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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1391/93**of 7 June 1993****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 762/93⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 4 June

1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 762/93 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 June 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 79, 1. 4. 1993, p. 11.

ANNEX

to the Commission Regulation of 7 June 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	141,22 ⁽²⁾ ⁽³⁾
0712 90 19	141,22 ⁽²⁾ ⁽³⁾
1001 10 00	181,16 ⁽¹⁾ ⁽³⁾
1001 90 91	152,19
1001 90 99	152,19 ⁽²⁾
1002 00 00	155,32 ⁽⁴⁾
1003 00 10	141,75
1003 00 20	141,75
1003 00 80	141,75 ⁽²⁾
1004 00 00	118,43
1005 10 90	141,22 ⁽²⁾ ⁽³⁾
1005 90 00	141,22 ⁽²⁾ ⁽³⁾
1007 00 90	145,14 ⁽⁴⁾
1008 10 00	55,91 ⁽²⁾
1008 20 00	107,87 ⁽⁴⁾
1008 30 00	60,19 ⁽³⁾
1008 90 10	⁽⁷⁾
1008 90 90	60,19
1101 00 00	225,94 ⁽²⁾
1102 10 00	230,05
1103 11 30	292,68
1103 11 50	292,68
1103 11 90	242,37

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁹⁾ Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 1392/93
of 7 June 1993

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3874/92 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 4 June

1993, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 June 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 121.

ANNEX

to the Commission Regulation of 7 June 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	2,68	2,68	2,48
1001 90 99	0	2,68	2,68	2,48
1002 00 00	0	0	0	0
1003 00 10	0	1,37	1,37	1,37
1003 00 20	0	1,37	1,37	1,37
1003 00 80	0	1,37	1,37	1,37
1004 00 00	0	1,39	1,39	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	3,75	3,75	3,47

B. Malt

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	4,77	4,77	4,41	4,41
1107 10 19	0	3,56	3,56	3,30	3,30
1107 10 91	0	2,44	2,44	2,44	2,44
1107 10 99	0	1,82	1,82	1,82	1,82
1107 20 00	0	2,12	2,12	2,12	2,12

COMMISSION REGULATION (EEC) No 1393/93

of 4 June 1993

re-establishing the levying of customs duties on products falling within CN code 6403, originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries ⁽¹⁾, extended for 1993 by Regulation (EEC) No 3917/92 ⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1993 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 6403, originating in India, the individual ceiling was fixed at ECU 4 410 000; whereas on 3 February 1993, imports of these products into the Community originating in India reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 11 June 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products, originating in India:

Order No	CN code	Description
10.0670	6403	Footwear with outer soles of rubber, plastics, leather or composition leather, and uppers of leather

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 June 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 1394/93

of 4 June 1993

re-establishing the levying of customs duties on products falling within CN code 9105, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, extended for 1993 by Regulation (EEC) No 3917/92⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1993 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 9105, originating in China, the individual ceiling was fixed at ECU 5 441 000; whereas on 25 March 1993, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 11 June 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products, originating in China:

Order No	CN code	Description
10.1180	9105	Other clocks

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 June 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 1395/93

of 4 June 1993

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EEC) No 1001/93⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is appropriate that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the combined nomenclature and which do not conform to the rights established by this Regulation, can continue to be

invoked under the provisions in Article 6 of Commission Regulation (EEC) No 3896/90⁽³⁾, amended by Regulation (EEC) No 2674/92⁽⁴⁾, for a period of three months by the holder if a binding contract has been concluded such as is envisaged in Article 14 (13) (a) or (b) of Commission Regulation (EEC) No 1715/90⁽⁵⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 6 of Regulation (EEC) No 3796/90 for a period of three months by the holder if a binding contract has been concluded as envisaged in Article 14 (3) (a) or (b) of Regulation (EEC) No 1715/90.

Article 3

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 June 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.
⁽²⁾ OJ No L 104, 29. 4. 1993, p. 28.

⁽³⁾ OJ No L 365, 28. 12. 1990, p. 17.
⁽⁴⁾ OJ No L 271, 16. 9. 1992, p. 5.
⁽⁵⁾ OJ No L 160, 26. 6. 1990, p. 1.

ANNEX

Description	CN code	Reason
(1)	(2)	(3)
Wholly milled 'micronized' rice. The rice has undergone heat treatment using infrared rays which does not result in gelatinization of the starch content	1006 30 92 1006 30 94 1006 30 96 1006 30 98	Classification is determined by general rules 1 and 6 for the interpretation of the combined nomenclature and the wording of CN codes 1006, 1006 30, 1006 30 92, 1006 30 94, 1006 30 96 and 1006 30 98. The heat treatment is too minimal for the structure of the rice grain to be changed. The product cannot therefore be regarded as 'otherwise worked' for the purpose of note 1 (b) to Chapter 10 or 'otherwise prepared' for the purpose of note 4 to Chapter 19. (See also the CN explanatory notes to Chapter 10, second paragraph of the general section, and the Harmonized System explanatory notes to heading 1006, last paragraph.)

COMMISSION REGULATION (EEC) No 1396/93
of 7 June 1993
amending Regulation (EEC) No 846/93 introducing a countervailing charge on
apples originating in Chile

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 846/93⁽³⁾, as last amended by Regulation (EEC) No 1350/93⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of apples originating in Chile, must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 846/93 'ECU 7,96' is hereby replaced by 'ECU 6,43'.

Article 2

This Regulation shall enter into force on 8 June 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 88, 8. 4. 1993, p. 30.

⁽⁴⁾ OJ No L 133, 2. 6. 1993, p. 16.

COMMISSION REGULATION (EEC) No 1397/93**of 7 June 1993****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 789/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 1388/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 789/93 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 4 June 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 June 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 79, 1. 4. 1993, p. 66.

⁽⁵⁾ OJ No L 136, 5. 6. 1993, p. 39.

ANNEX

to the Commission Regulation of 7 June 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽³⁾
1701 11 10	35,60 ⁽¹⁾
1701 11 90	35,60 ⁽¹⁾
1701 12 10	35,60 ⁽¹⁾
1701 12 90	35,60 ⁽¹⁾
1701 91 00	44,73
1701 99 10	44,73
1701 99 90	44,73 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 1398/93

of 7 June 1993

on the adjustment of the entry price for table grapes originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3488/89 of 21 November 1989 laying down the method of decision for certain provisions laid down for agricultural products in the framework of Mediterranean agreements⁽¹⁾, and in particular Article 2 thereof,

Whereas, in accordance with the agreements concluded with various Mediterranean third countries, the Commission may decide to adjust the entry price of certain fruit and vegetables originating in those countries taking account of the annual reviews of trade flows by product and country pursuant to Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries⁽²⁾;

Whereas an examination of the outlook for export flows of table grapes originating in Cyprus in the light of the overall trend on the Community market effectively results in the entry price for those products being adjusted;

Whereas the adjustment of the entry price must relate to the amount to be deducted for customs duties from the representative prices recorded in the Community for the calculation of the entry price for table grapes referred to in Article 24 of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 638/93⁽⁴⁾; whereas a reduction of two thirds is likely to meet the desired objective; whereas that reduction for the period 8 June to 4 August within the limit of given quantities pursuant to the Mediterranean agreements must only apply, however, from 21 July, the date of entry into force of the reference price for table grapes;

Whereas, in order to ensure that this system is effective, the trend in imports of such products must be monitored; whereas, in this respect, quantities of table grapes imported within the 1993 tariff quota are to be the subject of statistical monitoring under the administration of the latter pursuant to Council Regulation (EEC) No 240/93⁽⁵⁾; whereas quantities imported outside that quota and up to 10 500 tonnes should be made subject to Community surveillance;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of calculating the entry price referred to in Article 24 (3) of Regulation (EEC) No 1035/72 for table grapes originating in Cyprus and covered by CN codes 0806 10 15 ad 0806 10 19 (serial number 190040), the amount to be deducted for customs duties from the representative prices recorded shall be reduced by two thirds during the period 21 July to 4 August 1993. That reduction shall apply to up to 10 500 tonnes.

Article 2

1. Imports of table grapes originating in Cyprus outside the tariff quota of 9 800 tonnes fixed by Regulation (EEC) No 240/93 and up to the maximum of 10 500 tonnes referred to in Article 1 shall be subject to Community surveillance.

2. As and when the products are presented to customs under cover of declarations of release for free circulation together with a movement certificate for the goods, they shall be charged against the quantities concerned.

Goods may only be charged against that quantity if the goods movement certificate is presented before the date from which those preferential arrangements cease to apply.

The extent to which a quantity is used up shall be determined at Community level on the basis of imports charged against it under the conditions laid down in the preceding subparagraphs.

Member States shall inform the Commission of imports effected, at the intervals and within the time limits indicated in paragraph 4.

3. Once the quantities in question are attained, the Commission shall inform the Member States of the date from which those preferential arrangements cease to apply.

4. Member States shall forward to the Commission statements of quantities charged for periods of 10 days, to be forwarded within five days from the end of each 10-day period.

Article 3

This Regulation shall enter into force on 8 June 1993.

⁽¹⁾ OJ No L 340, 23. 11. 1989, p. 2.

⁽²⁾ OJ No L 52, 24. 2. 1989, p. 7.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽⁵⁾ OJ No L 28, 5. 2. 1993, p. 10.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COUNCIL REGULATION (EEC) No 1399/93

of 7 June 1993

on the opening of supplementary quotas for imports into the Community of certain textile products originating in certain third countries participating in the 1993 Berlin trade fairs

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to Council Decision 92/625/EEC of 21 December 1992 on the provisional application of agreements between the European Economic Community and certain third countries on international trade in textiles ⁽¹⁾,

Having regard to Council Regulation (EEC) No 958/93 of 5 April 1993 establishing a Community procedure for administering quantitative import restrictions and monitoring of textile and clothing products originating in certain third countries ⁽²⁾,

Having regard to the proposal from the Commission,

Whereas supplementary quotas have already been opened for the Berlin fair in previous years of certain third countries which export products subject to quantitative restrictions;

Whereas the agreement between the European Economic Community and the People's Republic of China on trade in textile products ⁽³⁾ provides for supplementary quotas for trade fairs in 1993;

Whereas it is therefore appropriate to open supplementary quotas in 1993 in those other third countries;

Whereas it is desirable that import authorizations should be issued in accordance with the requirements of origin as specified in Article 1 of Regulation (EEC) No 958/93,

⁽¹⁾ OJ No L 410, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 103, 28. 4. 1993, p. 1.

⁽³⁾ OJ No L 380, 31. 12. 1988, p. 1 as last amended by the exchange of letters attached to Regulation (EEC) No 958/93.

Article 1

In addition to the quantitative limits on imports established by Regulation (EEC) No 958/93, supplementary quotas as set out in the Annex hereto shall be opened in respect of the Berlin trade fairs to be held in 1993.

Article 2

1. The authorities of the Federal Republic of Germany shall authorize imports, not exceeding the supplementary quotas referred to in Article 1, only in respect of such contracts signed in Berlin during the Berlin trade fairs as are recognized by those authorities as being eligible, provided that products covered by such approved contracts are placed on board for exportation to the Federal Republic of Germany in the third country in which they originate after 15 October 1993.

2. The period of validity of import authorizations or equivalent documents issued in accordance with paragraph 1 shall not extend beyond 31 December 1994.

3. The Commission shall be informed not later than 31 December 1993 of the total quantities covered by contracts authorized under paragraph 1.

Article 3

Importation of the textile products covered by authorization given in accordance with Article 2 shall be made in accordance with the rules on origin that are specified in Article 1 of Regulation (EEC) No 958/93.

Article 4

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

It shall apply from 8 June 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 7 June 1993.

For the Council

The President

M. JELVED

ANNEX

Category	CN code	Description	Third countries	Units	Quantities
1	5204 11 00	Cotton yarn, not put up for retail sale	Pakistan Peru	tonnes	66
	5204 19 00				66
	5205 11 00				
	5205 12 00				
	5205 13 00				
	5205 14 00				
	5205 15 10				
	5205 15 90				
	5205 21 00				
	5205 22 00				
	5205 23 00				
	5205 24 00				
	5205 25 10				
	5205 25 30				
	5205 25 90				
	5205 31 00				
	5205 32 00				
	5205 33 00				
	5205 34 00				
	5205 35 10				
	5205 35 90				
	5205 41 00				
	5205 42 00				
	5205 43 00				
	5205 44 00				
	5205 45 10				
	5205 45 30				
	5205 45 90				
	5206 11 00				
	5206 12 00				
	5206 13 00				
	5206 14 00				
	5206 15 10				
	5206 15 90				
	5206 21 00				
	5206 22 00				
	5206 23 00				
	5206 24 00				
	5206 25 10				
	5206 25 90				
	5206 31 00				
	5206 32 00				
	5206 33 00				
	5206 34 00				
	5206 35 10				
	5206 35 90				
	5206 41 00				
	5206 42 00				
	5206 43 00				
	5206 44 00				
	5206 45 10				
	5206 45 90				
	ex 5604 90 00				
2	5208 11 10	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	Peru	tonnes	74
	5208 11 90				
	5208 12 11				
	5208 12 13				
	5208 12 15				
	5208 12 19				
	5208 12 91				
	5208 12 93				
	5208 12 95				
	5208 12 99				
	5208 13 00				
	5208 19 00				

Category	CN code	Description	Third countries	Units	Quantities
2 (cont'd)	5208 21 10				
	5208 21 90				
	5208 22 11				
	5208 22 13				
	5208 22 15				
	5208 22 19				
	5208 22 91				
	5208 22 93				
	5208 22 95				
	5208 22 99				
	5208 23 00				
	5208 29 00				
	5208 31 00				
	5208 32 11				
	5208 32 13				
	5208 32 15				
	5208 32 19				
	5208 32 91				
	5208 32 93				
	5208 32 95				
	5208 32 99				
	5208 33 00				
	5208 39 00				
	5208 41 00				
	5208 42 00				
	5208 43 00				
	5208 49 00				
	5208 51 00				
	5208 52 10				
	5208 52 90				
	5208 53 00				
	5208 59 00				
	5209 11 00				
	5209 12 00				
	5209 19 00				
	5209 21 00				
	5209 22 00				
	5209 29 00				
	5209 31 00				
	5209 32 00				
	5209 39 00				
	5209 41 00				
	5209 42 00				
	5209 43 00				
	5209 49 10				
	5209 49 90				
	5209 51 00				
	5209 52 00				
	5209 59 00				
	5210 11 10				
	5210 11 90				
	5210 12 00				
	5210 19 00				
	5210 21 10				
	5210 21 90				
	5210 22 00				
	5210 29 00				
	5210 31 10				
	5210 31 90				
	5210 32 00				
	5210 39 00				
	5210 41 00				
	5210 42 00				
	5210 49 00				
	5210 51 00				
	5210 52 00				
	5210 59 00				

Category	CN code	Description	Third countries	Units	Quantities
2 (cont'd)	5211 11 00				
	5211 12 00				
	5211 19 00				
	5211 21 00				
	5211 22 00				
	5211 29 00				
	5211 31 00				
	5211 32 00				
	5211 39 00				
	5211 41 00				
	5211 42 00				
	5211 43 00				
	5211 49 11				
	5211 49 19				
	5211 49 90				
	5211 51 00				
	5211 52 00				
	5211 59 00				
	5212 11 10				
	5212 11 90				
	5212 12 10				
	5212 12 90				
	5212 13 10				
	5212 13 90				
	5212 14 10				
	5212 14 90				
	5212 15 10				
	5212 15 90				
	5212 21 10				
	5212 21 90				
	5212 22 10				
	5212 22 90				
	5212 23 10				
	5212 23 90				
	5212 24 10				
	5212 24 90				
	5212 25 10				
	5212 25 90				
	ex 5811 00 00				
	ex 6308 00 00				
4	6105 10 00	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undershirts and the like, knitted or crocheted	Bulgaria Czech Republic India Indonesia Malaysia Pakistan Philippines Singapore Thailand Vietnam Slovak Republic	1 000 pieces	71
	6105 20 10				22
	6105 20 90				454
	6105 90 10				212
					94
	6109 10 00				225
	6109 90 10				252
	6109 90 30				70
					483
	6110 20 10				25
5	6110 30 10	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	Bulgaria India Malaysia Pakistan Philippines Poland Romania Singapore Thailand Hungary Vietnam	1 000 pieces	22
	6101 10 90				84
	6101 20 90				252
	6101 30 90				42
					215
	6102 10 90				169
	6102 20 90				150
	6102 30 90				60
					73
	6110 10 10				206
	6110 10 31				54
	6110 10 39				20
	6110 10 91				
	6110 10 99				
	6110 20 91				
	6110 20 99				
	6110 30 91				
	6110 30 99				

Category	CN code	Description	Third countries	Units	Quantities
6	6203 41 10	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man-made fibres; lower parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres	Czech Republic	1 000 pieces	40
	6203 41 90		Hungary		80
	6203 42 31		India		118
	6203 42 33		Indonesia		131
	6203 42 35		Malaysia		92
	6203 42 90		Philippines		134
	6203 43 19		Poland		125
	6203 43 90		Romania		150
	6203 49 19		Singapore		70
	6203 49 50		Sri Lanka		116
			Thailand		187
	6204 61 10		Vietnam		20
	6204 62 31		Slovak Republic		40
	6204 62 33				
	6204 62 39				
	6204 63 18				
	6204 69 18				
	6211 32 42				
	6211 33 42				
	6211 42 42				
	6211 43 42				
7	6106 10 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, cotton or man-made fibres	Bulgaria	1 000 pieces	42
	6106 20 00		Czech Republic		6
	6106 90 10		Hungary		64
			India		407
	6206 20 00		Indonesia		98
	6206 30 00		Philippines		99
	6206 40 00		Singapore		159
			Sri Lanka		99
			Thailand		82
			Vietnam		25
8	6205 10 00	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres	Slovak Republic	1 000 pieces	6
	6205 20 00		Bulgaria		156
	6205 30 00		Czech Republic		38
			India		323
			Indonesia		218
			Malaysia		82
			Pakistan		158
			Philippines		102
			Poland		53
			Romania		280
			Singapore		90
			Sri Lanka		270
			Thailand		101
			Vietnam		22
			Slovak Republic		37
9	5802 11 00	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	Pakistan	tonnes	233
	5802 19 00				
	6302 60 00				
12	6115 12 00	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70	Hungary	1 000 pairs	52
	6115 19 10		Poland		80
	6115 19 90		Romania		400
	6115 20 11		Thailand		458
	6115 20 90				
	6115 91 00				
	6115 92 00				
	6115 93 10				
	6115 93 30				
	6115 93 99				
	6115 99 00				

Category	CN code	Description	Third countries	Units	Quantities
14	6201 11 00 ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6210 20 00	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21)	Poland	1 000 pieces	26
15	6202 11 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6204 31 00 6204 32 90 6204 33 90 6204 39 19 6210 30 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21)	Czech Republic Hungary India Poland Romania Vietnam Slovak Republic	1 000 pieces	25 57 124 51 68 20 24
16	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 80 6203 23 80 6203 29 18 6211 32 31 6211 33 31	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; men's or boys' tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres	Poland	1 000 pieces	22
18	6207 11 00 6207 19 00 6207 21 00 6207 22 00 6207 29 00 6207 91 00 6207 92 00 6207 99 00 6208 11 00 6208 19 10 6208 19 90 6208 21 00 6208 22 00 6208 29 00 6208 91 10 6208 91 90 6208 92 10 6208 92 90 6208 99 00	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligés, bathrobes, dressing gowns and similar articles, other than knitted or crocheted	Vietnam	tonnes	5
20	6302 21 00 6302 22 90 6302 29 90 6302 31 10 6302 31 90 6302 32 90 6302 39 90	Bed linen, other than knitted or crocheted	India Pakistan Czech Republic Slovak Republic	tonnes	294 149 12 12

Category	CN code	Description	Third countries	Units	Quantities
21	ex 6201 12 10	Parkas ; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or man-made fibres ; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-fibres	Philippines Sri Lanka Thailand Vietnam	1 000 pieces	286
	ex 6201 12 90				240
	ex 6201 13 10				446
	ex 6201 13 90				30
	6201 91 00				
	6201 92 00				
	6201 93 00				
	ex 6202 12 10				
	ex 6202 12 90				
	ex 6202 13 10				
	ex 6202 13 90				
	6202 91 00				
	6202 92 00				
	6202 93 00				
	6211 32 41				
	6211 33 41				
	6211 42 41				
24	6107 21 00	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted	Poland Thailand	1 000 pieces	80
	6107 22 00				102
	6107 29 00				
	6107 91 00				
	6107 92 00				
	ex 6107 99 00	Women's or girls' nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted			
	6108 31 10				
	6108 31 90				
	6108 32 11				
	6108 32 19				
	6108 32 90				
	6108 39 00				
	6108 91 00				
	6108 92 00				
	6108 99 10				
26	6104 41 00	Women's or girls' dresses, of wool, of cotton or man-made fibres	India Philippines Poland Romania Thailand	1 000 pieces	383
	6104 42 00				95
	6104 43 00				125
	6104 44 00				48
	6204 41 00				171
	6204 42 00				
	6204 43 00				
	6204 44 00				
27	6104 51 00	Women's or girls' skirts, including divided skirts	India	1 000 pieces	372
	6104 52 00				
	6104 53 00				
	6104 59 00				
	6204 51 00				
	6204 52 00				
	6204 53 00				
	6204 59 10				
29	6204 11 00	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or man-made fibres, excluding ski suits	India	1 000 pieces	268
	6204 12 00				
	6204 13 00				
	6204 19 10				
	6204 21 00				
	6204 22 80				
	6204 23 80				
	6204 29 18				
	6211 42 31				
	6211 43 31				

Category	CN code	Description	Third countries	Units	Quantities
73	6112 11 00 6112 12 00 6112 19 00	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres	Philippines Romania Thailand	1 000 pieces	287 52 70
76	6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31 6204 22 10 6204 23 10 6204 29 11 6204 32 10 6204 33 10 6204 39 11 6204 62 11 6204 62 51 6204 63 11 6204 63 31 6204 69 11 6204 69 31 6211 32 10 6211 33 10 6211 42 10 6211 43 10	Men's or boys' industrial or occupational clothing, other than knitted or crocheted Women's or girls' aprons, smock-overalls and other industrial or occupational clothing, other than knitted or crocheted	Czech Republic Slovak Republic	tonnes	20 20
118	6302 29 10 6302 39 10 6302 29 30 6302 52 00 ex 6302 59 00 6302 92 00 ex 6302 99 00	Table linen, toilet linen and kitchen linen of flax or ramie, other than knitted or crocheted	Czech Republic Slovak Republic	tonnes	15 15

II

(Acts whose publication is not obligatory)

COUNCIL

Information concerning the entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Kingdom of Morocco

The European Economic Community and the Kingdom of Morocco notified each other on 19 November 1992 and 17 May 1993 respectively of the completion of the legal procedures necessary for entry into force of the Protocol on financial and technical cooperation signed on 20 June 1991 ⁽¹⁾. In accordance with Article 22 (2) the Protocol will therefore enter into force on 1 July 1993.

⁽¹⁾ OJ No L 352, 2. 12. 1992, p. 13.

COMMISSION

COMMISSION DECISION

of 12 May 1993

laying down the criteria for classifying third countries with regard to avian influenza and Newcastle disease

(93/342/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

For the purpose of this Decision:

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs⁽¹⁾, as last amended by Directive 92/65/EEC⁽²⁾, and in particular Article 22 (2) thereof,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat⁽³⁾, as last amended by Directive 92/116/EEC⁽⁴⁾, and in particular Article 10 (2) thereof,

Whereas poultry, hatching eggs and poultry meat coming from third countries must be free from avian influenza and Newcastle disease; whereas it is necessary to establish the criteria for classifying third countries accordingly;

Whereas the criteria for third countries have to be established taking into account the provisions regarding Member States as laid down in Council Directives 92/40/EEC⁽⁵⁾ and 92/66/EEC⁽⁶⁾;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

- (a) '*Avian influenza*' means infection as defined in Chapter I of Annex A;
- (b) '*Newcastle disease*' means infection as defined in Chapter II of Annex A;
- (c) '*Recognized vaccine*' means any vaccine against Newcastle disease complying with the criteria laid down in Annex B;
- (d) '*Emergency vaccination*' means vaccination used as a means of controlling the disease following one or more outbreaks and carried out:
 - (i) against avian influenza using any vaccine;
 - (ii) against Newcastle disease using non-recognized vaccines;
- (e) '*Sanitary slaughter policy*' means the application, in the event of outbreaks of avian influenza or Newcastle disease, of the measures provided for in Annex C;
- (f) '*Commercial flock*' means either any flock consisting of at least 200 birds or any other flocks from which the poultry, hatching eggs or meat is liable to be exported to the Community.

Article 2

A third country is classified as free from avian influenza and Newcastle disease if it fulfils the following general criteria:

- (a) it must have a general animal-health structure allowing adequate monitoring of poultry flocks;
- (b) it must have legislation which makes avian influenza and Newcastle disease notifiable diseases for all species of poultry and for all birds kept in captivity;

⁽¹⁾ OJ No L 303, 31. 10. 1990, p. 6.

⁽²⁾ OJ No L 268, 14. 9. 1992, p. 54.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 35.

⁽⁴⁾ OJ No L 62, 15. 3. 1993, p. 1.

⁽⁵⁾ OJ No L 167, 22. 6. 1992, p. 1.

⁽⁶⁾ OJ No L 260, 5. 9. 1992, p. 1.

- (c) it must undertake to examine closely any suspicion of those diseases;
- (d) if there is suspicion, it must submit samples of each avian influenza virus or paramyxovirus found to specific laboratory testing in accordance with the procedure set out in Annex A;
- (e) it must have at its disposal laboratory capacity in its own official laboratories or have arrangements with other national laboratories for rapid testing;
- (f) it must allow those laboratories to be checked by experts from the Community;
- (g) for each primary outbreak it must send virusisolates to the EEC reference laboratory in Weybridge (UK);
- (h) it must notify to the Commission, within 24 hours after confirmation, of primary outbreaks in each region;
- (i) it must send to the Commission, at least monthly in the case of secondary outbreaks, a report on the disease situation;
- (j) in cases where vaccination against avian influenza and/or Newcastle disease is not forbidden, it must officially control the production, testing and distribution for the vaccines;
- (k) it must communicate to the Commission the characteristics of each strain used for the production of vaccines against avian influenza or Newcastle disease.

Article 3

1. Without prejudice to the general criteria laid down in Article 2, a third country is classified as free from avian influenza if:

- (a) no outbreaks of that disease have occurred in poultry on its territory for at least 36 months; and
- (b) no vaccinations against avian influenza viruses of the same sub-types as those for which highly pathogenic viruses are known to exist (currently H5 and H7 sub-types) have been carried out for at least 12 months.

2. Where a sanitary slaughter policy is practised to control the disease and without prejudice to the provision of paragraph 1 (b) the period of 36 months referred to in paragraph 1 (a) is reduced to:

- (a) 6 months if no emergency vaccination has been carried out;
- (b) 12 months if emergency vaccination has been carried out, provided that a further 12-month period has elapsed after the official termination of such emergency vaccination.

Article 4

1. Without prejudice to the general criteria laid down in Article 2, a third country is classified as free from Newcastle disease for the first time if:

- (a) no outbreaks of that disease have occurred in poultry on its territory for at least 36 months; and

- (b) no vaccinations against Newcastle disease using non-recognized vaccines have been carried out for at least 12 months.

2. Where a sanitary slaughter policy is practised to control the disease and without prejudice to the provision of paragraph 1 (b) the period of 36 months referred to in paragraph 1 (a) is reduced to:

- (a) 6 months if no emergency vaccination has been carried out;
- (b) 12 months if emergency vaccination has been carried out, provided that a further 12-month period has elapsed after the official termination for such emergency vaccination.

3. By way of derogation from paragraphs 1 (a) and 2 (a), a third country is classified as free from Newcastle disease if the criteria set out in paragraphs 1 or 2 are met only for commercial flocks.

In such cases the third country concerned will be authorized to send fresh poultry meat to the Community if the additional guarantees laid down in Annex D are included in the accompanying animal health certificate. The export of live poultry and hatching eggs to the Community is not authorized in such cases.

4. By way of derogation from paragraphs 1 (b) and 2 (b) a third country is classified as free from Newcastle disease if it allows the use of vaccines against the disease, which, although complying with the general criteria set out in Annex B for the vaccines, do not fulfil the specific criteria thereof.

In such cases the third country concerned will be authorized to send live poultry and hatching eggs or fresh poultry meat to the Community if the additional guarantees laid down in Annex E or Annex F to this Decision are included in the accompanying animal health certificate.

Article 5

This Decision shall apply from 1 October 1993.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 12 May 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX A

DEFINITIONS OF 'AVIAN INFLUENZA' AND 'NEWCASTLE DISEASE'

CHAPTER I

Avian influenza

'Avian influenza' means an infection of poultry caused by any influenza A virus which has an intravenous pathogenicity index (IVPI) in six-week-old chickens greater than 1,2 or any infection with influenza A virus of H5 or H7 sub-type for which nucleotide sequencing has demonstrated the presence of multiple basic amino acids at the cleavage site of the haemagglutinin.

The IVPI has to be determined according to the following method:

Intravenous pathogenicity index (IVPI)

1. Infective allantoic fluid from the lowest passage level available, preferably from the initial isolation without any selection, is diluted 10^1 in sterile isotonic saline.
2. 0,1 ml diluted virus is injected intravenously into each of 10 six-week-old chickens (specific pathogen free birds should be used).
3. Birds are examined at 24 hour intervals for 10 days.
4. At each observation each bird is recorded normal (O), sick (1), severely sick (2) or dead (3).
5. Record results and calculate index as shown in this example:

Clinical Signs	Days after inoculation (number of birds)										Total	Score
	1	2	3	4	5	6	7	8	9	10		
Normal	10	2	0	0	0	0	0	0	0	0	12×0	= 0
Sick	0	4	2	0	0	0	0	0	0	0	6×1	= 6
Severely sick (*)	0	2	2	2	0	0	0	0	0	0	6×2	= 12
Dead	0	2	6	8	10	10	10	10	10	10	76×3	= 228

Total = 246

$$\text{Index} = \text{mean score per bird per observation} = \frac{246}{100} = 2,46$$

(*) This has to be a subjective clinical judgement but normally this would involve birds showing more than one of the following signs: respiratory involvement, depression, diarrhoea, cyanosis of exposed skin or wattles, oedema of face and/or head, nervous signs.

CHAPTER II

Newcastle disease

'Newcastle disease' means an infection of poultry caused by any avian strain of the paramyxovirus 1 with an intracerebral pathogenicity index (ICPI) in one-day-old chicks greater than 0,7.

The ICPI has to be determined according to the following method:

Intracerebral pathogenicity index test (ICPI)

1. Infective freshly harvested allantoic fluid (HA titre must be greater than 2^4) is diluted 1:10 in sterile isotonic saline (antibiotics must not be used).
2. 0,05 ml of the diluted virus is injected intracerebrally into each 10 one-day-old chicks (i.e. 24 - 40 hours after hatching). The chicks should be hatched from eggs obtained from a specific pathogen-free flock.
3. The birds are examined at intervals of 24 hours for eight days.
4. At each observation each bird is scored: 0 = normal; 1 = sick; 2 = dead.
5. The index is calculated as shown in the following example:

Clinical signs	Days after inoculation (number of birds)								Total	Score
	1	2	3	4	5	6	7	8		
Normal	10	4	0	0	0	0	0	0	14×0	$= 0$
Sick	0	6	10	4	0	0	0	0	20×1	$= 20$
Dead	0	0	0	6	10	10	10	10	46×2	$= 92$

Total = 112

Index = is a mean score per bird of observation = $\frac{112}{80} = 1,4$

ANNEX B

CRITERIA FOR RECOGNISED VACCINES

1. General criteria

- A. Vaccines have to be registered by the competent authorities of the third country concerned before being allowed to be distributed and used. For this registration the competent authorities have to rely on a complete file containing data about efficacy and innocuity ; for imported vaccines the competent authorities can rely on data checked by the competent authorities of the country where the vaccine is produced, as far as these checks have been carried out in conformity with internationally accepted standards.
- B. Furthermore importation or production and distribution of the vaccines have to be controlled by the competent authorities of the third country concerned.
- C. Before distribution is allowed, each batch of vaccines has to be tested on innocuity, in particular regarding attenuation or inactivation and absence of undesired contaminating agents, and on efficacy on behalf of the competent authorities.

2. Specific criteria

- A. Live attenuated Newcastle disease vaccines shall be prepared from a Newcastle disease virus strain for which the master seed has been tested and shown to have an intracerebral pathogenicity index (ICPI) of :
either
(i) less than 0,4 if not less than 10^7 EID₅₀ are administered to each bird in the ICPI test ;
or
(ii) less than 0,5 if not less than 10^8 EID₅₀ are administered to each bird in the ICPI test.
- B. Inactivated Newcastle disease vaccines shall be prepared from a Newcastle disease virus strain with an intracerebral pathogenicity index (ICPI) in one-day-old chicks of less than 0,7 if not less than 10^8 EID₅₀ are administered to each bird in the ICPI test.

*ANNEX C***MINIMAL MEASURES TO BE TAKEN WHEN SANITARY SLAUGHTER IS PRACTISED TO ELIMINATE OUTBREAKS OF AVIAN INFLUENZA OR NEWCASTLE DISEASE**

1. In case of suspicion the holding concerned shall be placed under official supervision. This shall in particular mean that :
 - (a) all necessary samples shall be taken without delay and sent to a laboratory approved by the competent authorities for diagnosis ;
 - (b) a record shall be made of all categories of poultry kept on the holding showing number of dead and diseased animals ; this record shall be kept up-to-date and should be checked at each official visit ;
 - (c) all poultry shall be kept isolated and, whenever possible, in their living quarters ;
 - (d) no poultry is allowed to enter or to leave the holding ;
 - (e) all movements of persons, vehicles, materials etc. onto and from the holding shall be subject to official authorization ;
 - (f) table eggs can leave the holding after adequate disinfection or can be sent directly to an installation where they receive an adequate heat treatment ;
 - (g) appropriate means of disinfection have to be used at the entrances of buildings housing poultry and of the holding itself ;
 - (h) an epizootiological inquiry has to be carried out to discover the source of infection and its possible spread ;
 - (i) possibly infected contact premises, i. e. these known from the inquiry meant in point (g) have to be put also under official surveillance.
2. As soon as the presence of the disease is officially confirmed on a holding, the following measures shall be taken in addition of those mentioned under point 1 :
 - (a) all poultry on the holding shall be killed on the spot without any delay ; their carcasses and eggs shall be destroyed ; these operations have to be carried out in a way which minimizes the risk of spreading disease ;
 - (b) any substance or waste liable to be contaminated shall be destroyed or treated in a way to ensure destruction of any virus present ;
 - (c) the meat of poultry slaughtered during the presumed incubation period should be traced and destroyed ;
 - (d) hatching eggs laid during the presumed incubation period should be traced and destroyed ; poultry which hatched from such eggs shall be placed under official surveillance ;
 - (e) after carrying out killing and destruction operations the premises shall be thoroughly cleansed and disinfected ;
 - (f) no poultry shall be reintroduced onto the holding until at least 21 days after the end of the disinfection operations.
3. The operations mentioned in point 2 may be restricted to parts of holdings which form an epizootiological unit as far as the necessary guarantees exist to avoid spread of the disease to the non-infected units of the holding.
4. Around confirmed outbreaks of disease a protection zone with a minimum radius of 3 km and a surveillance zone with a minimum radius of 10 km shall be implemented. In these zones stand-still measures and controlled movements of poultry shall be in force until at least 21 days after the end of the disinfection operations on the infected holding. Before lifting the measures in these zones the authorities shall carry out the necessary inquiries and sampling of the poultry holdings to confirm that disease is no longer present in the region concerned.
5. The operations mentioned in this Annex have to be carried out by or under the supervision of the official veterinary authorities.

*ANNEX D***ADDITIONAL GUARANTEES TO BE INCLUDED IN THE ANIMAL HEALTH CERTIFICATE
FOR IMPORT OF FRESH POULTRY MEAT INTO THE COMMUNITY FROM THIRD
COUNTRIES WHERE ARTICLE 4 (3) OF DECISION 93/342/EEC APPLIES**

The slaughter poultry flock from which the meat is issued,

- (a) (i) either has not been vaccinated with vaccines against Newcastle disease which do not fulfil the specific requirements of Annex B point 2 of Decision 93/342/EEC^(*);
- (ii) or has been vaccinated with vaccines which do not fulfil the specific requirements of Annex B point 2 of Decision 93/342/EEC, not less than 30 days before slaughter^(*); and
- (b) has undergone at slaughter, on the basis of an at random sample of cloacal swabs of at least 60 birds of each flock concerned, a virus isolation test for Newcastle disease in which no avian paramyxoviruses with an intracerebral pathogenicity index (ICPI) of more than 0,4 have been found; and
- (c) has not been in contact during the period of 30 days preceding slaughter with poultry which do not fulfil the guarantees mentioned under (a) and (b).

^(*) Delete the unnecessary reference.

*ANNEX E***ADDITIONAL GUARANTEES TO BE INCLUDED IN THE ANIMAL HEALTH CERTIFICATE FOR IMPORT OF LIVE POULTRY OR HATCHING EGGS INTO THE COMMUNITY FROM THIRD COUNTRIES WHERE ARTICLE 4 (4) OF DECISION 93/342/EEC APPLIES**

Although the use of vaccines against Newcastle disease which do not fulfil the specific requirements of point 2 of Annex B of Decision 93/342/EEC, is not prohibited in (*), the

- live poultry (**),
 - breeding poultry from which the hatching eggs (**) / one-day-old chicks (**) are issued (**)
- (a) (i) either have not been vaccinated for at least 12 months with such vaccines (**),
- (ii) or have been vaccinated with such vaccines within 12 months but not less than 60 days before consignment (**) or collection of hatching eggs (**), in which case the poultry of the flock of origin has undergone during the 14 days preceding consignment or collecting of eggs, on the basis of an at random sample of cloacal swabs of at least 60 birds of each flock concerned, a virus isolation test for Newcastle disease in which no avian paramyxoviruses with an Intracerebral Pathogenicity Index (ICPI) of more than 0,4 have been found (**); and
- (b) have not been in contact during the periods of respectively 12 months or 60 days mentioned in (a) (i) or (a) (ii) with poultry which do not fulfil the guarantees mentioned respectively under (a) (i) or (a) (ii); and
- (c) have been isolated under official surveillance on the holding of origin during the 14 days period mentioned in (a) (ii); and
- (d) when it concerns export of one-day-old chicks, the hatching eggs from which they hatched have not been in contact in the hatchery or during transport with eggs or poultry which do not fulfil the above-mentioned guarantees.

*ANNEX F***ADDITIONAL GUARANTEES TO BE INCLUDED IN THE ANIMAL HEALTH CERTIFICATE FOR IMPORT OF FRESH POULTRY MEAT INTO THE COMMUNITY FROM THIRD COUNTRIES WHERE ARTICLE 4 (4) OF DECISION 93/342/EEC APPLIES**

Although the use of vaccines against Newcastle disease which do not fulfil the specific requirements of Point 2 of Annex B of Decision 93/342/EEC, is not prohibited in (*), the slaughter poultry from which the meat is issued

- (a) (i) either have not been vaccinated for at least 12 months with such vaccines (**);
- (ii) or have been vaccinated with such vaccines within 12 months but not less than 30 days before slaughter in which case the poultry of the flock of origin has undergone at slaughter, on the basis of an at random sample of cloacal swabs of at least 60 birds of each flock concerned, a virus isolation test for Newcastle disease in which no avian paramyxoviruses with an ICPI of more than 0,4 have been found (**); and
- (b) have not been in contact during the periods of respectively 12 months or 30 days mentioned in (a) (i) or (a) (ii) with poultry which do not fulfil the guarantees mentioned respectively under (a) (i) or (a) (ii).

(*) Name of the country of origin.

(**) Delete the unnecessary reference.

COMMISSION DECISION

of 4 June 1993

concerning protection measures in relation to foot-and-mouth disease in Bulgaria and amending for the second time Decision 93/242/EEC

(93/343/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽¹⁾, as last amended by Council Decision 92/438/EEC⁽²⁾, and in particular Article 18 (7) thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽³⁾, as last amended by Directive 92/118/EEC⁽⁴⁾, and in particular Article 19 (7) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable to intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽⁵⁾, as last amended by Directive 92/118/EEC, and in particular Article 10 thereof,

Whereas an outbreak of foot-and-mouth disease has been confirmed in Bulgaria;

Whereas the occurrence of foot-and-mouth disease in Bulgaria presents a serious threat to the herds of Member States, in view of the trade in and import of live animals and their products;

Whereas it is necessary therefore to implement a prohibition on imports and transit of live animals of susceptible species and imports of all products of those species from Bulgaria;

Whereas for reasons of clarity it is appropriate to exclude Bulgaria from the field of application of Commission Decision 93/242/EEC of 30 April 1993 concerning the importation into the Community of certain live animals and their products originating from certain European

countries in relation to foot-and-mouth disease⁽⁶⁾, as amended by Decision 93/355/EEC⁽⁷⁾;

Whereas this Decision is in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall not authorize the introduction into the territory of the Community of live animals of the bovine, ovine, caprine, porcine and other biungulate species, originating in or coming via the territory of Bulgaria.

2. Member States shall not send live animals of the bovine, ovine, caprine, porcine and other biungulate species to other Member States via the territory of Bulgaria.

Article 2

Member States shall not authorize the importation of products of the bovine, ovine, caprine, porcine and other biungulate species originating in the territory of Bulgaria.

Article 3

In Annex B of Commission Decision 93/242/EEC the word 'Bulgaria' is deleted.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 4 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽³⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁵⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽⁶⁾ OJ No L 110, 4. 5. 1993, p. 36.

⁽⁷⁾ OJ No L 132, 29. 5. 1993, p. 140.