EC SEPARATE TECHNICAL UNIT TYPE-APPROVAL MARK

1 GENERAL

1.1 The EC separate technical unit type-approval mark consists of:

1.1.1

1.2

a rectangle surrounding the lower case letter 'e' followed by the distinguishing number or letters of the Member State which has granted the EC separate technical unit type-approval:

1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 5 for Sweden, 6 for Belgium, 9 for Spain, 11 for the United Kingdom, 12 for Austria, 13 for Luxembourg, 17 for Finland, 18 for Denmark, 21 for Portugal, 23 for Greece, IRL for Ireland;

1.1.2 in the vicinity of the rectangle, the "base approval number" contained in section 4 of the type-approval number referred to in Annex VII to Directive 70/156/EEC, preceded by the two figures indicating the sequence number assigned to the most recent major technical amendment to this Directive. In this Directive the sequence number is 00;

The EC separate technical unit type-approval mark must be clearly legible and indelible.

- 24 -

EXAMPLE OF EC SEPARATE TECHNICAL UNIT TYPE-APPROVAL MARKS

2.1

2

EC separate technical unit type-approval mark of a "superstructure" approved for the transport of certain types of animals".



The above separate technical unit type-approval mark shows that the superstructure in question has been approved in Sweden (e5) pursuant to this Directive (00) under the base approval number 2505.

ANNEX III

Example of an identification plate

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1. ,	General
. 1.1	Every transport unit approved according this Directive and transporting certain types of animals shall bear identifications plate stating the class(es) to which the transport unit is approved.
2.	Characters
2.1	The distinguishing marks prescribed in Annex I shall consist of capital Latin letters.
2.2	The height of the letters and numerals shall be at least 100 mm.
3	Requirements
3.1	The plates shall take the form of a rectangular;
3.2	The dimensions of the plate shall be about 900 mm x 220 mm;
3.3	The letters shall be black on a yellow background;
3.4	The plates shall be fixed to the transport unit permanently and shall be visible from the front and rear side.

Example of identification plate

TRANSPORT OF ANIMALS

CLASS(ES).....

ANNEX IV

Example of an user's plate

1. General

- 1.1 After approval by the Competent Authority, the manufacturer shall provide the owner of the vehicle with a plate on which the following information shall appear:
- 1.1.1 identity of the transport unit;
- 1.1.2 square meters of floor space available for animals;
- 1.1.3 date on which the next inspection is due;
- 1.2 The owner of the vehicle shall attach the plate to the outside of the transport unit used for the carriage of certain types of animals and if necessary complete the relevant items.

2. Characters

- 2.1 Roman letters and Arabic numerals must be used for all markings provided for in section 1.
- 2.2 The minimum height of the letters and figures shall be at least 4 mm.

3 Fitting

3.1 The user's plate shall be fitted to the vehicle in the vicinity of identification plates required in other Directives .

ANNEX V

ADMINISTRATIVE PROVISIONS FOR SEPARATE TECHNICAL UNIT TYPE-APPROVAL

1. APPLICATION FOR EC SEPARATE TECHNICAL UNIT TYPE APPROVAL

- 1.1 The application for EC separate technical unit type-approval pursuant to Article 3 (4) of Directive 70/156/EEC of a vehicle type with regard to the transport of certain types of animals shall be submitted by the manufacturer.
- 1.2 A model for the information document is given in Appendix 1.
- 1.3 A superstructure representative for the type to be approved shall be submitted to the technical service responsible for conducting the type-approval tests.

2. GRANTING OF EC SEPARATE TECHNICAL UNIT TYPE-APPROVAL

- 2.1 If the relevant requirements are satisfied, EC separate technical unit typeapproval pursuant to Article 4 (3) and, if applicable 4 (4) of Directive 70/156/EEC shall be granted.
- 2.2 A model for the EC separate technical unit type-approval certificate is given in Appendix 2.
- 2.3 An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each superstructure approved. The same Member State shall not assign the same number to another type of superstructure.
- 3. MODIFICATION OF THE TYPE AND AMENDMENTS TO APPROVALS
- 3.1 In the case of modification of a superstructure type-approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

4. CONFORMITY OF PRODUCTION

4.1 Measures to ensure the conformity of production shall be taken in accordance with the provisions laid down in Annex X of Directive 70/156/EEC.

APPENDIX 1

INFORMATION DOCUMENT No

pursuant to Annex I of Council Directive 70/156/EEC

relating to the EC separate technical unit type-approval of a superstructure with respect to

the transport of certain types of animal

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, component or separate technical units have electronic controls, information concerning their performance must be supplied.

0	GENERAL
0.1	Make (trade name of manufacturer):
0.2	Type of vehicle:
0.2.1	Commercial name (s) (if applicable)
0.4.2	Category of superstructure
0.4.2.1	Means of identification of type, if marked on the superstructure:
0.5	Name and address of manufacturer:
ູ0.7	In the case of components and separate technical units, location and method of affixing of the EC approval mark:
0.8	Address(es) of assembly plant(s):
1.	GENERAL CONSTRUCTION CHARACTERISTICS OF THE SUPERSTRUCTURE
-------	--
1.1	Photographs and/or drawings of a representative superstructure
2.	BODY WORK
2.1	Type of body work:
2.1.1	Class(es):
2.2	Materials used and methods of construction:
2.3	Interior fittings:

APPENDIX 2

MODEL

(maximum format: A4 (210 x 297 mm))

EC TYPE-APPROVAL CERTIFICATE

Stamp of

Administration

Communication concerning the:

- type-approval⁽¹⁾
- extension of type-approval⁽¹⁾
- refusal of type-approval⁽¹⁾
- withdrawal of type-approval⁽¹⁾

of a type of vehicle/component/separate technical unit⁽¹⁾ with regard to Directive .../.../EC, as mlast amended by Directive.../.../EC

(1) Delete where not applicable

- 31 -

SECTION I

ί

0.1	Make (trade name of manufacturer):
0.2	Type of vehicle:
0.2.1	Commercial name (s) (if applicable)
0.3	Means of identification of type, if marked on the vehicle/component/separate technical $unit^{(1)(2)}$
0.3.1	Location of that marking:
0.4	Category of vehicle ⁽¹⁾⁽³⁾ :
0.5	Name and address of manufacturer:
0.7	In the case of components and separate technical units, location and method of affixing of the EC approval mark:
0.8	Address(es) ⁽¹⁾ of assembly plant(s) ⁽¹⁾

(1) Delete where not applicable

(3) As defined in Annex II(A) to Directive 70/156/EEC

⁽²⁾ If the means of identification of type contains characters not relevant to a description of the vehicle, component or separate technical unit types covered by this type-approval certificate, such characters shall be represented in the documentation by the symbol "?" (e.g. ABC??123???).

SECTION II

1	Additional information (where applicable) (see Addendum)
2	Technical service responsible for carrying out the tests:
3	Date of test report:
4	Number of test report:
5	Remarks (if any) (see Addendum)
6	Place:
7	Date:
8	Signature:
9	The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

ADDENDUM

to EC type-approval certificate No:

concerning the separate technical unit type-approval of a superstructure with regard to

Directive .../.../EC.

1 Additional information 1.1 Brief description of the superstructure type as regards its structure, dimensions, and constituent materials: 1.2 **Remarks/restrictions** This type of superstructure can only be installed on vehicles of manufacturer(s): vehicle type(s): max. height of the upper edge of the chassis above the ground and with a ramp angle of 25°:mm. (the maximum height of the transport unit shall not exceed 4000 mm) 1.3 Description of the interior arrangements or fittings that might affect the tests:

ANNEX VI

ADMINISTRATIVE PROVISIONS FOR EC TYPE-APPROVAL OF A VEHICLE (TRANSPORT UNIT)

1. APPLICATION FOR EC TYPE-APPROVAL

- 1.1 The application for EC type-approval pursuant to Article 3 (4) of Directive 70/156/EEC of a vehicle (transport unit) with regard to the transport of certain types of animals shall be submitted by the manufacturer.
- 1.2 A model for the information document is given in Appendix 1.
- 1.3 A vehicle representative of the vehicle type to be approved shall be submitted to the technical service responsible for conducting the type-approval tests.

2. GRANTING OF EC TYPE-APPROVAL

- 2.1 If the relevant requirements are satisfied, EC type-approval pursuant to Article 4 (3) and, if applicable 4 (4) of Directive 70/156/EEC shall be granted.
- 2.2 A model for the EC type-approval certificate is given in Appendix 2.
- 2.3 An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of vehicle (transport unit) approved. The same Member State shall not assign the same number to another type of vehicle ' (transport unit).

3. MODIFICATION OF THE TYPE AND AMENDMENTS TO APPROVALS

3.1 In the case of modification of a vehicle type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

4. CONFORMITY OF PRODUCTION

4.1 Measures to ensure the conformity of production shall be taken in accordance with the provisions laid down in Annex X of Directive 70/156/EEC.

APPENDIX 1

INFORMATION DOCUMENT No.:

pursuant to Annex I of Council Directive 70/156/EEC(*)

relating to the EC type-approval of a vehicle with respect to

the transport of certain types of animal

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0	GENERAL
0.1	Make (trade name of manufacturer):
0.2	Type of vehicle:
0.2.1	Commercial name (s) (if applicable)
0.3	Means of identification of type, if marked on the vehicle ^(b) :
0.3.1	Location of that marking:
0.4	Category of vehicle ^(c) :
0.4.1	Classification(s) according to the types of animals which the vehicle is intended to transport
0.5	Name and address of manufacturer:
0.8	Address(es) of assembly plant(s):

^(*) The item numbers and footnotes used in this document correspond to those set out in Annex⁻I to directive 70/156/EEC. Items not relevant for the purpose of this Directive are omitted.

1.	GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE
1.1	Photographs and/or drawings of a representative vehicle
1.6	Position and arrangement of the engine:
9.	BODY WORK
9.1	Type of body work:
9.2	Materials used and methods of construction:
9.10	Interior fittings:

APPENDIX 2

MODEL

(maximum format: A4 (210 x 297 mm))

EC TYPE-APPROVAL CERTIFICATE

Stamp of

Administration

Communication concerning the:

- type-approval⁽¹⁾
- extension of type-approval⁽¹⁾
 - refusal of type-approval⁽¹⁾
 - withdrawal of type-approval⁽¹⁾

of a type of vehicle/component/separate technical unit⁽¹⁾ with regard to Directive .../.../EC

(1) Delete where not applicable

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SECTION I

0.1	Make (trade name of manufacturer):
0.2	Type of vehicle:
0.2.1	Commercial name (s) (if applicable)
0.3	Means of identification of type, if marked on the vehicle/component/separate technical unit ^{(1) (2)} :
0.3.1	Location of that marking:
0.4	Category of vehicle ⁽¹⁾⁽³⁾
0.5	Name and address of manufacturer:
	· · · · · · · · · · · · · · · · · · ·
0.7	In the case of components units and separate technical units, location and method
	of affixing of the EC type-approval mark:
0.8	Address(es) ⁽¹⁾ of assembly plant(s) ⁽¹⁾

(1) Delete where not applicable

(3) As defined in Annex II(A) to Directive 70/156/EEC

- 39 -

⁽²⁾ If the means of identification of type contains characters not relevant to a description of the vehicle, component or separate technical unit types covered by this type-approval certificate, such characters shall be represented in the documentation by the symbol "?" (c.g. ABC??123???).

SECTION II

:

1	Additional information (where applicable) (see Addendum)
2	Technical service responsible for carrying out the tests:
	· · · · · · · · · · · · · · · · · · ·
3	Date of test report:
4	Number of test report:
5	Remarks (if any) (see Addendum)
6	Place:
7	Date:
8	Signature:
9	The index to the information package lodged with the approval authority, which may be obtained on request, is attached

ADDENDUM

to EC type-approval certificate No:

- -

concerning the type-approval of a vehicle with regard to

Directive.../.../EC.

1	Additional information
1.1	Brief description of the vehicle type as regards its structure, dimensions,
	and constituent materials:
1.3	Description of the interior arrangements or fittings that might affect the tests:
1.4	Site of engine: forward / rear / central ⁽¹⁾ :
1.5	Drive: front-wheel / rear-wheel ⁽¹⁾
1.6	Mass of vehicle submitted for testing:
	Front axle:
•	Rear axle:
	Total:
5	Remarks: (e.g., valid for left-hand drive and right-hand drive vehicles):

(1) Delete where applicable

ANNEX VII

PROVISIONS FOR EC TYPE-APPROVAL OF A VEHICLE

FITTED WITH A SUPERSTRUCTURE

ALREADY APPROVED AS A SEPARATE TECHNICAL UNIT

1.

1.1

EC TYPE-APPROVAL OF A VEHICLE FITTED WITH A SUPERSTRUCTURE ALREADY APPROVED AS A SEPARATE TECHNICAL UNIT

In order to be granted type-approval to this Directive for a vehicle fitted with a superstructure which already has been granted type-approval as a separate technical unit, the manufacturer must demonstrate to the satisfaction of the type-approval authority compliance with the following requirements, any preceding approval as an incomplete vehicle being taken into account:

1.1.1 Ramp angle 25°

- 1.1.2 Maximum height not > 4.00 m
- 1.1.3 Maximum length not > 12.000 m
- 1.1.4 Maximum centre of gravity not higher than allowed according to Directive 71/320/EEC.

IMPACT STATEMENT ON COMPETITIVENESS AND JOBS

Draft Commission proposal for a Directive of the European Parliament and of the Council relating to the transport of certain types of animals and amending directive 70/156/EEC in respect of the type-approval of motor vehicles and their trailers

What is the main justification of the measure?

I.

	- Harmonisation of national laws		
	 Improvements to road safety 		
	- Adaptation to Technical Progress		
П.	Characteristics of the companies involved, more particularly :		
	- do they include a large number of small- and medium-s	sized businesses? No	
	- eligible for Member State regional aid ?	No	
	- eligible under the European Regional Development Fu	nd? No	
III.	What obligations are imposed on those companies ?	No obligations	
IV.	What obligations are likely to be imposed indirectly up via the local authorities ? N	on those companies o additional obligations	
v.	Do any special measures apply to small- and medium		
	sized businesses ?	No	
VI.	What is the foresecable outcome :	•	
	- on company productivity ?	No negative effect	
	- on jobs ?	No negative effect	
VII.	Have both sides of industry been consulted ?	No	

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DOCUMENTS

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