

ANNEX

4. ENVIRONMENT

4.3. Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources⁽¹⁾

As regards Directive 91/676/EEC, the Commission should be empowered to adapt or supplement the Annexes thereto to technical and scientific progress. Since those measures are of general scope and are designed to amend non-essential elements of Directive 91/676/EEC, *inter alia*, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 91/676/EEC is hereby amended as follows:

1. Articles 7 and 8 shall be replaced by the following:

Article 7

The Commission may draw up guidelines for the monitoring referred to in Articles 5 and 6 in accordance with the regulatory procedure referred to in Article 9(2).

Article 8

The Commission may adapt the Annexes to this Directive to scientific and technical progress.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 9(3).;

2. Article 9(3) shall be replaced by the following:

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

3. the third subparagraph of point 2 of Annex III shall be replaced by the following:

If a Member State allows a different amount under point (b) of the second subparagraph, it shall inform the Commission, which shall examine the justification in accordance with the regulatory procedure referred to in Article 9(2).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1137/2008 of the European Parliament and of the Council, Division 4.3.. (See end of Document for details)

- (1) OJ L 375, 31.12.1991, p. 1.

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