COMMISSION DIRECTIVE 1999/79/EC

of 27 July 1999

amending the third Commission Directive 72/199/EEC of 27 April 1972 establishing Community methods of analysis for the official control of feedingstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs [1], as last amended by the Act of Accession of Austria, Finland and Sweden [2], and in particular Article 2 thereof,

(1) Whereas Directive 70/373/EEC stipulates that official controls of feedingstuffs for the purpose of checking compliance with the requirements arising under the laws, regulations and administrative provisions governing their quality and composition must be carried out using Community methods of sampling and analysis;

(2) Whereas the third Commission Directive 72/199/EEC of 27 April 1972 establishing Community methods of analysis for the official control of feedingstuffs [3], as last amended by Commission Directive 98/54/EC [4], sets out methods of analysis for, *inter alia*, the determination of starch by polarimetric method;

(3) Whereas Commission Directive 86/174/EEC of 9 April 1986 fixing the method of calculation for the energy value of compound poultryfeed [5], stipulates that for the calculation of the energy value of compound poultry feed, in application of Article 10 Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs [6], as last amended by Commission Directive 1999/61/EC [7], the starch content must be determined by the polarimetric method as set out in Commission Directive 72/199/EEC;

(4) Whereas Council Directive 96/25/EC of 29 April 1996 on the circulation of feed materials, amending Directives 70/524/EEC, 74/63/EEC, 82/471/EEC and 93/74/EEC and repealing Directive 77/101/EEC [8] as last amended by Directive 1999/61/EC requires the quantities of some analytical constituents, including starch, to be compulsorily declared on some feed materials;

(5) Whereas in the light of the advances of scientific and technological knowledge, the polarimetric method is no longer appropriate to determine the starch content for other purposes than those of the above mentioned Commission and Council Directives; whereas therefore it is appropriate to limit the purpose and scope of the polarimetric method for the determination of starch;

(6) Whereas some feed materials give rise to interferences, whereby the polarimetric method for the determination of starch could yield false results; whereas it is therefore appropriate to mention these feed materials explicitly;

(7) Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Commission Directive 72/199/EEC is hereby amended in accordance with the Annex to this Directive.

Article 2

Member States shall bring into force, not later than 31 December 1999, the laws, regulations or administrative provisions necessary to comply with the provisions of this Directive. They shall immediately inform the Commission thereof.

They shall apply the measures from 1 January 2000.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. Member States shall adopt the procedure for such reference.

[1] OJ L 170, 3.8.1970, p. 2.
[2] OJ C 241, 29.8.1994, p. 1.
[3] OJ L 123, 29.5.1972, p. 6.
[4] OJ L 208, 24.7.1998, p. 49.
[5] OJ L 130, 16.5.1986, p. 53.
[6] OJ L 86, 6.4.1979, p. 30.
[7] OJ L 162, 26.6.1999, p. 67.
[8] OJ L 125, 23.5.1996, p. 35.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 27 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission