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Contents

I *Acts whose publication is obligatory*

- * Council Regulation (EC) No 1318/94 of 6 June 1994 terminating the review of anti-dumping measures concerning imports of certain acrylic fibres originating in Mexico and repealing the measures applying to such imports** 1
- Commission Regulation (EC) No 1319/94 of 7 June 1994 amending Regulation (EC) No 1082/94 on a special intervention measure for barley in Spain 6
- Commission Regulation (EC) No 1320/94 of 7 June 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal 7
- Commission Regulation (EC) No 1321/94 of 7 June 1994 fixing the premiums to be added to the import levies on cereals, flour and malt 9

II *Acts whose publication is not obligatory*

Commission

94/321/EC :

- * Commission Decision of 29 April 1994 concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine and porcine species from Croatia ⁽¹⁾** 11

Corrigenda

- * Corrigendum to Commission Regulation (EC) No 227/94 of 1 February 1994 establishing final regional reference amounts for producers of soya beans, rapeseed, colza seed and sunflower seed, for the 1993/4 marketing year (OJ No L 28 of 2. 2. 1994)** 29

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1318/94

of 6 June 1994

terminating the review of anti-dumping measures concerning imports of certain acrylic fibres originating in Mexico and repealing the measures applying to such imports

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Articles 9 and 14 thereof,

Having regard to the proposal submitted by the Commission after consultation within the Advisory Committee as provided for under the abovementioned Regulation,

Whereas :

review, pursuant to Article 14 of Regulation (EEC) No 2423/88 (hereafter referred to as 'the basic Regulation').

(4) The Commission therefore published a notice in the *Official Journal of the European Communities*⁽²⁾ announcing a review of the measures and reopening of the investigation.

(5) As a result of this review, the Council, by Regulation (EEC) No 3121/89⁽³⁾, modified the measures applicable to imports of certain acrylic fibres originating in Mexico by imposing residual duties and accepting new or revised undertakings from five companies.

(6) Subsequently, the Commission received a request for a review of the measures from three of the Mexican companies which had given undertakings in 1989. These companies requested to be released from their price undertakings and have Regulation (EEC) No 3121/89 repealed on the grounds that the prices of imports originating in Mexico were higher than those of the Community producers, that Mexican export prices were significantly higher than those of other third countries selling to the Community and that the Mexican products concerned held a 'de minimis' share of the overall Community market. Following consultations with the Advisory Committee, it was considered that the request contained sufficient evidence to justify initiating a review pursuant to Article 14 of the basic Regulation on the grounds of changed circumstances.

(7) Accordingly, the Commission published a notice in the *Official Journal of the European Communities*⁽⁴⁾ and commenced an investigation.

A. PREVIOUS PROCEDURE

(1) By Decision 86/468/EEC⁽⁵⁾, the Council accepted price undertakings for imports of certain acrylic fibres originating in, *inter alia*, Mexico.

(2) Early in 1988, the International Rayon and Synthetic Fibres Committee ('IRSFC') acting on behalf of producers accounting for virtually the entire Community output of the acrylic fibres concerned, asked the Commission to review the anti-dumping measures applicable to imports from Mexico and to reopen the investigation.

(3) The Advisory Committee having been consulted, it was considered that the request contained sufficient evidence of changed circumstances to warrant a

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1. Regulation as last amended by Regulation (EC) No 522/94 (OJ No L 66, 10. 3. 1994, p. 10).

⁽²⁾ OJ No L 272, 24. 9. 1986, p. 29.

⁽³⁾ OJ No C 117, 4. 5. 1988, p. 3.

⁽⁴⁾ OJ No L 301, 19. 10. 1989, p. 1.

⁽⁵⁾ OJ No C 154, 5. 6. 1993, p. 7.

- (8) The Commission officially notified the Community producers, exporters and importers known to be concerned and the representatives of the exporting country of the initiation of the proceeding and gave the parties concerned the opportunity to make their views known in writing and to request a hearing.
- (9) The Commission sought and verified all the information it deemed to be necessary for the purpose of its investigation and visited the premises of the following companies:

(a) *Community producers:*

- Courtaulds Fibres Ltd, Bradford,
- Courtaulds España SA, Barcelona,
- Enichem Fibre SpA, San Donato Milanese,
- Fibras Sintéticas de Portugal SA, Barreiro,
- Montefibre SpA, Milan;

(b) *Mexican exporters:*

- Acrilia SA de CV, Mexico City,
- Celulosa y Derivados SA de CV, Guadalajara,
- Crisol International SA de CV, Mexico City,
- Crisol Textil SA de CV, Mexico City,
- Fibras Sintéticas SA de CV, Mexico City;

(c) *unrelated importer:*

- Kaben SA, Terrassa (Barcelona).

It should be noted that one Community producer, Bayer AG of Dormagen, submitted a reply to the Commission's questionnaire outside the time limit laid down for the purposes of receipt of replies to the questionnaire. Since taking the information into account would have delayed investigation, in this proceeding, in accordance with Article 7 (7) (b) of the basic Regulation, the findings on injury have been based on the facts available, i.e. data submitted by the cooperating Community producers which accounted for a major proportion (56 %) of the Community output of the product concerned and verified by the Commission.

- (10) The Community producers, the exporters and the unrelated importer which cooperated requested and were informed of the essential facts and considerations on the basis of which it was intended to recommend the termination of the review and repeal the anti-dumping measures. The Commission took into account, where appropriate, the submissions of the parties concerned.
- (11) The investigation of dumping covered the period 1 April 1992 to 31 March 1993.

B. PRODUCT

- (12) The products concerned by this review proceeding are identical to the products subject to the definitive measures referred to in recital 5, namely:
- acrylic filament tow (commonly known as 'acrylic tow'),
 - acrylic staple fibres, not carded, combed or otherwise processed for spinning (commonly known as 'acrylic staple'),
 - acrylic stapel fibres, carded, combed or otherwise processed for spinning (commonly known as 'acrylic tops').

It should be noted that acrylic staple and acrylic tops are derived directly from acrylic tow and thus form a family of closely related products. As it is also normally the case that acrylic fibre producers manufacture and sell all three products, for the purposes of this investigation they have been regarded as one product and, unless otherwise specified, are referred to in this Regulation as 'acrylic fibres'.

C. DUMPING

- (13) The question of dumping by the Mexican exporters was investigated fully by the Commission. However, in view of the conclusions drawn later in this Regulation with regard to injury and likelihood of further injury in the event of repeal of the existing measures, it is not considered necessary to examine this question in the present Regulation.

D. INJURY

1. Volume, market share and prices

(a) *Volume of dumped imports*

- (14) It was established that between 1989 and the investigation period, the volume of acrylic fibres imported into the Community of Mexican origin rose slightly from 2 331 tonnes to 2 576 tonnes. In terms of the market share of these Mexican imports over the same period, this remained stable at around 0,6 % of the Community market.

(b) *Prices of the dumped imports*

- (15) A price comparison was made between the ex works prices of the Community producers and the duty paid prices of acrylic tops exported by the Mexican producers during the investigation period. The comparison shows that the Mexican imports were undercutting the Community producers by 2,3 %.

(c) Consumption in the Community

- (16) With regard to consumption of acrylic fibres in the Community, it was found that this had fallen from 430 461 tonnes in 1989 to 404 653 tonnes during the investigation period, a drop of 5,9 %.

2. Situation of the Community industry*(a) Production, capacity and utilization of capacity*

- (17) Total production volumes of those companies which cooperated with the Commission's investigation rose from 374 000 tonnes in 1989 to 410 000 tonnes in the investigation period, an increase of 9,6 %. It should also be noted that information available to the Commission indicates that there was a rise in production volume of 7,6 % among those companies which failed to cooperate with the investigation.

- (18) Capacity utilization for the cooperating Community producers during the investigation period was found to be at least 90 %.

(b) Sales volumes and market share

- (19) The quantities of acrylic fibres sold in the Community by all the Community producers dropped from 402 000 tonnes in 1989 to 378 000 tonnes during the investigation period, a fall of 6 %. On the other hand, the overall market share of these Community producers remained stable at around 93 % over the same period.

(c) Price evolution

- (20) The investigation showed that weighted average ex works sales price in the Community of the Community producers dropped by 8,1 % in the case of acrylic tow between 1989 and the investigation period, by 6,3 % in the case of acrylic staple and by 2,3 % in the case of acrylic tops.

(d) Profits

- (21) During the investigation period, the cooperating Community producers achieved a weighted average net profit on turnover of 9,6 % for sales of acrylic fibres. The profit margin was 10,5 % in 1992 and 9,8 % in 1991.

(e) Conclusions

- (22) In drawing conclusions from the above data, it should be remembered that between 1986 and the investigation period, anti-dumping measures in the form of price undertakings were in force against imports of Mexican acrylic fibres and acrylic fibres of other third country origin. Overall demand in

the Community for acrylic fibres has shrunk since 1989 and this decline in demand has caused a corresponding downturn in both the sales volumes and sales prices achieved by the Community producers.

On the other hand, the Community producers have increased their production volume over this period, maintained very high capacity utilization levels and also achieved levels of profitability which are not unreasonable.

- (23) In view of the above factors, it is concluded that the Community industry did not suffer material injury within the meaning of Article 4 (1) of the basic Regulation.

E. LIKELIHOOD OF FURTHER INJURY IN THE EVENT OF REPEAL OF THE EXISTING ANTI-DUMPING MEASURES

1. Preliminary considerations

- (24) The fact that the dumped imports are not currently causing injury is not, in itself, a reason for removing the existing anti-dumping measures. In such circumstances and within the framework of a review initiated at the request of the majority of Mexican producers, the question has to be considered of whether repealing the anti-dumping measures would lead again to injury or threat of injury. In this regard, it must be determined whether a recurrence of injury to the Community industry caused by dumping of Mexican products would be foreseeable in the absence of measures.

- (25) To this end, the production volume and capacities in Mexico, the profits and sales levels of Mexican producers on the Mexican market, the profits and sales levels of Mexican producers on markets other than Mexico or the Community and general developments in trade have all been taken into account.

2. Production volume and capacity in Mexico

- (26) The investigation established that the production volume of acrylic fibres of the Mexican producers had risen by approximately 20 % between 1989 and the investigation period. Capacity utilization had remained fairly static at around 88 %.

In this regard, the Community industry stated that the Mexican producers have plans to further enlarge their capacity and step up exports to the Community to fill this extra capacity. However, no evidence to support these allegations was provided and no indications leading to this conclusion were found during the investigation.

3. Sales and profits in Mexico

- (27) Contrary to the allegations made during the course of the investigation by the Community producers, it was found that the Mexican producers had made reasonable profits on their sales of acrylic fibres in Mexico. In recent years, weighted average domestic profits ranged from 13,8 to 19 %. Such domestic sales represent, on average, approximately 75 % of the Mexican producers' total sales and, in terms of volume, had increased by approximately 12 % between 1989 and the investigation period.

4. Sales and profits in the Community

- (28) The investigation showed that the Mexican producers' export sales to the Community account for less than 1 % of their total sales. With regard to the profits and sales in the Community achieved by such sales, it was found that the Mexican peso had appreciated against the ecu when comparing the exchange rate at the beginning of the investigation period with the exchange rate at the end of that period. In conjunction with the Community producers' declining sales prices in the Community, this led to a situation where exports at the new exchange rate levels left the Mexican producers with relatively uncompetitive duty paid import prices.

5. Volume and profits in other markets (excluding the Community)

- (29) During the investigation period, it was found that the sales of acrylic fibres to markets other than Mexico and the Community and which accounted for approximately 24 % of the investigated Mexican producers' total sales, were mainly in Latin America. Such sales achieved weighted average profits of approximately 2 % on turnover.

6. General developments in trade

(a) *Decline of the Chinese market*

- (30) Information supplied during the investigation showed that until the end of 1992, the People's Republic of China was a major buyer of acrylic fibres manufactured by Community producers. Data concerning sales to China showed that such sales represented approximately 16 % of the total output of the Community acrylic fibre industry. In 1993, however, China drastically reduced its import requirements and the latest information available

shows that Community producers only exported amounts there equivalent to 1,7 % of total Community production during the first half of 1993.

- (31) Clearly, in order to maintain high production and capacity utilization levels, the Community producers have had to react very quickly and find alternative markets for their products. The problem for them has been exacerbated by the declining demand within the Community for acrylic fibres (see recital 16) and, unless new export markets can be found, the Community producers will be faced with excess capacity combined with falling prices and profits as competition amongst themselves increases both inside and outside the Community.

(b) *General decline in demand*

- (32) As has been shown in this Regulation, consumption and demand for acrylic fibres has fallen and this decline looks set to continue into the future. In addition to the loss of the Chinese market, the Community producers have attributed the fall in demand partly to a trend among Community clothing manufacturers to make lighter weight garments which means that less acrylic fibre is required. Also, consumer taste in the major developed markets the world has moved away from articles made from artificial and synthetic fibres to articles made from natural fibres such as cotton, wool, linen, etc.

Given this situation and in view of the problems already faced by Mexican exporters in remaining competitive at current price levels, it is considered unlikely that they will be able to increase their sales levels of acrylic fibres to the Community particularly if prices fall even further.

(c) *The North American Free Trade Agreement (NAFTA)*

- (33) It has been argued that another factor which will have an impact on the way that Mexican producers trade in acrylic fibres is the NAFTA Agreement. Notwithstanding the overall decline in demand for acrylic fibres as mentioned in recital 32, North America will still remain a huge market and it is likely that improved access to this market for finished and part-finished Mexican textile products will significantly increase the demand for Mexican acrylic fibres. In the present circumstances, it is considered that the North American market is likely to be a more attractive market for the Mexican exporters than the Community.

(d) *Conclusion*

- (34) All the above factors lead to the conclusion that it is unlikely that the Mexican producers will significantly increase their exports to the Community, even if the anti-dumping measures were no longer in force.

F. GENERAL CONCLUSION ON THE IMPACT OF REPEALING THE EXISTING MEASURES

- (35) Taking into account all factual data available, it has been concluded that it is not foreseeable that the repeal of the anti-dumping measures would result in dumped imports of acrylic fibres from Mexico regaining a share of the market sufficient to cause injury. Accordingly, it is considered that such repeal would not lead to a recurrence of material injury to the Community industry concerned. The present review should therefore be terminated and

the anti-dumping measures currently in force be repealed.

- (36) It is noted, however, that should there be any significant increase of imports of acrylic tow, acrylic staple or acrylic tops originating in Mexico at dumped prices, the Community institutions would, on the basis of a duly supported complaint by the Community industry, consider reopening expeditiously a new anti-dumping proceeding concerning such imports,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3121/89 is hereby repealed.

Article 2

This Regulation shall enter into force on the 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 Luxembourg, 6 June 1994.

For the Council

The President

Y. PAPANTONIOU

COMMISSION REGULATION (EC) No 1319/94**of 7 June 1994****amending Regulation (EC) No 1082/94 on a special intervention measure for barley in Spain**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1533/93 of 22 June 1993, laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on recitals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾,

Whereas Commission Regulation (EC) No 1082/94 ⁽⁵⁾, opens an invitation to tender for the refund for the export of barley produced in Spain to all third countries;

Whereas, in the present situation, it is appropriate to increase the quantity put up for tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) of Regulation (EC) No 1082/94 is hereby amended as follows:

'1. A special intervention measure in the form of an export refund shall be applied in respect of 500 000 tonnes of barley produced in Spain.'

Article 2

This Regulation shall enter into force on the day of 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, 7 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 120, 11. 5. 1994, p. 24.

COMMISSION REGULATION (EC) No 1320/94**of 7 June 1994****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 Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 10 (5) and Article 11 (3) 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⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 819/94 ⁽⁵⁾ 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 6 June 1994, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 819/94 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 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 June 1994.

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

Done at Brussels, 7 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 94, 13. 4. 1994, p. 16.

ANNEX

to the Commission Regulation of 7 June 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁹⁾
0709 90 60	97,27 ⁽²⁾ ⁽³⁾
0712 90 19	97,27 ⁽²⁾ ⁽³⁾
1001 10 00	40,97 ⁽¹⁾ ⁽⁵⁾
1001 90 91	91,65
1001 90 99	91,65 ⁽⁹⁾
1002 00 00	122,37 ⁽⁶⁾
1003 00 10	125,96
1003 00 90	125,96 ⁽⁹⁾
1004 00 00	102,45
1005 10 90	97,27 ⁽²⁾ ⁽³⁾
1005 90 00	97,27 ⁽²⁾ ⁽³⁾
1007 00 90	103,96 ⁽⁹⁾
1008 10 00	34,26 ⁽⁹⁾
1008 20 00	50,69 ⁽⁹⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁷⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	165,36 ⁽⁹⁾
1102 10 00	210,43
1103 11 10	98,03
1103 11 90	189,31
1107 10 11	174,02
1107 10 19	132,77
1107 10 91	235,09 ⁽¹⁰⁾
1107 10 99	178,41 ⁽⁹⁾
1107 20 00	206,12 ⁽¹⁰⁾

⁽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 or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

COMMISSION REGULATION (EC) No 1321/94

of 7 June 1994

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 Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 12 ⁽⁴⁾ 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⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93 ⁽⁵⁾ 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 6 June 1994, 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 to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 June 1994.

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

Done at Brussels, 7 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 7 June 1994 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	1,02	0	0
1001 90 99	0	1,02	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	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	1,45	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	1,82	0	0	0
1107 10 19	0	1,36	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 April 1994

concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine and porcine species from Croatia

(Text with EEA relevance)

(94/321/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽¹⁾, as last amended by Regulation (EEC) No 1601/92⁽²⁾, and in particular Article 8 thereof,

Whereas Member States are required to import domestic animals of the bovine and porcine species in accordance with the provisions of Council Directive 91/496/EEC⁽³⁾, as last amended by Decision 92/438/EEC⁽⁴⁾, which lays down the principles governing the organization of veterinary checks on animals entering the Community from third countries;

Whereas pursuant to Commission Decision 93/242/EEC⁽⁵⁾, as last amended by Decision 94/81/EC⁽⁶⁾, imports of live animals are permitted from certain regions of Croatia;

Whereas the geographical proximity of Croatia to the Community has implications for the trade in live animals;

Whereas following Community veterinary missions, it appears that the animal health situation in Croatia is controlled by veterinary services which, although currently in the process of reorganization, can nevertheless offer satisfactory guarantees concerning diseases which might be transmitted through the importation of domestic animals of the bovine or porcine species;

Whereas the responsible veterinary authorities of Croatia have confirmed that Croatia has during the last 24 months been free from foot-and-mouth disease and during the last 12 months been free from rinderpest, contagious bovine pleuro-pneumonia, bovine spongiform encephalopathy, vesicular stomatitis, bluetongue, African swine fever, porcine enteroviral encephalomyelitis (Teschén disease), swine vesicular disease and vesicular exanthema and that no vaccinations have been carried out against any of those diseases during the past 12 months;

Whereas the responsible veterinary authorities of Croatia have undertaken to notify the Commission and the Member States, by telex or telefax, within 24 hours, of the confirmation of the occurrence of any of the abovementioned diseases and classical swine fever or of the adoption of vaccination against any of them or, within an appropriate period, of any proposed changes in the Croatian import rules concerning bovine animals or swine or the semen or embryos thereof;

Whereas bovine tuberculosis and brucellosis have been eradicated from Croatia; whereas vaccination against bovine brucellosis is not permitted and whereas the measures taken by the responsible authorities of Croatia to prevent a recrudescence of these diseases are sufficient

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽⁴⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽⁵⁾ OJ No L 110, 4. 5. 1993, p. 36.

⁽⁶⁾ OJ No L 40, 11. 2. 1994, p. 58.

to put their herds, other than those under official restriction, on an equal footing with herds in the Community having the status of officially tuberculosis free or officially brucellosis free ;

Whereas the responsible veterinary authorities of Croatia have undertaken to supervise officially the issue of certificates arising from this Decision and to ensure that all relevant certificates, declarations and statements on which export certification may have been based remain on official file for at least 12 months following the dispatch of the animals to which they refer ;

Whereas the responsible veterinary authorities of Croatia have undertaken not to permit the issue of the certificates described in the Annexes in respect of animals which have been imported unless such animals were imported in accordance with veterinary conditions at least as strict as the relevant requirements of Directive 72/462/EEC, including any relevant subsidiary decisions ;

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

HAS ADOPTED THIS DECISION :

Article 1

1. Without prejudice to Decision 93/242/EEC and to paragraphs 2 and 4 of this Article, Member States shall authorize the importation from Croatia of the following animals :

- (a) domestic animals of the bovine species for breeding or production which meet the requirements set out in the health certificate in Annex A to this Decision and which are accompanied by such a certificate ;
 - (b) domestic animals of the bovine species for slaughter which meet the requirements set out in the health certificate in Annex B to this Decision and which are accompanied by such a certificate ;
and, from a date to be decided according to the procedure laid down in Article 29 of Directive 72/462/EEC, but not earlier than 12 months after the date on which vaccination against classical swine fever has been officially prohibited in Croatia ;
 - (c) domestic animals of the porcine species for breeding or production which meet the requirements set out in the health certificate in Annex C to this Decision and which are accompanied by such a certificate ;
 - (d) domestic animals of the porcine species for slaughter which meet the requirements set out in the health certificate in Annex D to this Decision and which are accompanied by such a certificate.
2. Member States shall authorize the importation from Croatia of the domestic animals of the bovine or porcine

species indicated in paragraph 1 which have been imported into Croatia only if such animals were imported from the Community or from a third country included in the list annexed to Council Decision 79/542/EEC ⁽¹⁾ in so far as that list covers domestic animals of those species and only if the importation was made in accordance with veterinary conditions at least as strict as the requirements of Chapter II of Directive 72/462/EEC, including any relevant subsidiary decisions.

3. Member States shall require that animals which are submitted to tests in pursuance of this Decision are continuously isolated under conditions approved by an official veterinarian of Croatia from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals from the time of the first of such tests to the time of loading.

4. Member States shall permit the entry onto their territory from Croatia of bovine animals only if such animals :

- (a) come from herds declared by the veterinary authorities of Croatia to be enzootic bovine leukosis free as defined in Annex E to this Decision and have been subjected, within 30 days before export and with negative result, to an individual test for enzootic bovine leukosis carried out according to the protocol in Annex I to Commission Decision 91/189/EEC ⁽²⁾ ;

or

- (b) are intended for meat production, are not more than 30 months of age, come from herds which are included in a national programme for the eradication of enzootic bovine leukosis and in which there has been no evidence whatever of that disease for at least two years and are permanently marked as described in Annex F to this Decision ;

or

- (c) come from herds which are included in a national programme for the eradication of enzootic bovine leukosis, are consigned directly to a slaughterhouse and are slaughtered within three working days of their arrival there.

In the case of the animals referred to at (b) and (c) above, Member States shall ensure, by inspection, that such animals are clearly identified, shall supervise them until slaughter and shall take all measures to prevent contamination of indigenous herds.

5. Member States shall make the introduction onto their territory of bovine or porcine animals from Croatia subject to a guarantee that the animals to be imported have not been vaccinated against foot-and-mouth disease.

⁽¹⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽²⁾ OJ No L 96, 17. 4. 1991, p. 1.

6. Member States shall make the introduction onto their territory of pigs from Croatia subject to a guarantee that they have not been vaccinated against classical swine fever and, in the case of pigs intended for breeding or production, a guarantee that they have shown a negative result to a test for the antibody produced by the virus of classical swine fever.

Article 2

Pending the entry into force of any measures adopted by the Community for the eradication, prevention or control of a contagious or infectious bovine or porcine disease other than rabies, tuberculosis, brucellosis, foot-and-mouth disease, anthrax, rinderpest, contagious bovine pleuro-pneumonia, enzootic bovine leukosis, porcine enteroviral encephalomyelitis (Teschén disease), classical swine fever, African swine fever or swine vesicular disease, Member States may apply in respect of animals imported from Croatia such additional health conditions as they apply to other animals within the framework of a national programme, submitted to and approved by the Commission, for the eradication, prevention or control of such disease.

As a temporary measure until 31 December 1994, Member States may apply the provisions of the first subparagraph in respect of national programmes which have been submitted to but not yet approved by the Commission, but in that case they must, without delay, provide the Commission and the other Member States with details of the relevant health conditions.

Article 3

This Decision shall apply from the 30th day after its notification to the Member States.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX A

ANIMAL HEALTH CERTIFICATE

for domestic animals of the bovine species for breeding and production intended for consignment to the European Community

(This certificate is only for veterinary purposes and must accompany the consignment until it reaches the border inspection post. It covers only animals in the same category — breeding or production — transported in the same railway waggon, lorry, aircraft or ship and consigned to the same destination. It must be completed on the date of loading and all time limits referred to expire on that date.)

No :

Exporting country : Croatia

(Applicable only to the following provinces : Zagrebacka, Krapinsko-Zagorska, Varazdinska, Koprivnicko-Krizevacka, Bjelovarsko-Bilogorska, Primorsko-Goranska, Viroviticke-Podravka, Pozesko-Slavonska, Istarska, Medimurska, Grad Zagreb.)

Ministry :

Competent issuing authority :

Country of destination :

Reference :

(Optional)

Reference to accompanying animal welfare certificate :

I. Number of animals :

(In words)

II. Identification of animals

Number of animals	Cows, bulls, oxen, heifers, calves	Breed	Age	Official and other marks or brands. (Give number and position)

III. Origin of animals :

Name(s) and address(es) of farm(s) of origin :

.....

IV. Destination of animals

The animals will be sent

from :

(Place of loading)

to :

(Place of destination)

by railway waggon/lorry/aircraft/ship :

(Indicate means of transport and registration marks, flight number or registered name, as appropriate)

Name and address of consignor :

.....

Name and address of consignee :

.....

V. Health information :

I, the undersigned official veterinarian, hereby certify :

1. that Croatia has during the past 24 months been free from foot-and-mouth disease and during the past 12 months been free from rinderpest, contagious bovine pleuro-pneumonia, vesicular stomatitis and bluetongue, that no vaccinations have been carried out against any of these diseases during the past 12 months and that the importation of animals vaccinated against foot-and-mouth disease is prohibited ;
2. that the animals described in this certificate meet the following requirements :
 - (a) — they were born on the territory of Croatia and have remained there since birth,
or
— they were imported, not less than six months ago, from a Member State of the European Community or from a third country included in the list annexed to Council Decision 79/542/EEC, in accordance with veterinary conditions at least as strict as the relevant requirements of Directive 72/462/EEC, including any subsidiary decisions ;
(Delete unwanted reference)
 - (b) they have been examined this day and show no clinical signs of disease ;
 - (c) they have not been vaccinated against foot-and-mouth disease ;
 - (d) they come from herds which are not restricted under the Croatian tuberculosis eradication legislation,
they have been subjected within the past 30 days and with negative result to an intradermal tuberculin test ;
(Delete reference to test if certificate applies to animals under six weeks old.)
 - (e) they come from herds which are not restricted under the Croatian brucellosis eradication legislation,
they have been subjected within the past 30 days to a serum agglutination test which showed a brucella count of less than 30 IU of agglutination per ml,
they have not been vaccinated against brucellosis ;
(Delete reference to test if certificate applies to animals under 12 months old or to male castrates of any age.)
 - (f) they come from herds declared by the veterinary authorities of Croatia to be enzootic bovine leukosis free as defined in Annex E to Commission Decision 94/321/EC and have been subjected, within the past 30 days and with negative result, to an individual test for enzootic bovine leukosis,
or
they are intended for meat production, are not more than 30 months of age, come from herds which are included in a national programme for the eradication of enzootic bovine leukosis and in which there has been no evidence whatever of that disease during the past 2 years and are marked in the manner defined in Annex F to Commission Decision 94/321/EC ;
(Delete according to the category of animal to which this certificate applies.)
 - (g) they show no clinical sign of mastitis and the analysis (and second analysis, where relevant) of the milk carried out according to Annex D to Council Directive 64/432/EEC within the past 30 days showed no characteristic inflammatory condition, no specific pathogenic micro-organism or, in the case of a second analysis, the presence of an antibiotic ;
(Delete section unless certificate applies to dairy cows.)
 - (h) they are not animals which are to be destroyed under a national contagious or infectious disease eradication programme ;
 - (i) they have remained during the past 30 days, or since birth if less than 30 days old, on a holding or holdings situated in the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of Croatia, during the past 30 days there has been no case of foot-and-mouth disease ;
 - (j) they come from holdings on which there has been no evidence of :
 - anthrax for the past 30 days,
 - brucellosis for the past 12 months,
 - tuberculosis for the past six months,
 - rabies for the past six months ;

- (k) they have been subjected with negative result to the following test(s) and conform to the following guarantees, as required by a Member State in application of Article 2 of Decision 94/321/EC ;

.....
(Complete or delete as required by importing Member State)

- (l) they have been continuously isolated under conditions approved by an official veterinarian from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals since the time of application of the first of the tests referred to in this certificate ;

(Delete if not applicable)

- (m) they have received no thyrostatic, oestrogenic, androgenic or gestagenic substances for fattening purposes ;

- (n) they have been obtained directly from a holding or holdings without passing through any market, and were loaded at :

(Name of loading place. Delete if not applicable)

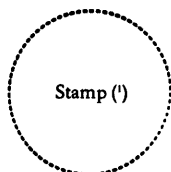
and until dispatched onto the territory of the European Community they did not come into contact with any cloven-hoofed animals other than bovine or porcine animals meeting the requirements of Commission Decision 94/321/EC and were not at any place other than a place situated at the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of Croatia, there had been no incidence of foot-and-mouth disease during the previous 30 days ;

- (o) any transport vehicles or containers in which they were loaded conform to international standards for the transport of live animals, were previously cleansed and disinfected with an officially authorized disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle during transportation.

VI. All tests referred to in this certificate have, except where otherwise indicated, been carried out according to the protocols set out in Annex I to Commission Decision 91/189/EEC. All loading places through which the animals have passed conform to the standards set out in Annex II to the same Decision.

VII. This certificate is valid for 10 days from the date of loading.

Done at, on



.....
(Signature of official veterinarian, who must be a veterinarian in the whole-time employment of the state of Croatia.) (*)

.....
(Name in capital letters, qualifications and title)

(*) The signature and the stamp must be in a colour different to that of the printing.

ANNEX B

ANIMAL HEALTH CERTIFICATE

for domestic animals for immediate slaughter intended for consignment to the European Community

(This certificate is only for veterinary purposes and must accompany the consignment until it reaches the border inspection post. It covers only animals transported in the same railway waggon, lorry, aircraft or ship, consigned to the same destination and intended to be taken immediately on arrival in the Member State of destination direct to a slaughterhouse and to be slaughtered not later than three working days after their entry. It must be completed on the date of loading and all time limits referred to expire on that date.)

No :

Exporting country : Croatia

(Applicable only to the following provinces : Zagrebacka, Krapinsko-Zagorska, Varazdinska, Koprivnicko-Krizevacka, Bjelovarsko-Bilogorska, Primorsko-Goranska, Viroviticko-Podravska, Pozesko-Slavonska, Istarska, Medimurska, Grad Zagreb.)

Ministry :

Competent issuing authority :

Country of destination :

Reference :

(Optional)

Reference to accompanying animal welfare certificate :

I. Number of animals :

(In words)

II. Identification of animals

Number of animals	Cows, bulls, oxen, heifers, calves	Breed	Age	Official and other marks or brands. (Give number and position)

III. Origin of animals :

Name(s) and address(es) of farm(s) of origin :

.....

IV. Destination of animals

The animals will be sent

from :

(Place of loading)

to :

(Place of destination)

by railway waggon/lorry/aircraft/ship :

(Indicate means of transport and registration marks, flight number or registered name, as appropriate)

Name and address of consignor :

.....

Name and address of consignee :

.....

V. Health information :

I, the undersigned official veterinarian, hereby certify :

1. that Croatia has during the past 24 months been free from foot-and-mouth disease and during the past 12 months been free from rinderpest, contagious bovine pleuro-pneumonia, vesicular stomatitis and bluetongue, that no vaccinations have been carried out against any of these diseases during the past 12 months and that the importation of animals vaccinated against foot-and-mouth disease is prohibited ;

2. that the animals described in this certificate meet the following requirements :

(a) — they were born on the territory of Croatia and have remained there since birth,

or

— they were imported, not less than three months ago, from a Member State of the European Community or from a third country included in the list annexed to Council Decision 79/542/EEC, in accordance with veterinary conditions at least as strict as the relevant requirements of Directive 72/462/EEC, including any subsidiary decisions ;

(Delete unwanted reference)

(b) they have been examined this day and show no clinical signs of disease ;

(c) they have not been vaccinated against foot-and-mouth disease ;

(d) they come from herds which are not restricted under the Croatian tuberculosis eradication legislation,

they have been subjected within the past 30 days and with negative result to an intradermal tuberculin test ;

(Delete reference to test if certificate applies to animals under six weeks old.)

(e) they come from herds which are not restricted under the Croatian brucellosis eradication legislation,

they have not been vaccinated against brucellosis ;

(Delete reference to test if certificate applies to animals under 12 months old or to male castrates of any age.)

(f) they come from herds included in a national programme for the eradication of enzootic bovine leukosis ;

(g) they are not animals which are to be destroyed under a national contagious or infectious disease eradication programme ;

(h) they have remained during the past 30 days, or since birth if less than 30 days old, on a holding or holdings situated in the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of Croatia, during the past 30 days there has been no case of foot-and-mouth disease ;

(i) they come from holdings on which there has been no evidence of : anthrax for the past 30 days ;

(j) they have been subjected with negative result to the following test(s) and conform to the following guarantees, as required by a Member State in application of Article 2 of Commission Decision 94/321/EC ;

(k) they have been continuously isolated under conditions approved by an official veterinarian from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals since the time of application of the first of the tests referred to in this certificate ;

(Delete if not applicable)

(l) they have received no thyrostatic, oestrogenic, androgenic or gestagenic substances for fattening purposes ;

- (m) they have been obtained directly from a holding or holdings without passing through any market, and were loaded at :

(Name of loading place. Delete if not applicable)

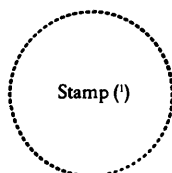
and until dispatched onto the territory of the European Community they did not come into contact with any cloven-hoofed animals other than bovine or porcine animals meeting the requirements of Commission Decision 94/321/EC and were not at any place other than a place situated at the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of Croatia, there had been no incidence of foot-and-mouth disease during the previous 30 days ;

- (n) any transport vehicles or containers in which they were loaded conform to international standards for the transport of live animals, were previously cleansed and disinfected with an officially authorized disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle during transportation.

VI. All tests referred to in this certificate have, except where otherwise indicated, been carried out according to the protocols set out in Annex I to Commission Decision 91/189/EEC. All loading places through which the animals have passed conform to the standards set out in Annex II to the same Decision.

VII. This certificate is valid for 10 days from the date of loading.

Done at, on



.....
(Signature of official veterinarian, who must be a veterinarian in the whole-time employment of the state of Croatia.)⁽¹⁾

.....
(Name in capital letters, qualifications and title)

⁽¹⁾ The signature and the stamp must be in a colour different to that of the printing.

ANNEX C

ANIMAL HEALTH CERTIFICATE

for domestic animals of the porcine species for breeding and production intended for consignment to the European Community

(This certificate is only for veterinary purposes and must accompany the consignment until it reaches the border waggon, lorry, aircraft or ship and consigned to the same destination. It must be completed on the date of loading and all time limits referred to expire on that date.)

No :

Exporting country : Croatia

Ministry :

Competent issuing authority :

Country of destination :

Reference :
(Optional)

Reference to accompanying animal welfare certificate :

I. Number of animals :
(In words)

II. Identification of animals

Number of animals	Sex	Breed	Age	Official and other marks or brands (give number and position)

III. Origin of animals :

Name(s) and address(es) of farm(s) of origin :
.....
.....

IV. Destination of animals

The animals will be sent

from :
(Place of loading)

to :
(Place of destination)

by railway wagon/lorry/aircraft/ship :
(Indicate means of transport and registration marks, flight number or registered name, as appropriate)

Name and address of consignor :
.....

Name and address of consignee :
.....

V. Health information

I, the undersigned official veterinarian, hereby certify :

1. that Croatia has during the past 24 months been free from foot-and-mouth disease and during the past 12 months been free from vesicular stomatitis, classical swine fever, African swine fever, porcine enteroviral encephalomyelitis (Teschen disease), swine vesicular disease and vesicular exanthema, that no vaccinations have been carried out against any of these diseases during the past 12 months and that the importation of animals vaccinated against foot-and-mouth disease and classical swine fever is prohibited ;

2. that the animals described in this certificate meet the following requirements :

(a) — they were born on the territory of Croatia and have remained there since birth,

or

— they were imported, not less than six months ago, from a Member State of the European Community or from a third country included in the list annexed to Council Decision 79/542/EEC, in accordance with veterinary conditions at least as strict as the relevant requirements of Council Directive 72/462/EEC, including any subsidiary decisions ;

(Delete unwanted reference)

(b) they have been examined this day and show no clinical signs of disease ;

(c) they have not been vaccinated against foot-and-mouth disease or against classical swine fever,

— they have been subjected within the past 30 days and with negative result in both cases to a test for classical swine fever antibodies and a test for swine vesicular disease antibodies ;

(d) they come from swine herds which are not restricted under Croatian brucellosis eradication legislation

— they have been subjected within the past 30 days to a serum agglutination test which showed a brucella count of less than 30 IU of agglutination and with negative result to a complement-fixation test for brucellosis ;

(Delete reference to tests if certificate applies to animals under four months of age)

(e) they are not animals which are to be destroyed under a national contagious or infectious disease eradication programme ;

(f) they have remained during the past 30 days, or since birth if less than 30 days old, on a holding or holdings situated in the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of Austria, during the past 30 days there has been no case of foot-and-mouth disease, classical swine fever, African swine fever or swine vesicular disease ;

(g) they come from holdings on which there has been no evidence of :

— anthrax for the past 30 days,

— rabies for the past six months ;

(h) they have been subjected with negative result to the following test(s) and conform to the following guarantees, as required by a Member State in application of Article 2 of Commission Decision 94/321/EC :

..... ;

(Complete or delete as required by importing Member State)

(i) they have been continuously isolated under conditions approved by an official veterinarian from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals since the time of application of the first of the tests referred to in this certificate ;

(Delete if not applicable)

(j) they have received no thyrostatic, oestrogenic, androgenic or gestogenic substances for fattening purposes ;

- (k) they have been obtained directly from a holding or holdings without passing through any market, and were loaded at :

.....;

(Name of loading place. Delete if not applicable)

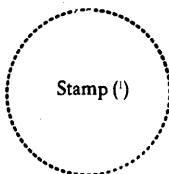
and until dispatched onto the territory of the European Community they did not come into contact with any cloven-hoofed animals other than bovine or porcine animals meeting the requirements of Decision 94/321/EC and were not at any place other than a place situated at the centre of an area of 20 km diameter in which, according to official findings by the veterinary authorities of Croatia, there had been no incidence of foot-and-mouth disease, African swine fever, classical swine fever or swine vesicular disease during the previous 30 days ;

- (l) any transport vehicles or containers in which they were loaded conform to international standards for the transport of live animals, were previously cleansed and disinfected with an officially authorized disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle during transportation.

VI. All tests referred to in this certificate have been carried out according to the protocols set out in Annex I to Commission Decision 91/189/EEC. All loading places through which the animals have passed conform to the standards set out in Annex II to the same Decision.

VII. This certificate is valid for 10 days from the date of loading.

Done at, on



.....
(Signature of official veterinarian, who must be a veterinarian in the whole-time employment of the state of Croatia.) (*)

.....
(Name in capital letters, qualifications and title)

(*) The signature and the stamp must be in a colour different to that of the printing.

ANNEX D

ANIMAL HEALTH CERTIFICATE

for domestic animals of the porcine species for immediate slaughter intended for consignment to the European Community

(This certificate is only for veterinary purposes and must accompany the consignment until it reaches the border waggon, lorry, aircraft or ship, consigned to the same destination and intended to be taken immediately on arrival in the Member State of destination direct to a slaughterhouse and to be slaughtered not later than three working days after their entry. It must be completed on the date of loading and all time limits referred to expire on that date.)

No :

Exporting country : Croatia

Ministry :

Competent issuing authority :

Country of destination :

Reference :

(Optional)

Reference to accompanying animal welfare certificate :

I. Number of animals :

(In words)

II. Identification of animals

Number of animals	Pigs or piglets	Official and other marks or brands. (Give number and position)

III. Origin of animals :

Name(s) and address(es) of farm(s) of origin :

.....

.....

IV. Destination of animals

The animals will be sent

from :

(Place of loading)

to :

(Place of destination)

by railway wagon/lorry/aircraft/ship :

(Indicate means of transport and registration marks, flight number or registered name, as appropriate)

Name and address of consignor :

.....

Name and address of consignee :

.....

V. Health information

I, the undersigned official veterinarian, hereby certify :

1. that Croatia has during the past 24 months been free from foot-and-mouth disease and during the past 12 months been free from vesicular stomatitis, classical swine fever, African swine fever, porcine enteroviral encephalomyelitis (Teschén disease), swine vesicular disease and vesicular exanthema, that no vaccinations have been carried out against any of these diseases during the past 12 months and that the importation of animals vaccinated against foot-and-mouth disease and classical swine fever is prohibited ;

2. that the animals described in this certificate meet the following requirements :

(a) — they were born on the territory of Croatia and have remained there since birth,

or

— they were imported, not less than six months ago, from a Member State of the European Community or from a Third Country included in the list annexed to Council Decision 79/542/EEC, in accordance with veterinary conditions at least as strict as the relevant requirements of Council Directive 72/462/EEC, including any subsidiary decisions ;

(Delete unwanted reference)

(b) they have been examined this day and show no clinical signs of disease ;

(c) they have not been vaccinated against foot-and-mouth disease or against classical swine fever,

(d) they are not animals which are to be destroyed under a national contagious or infectious disease eradication programme ;

(e) they have remained during the past 30 days, or since birth if less than 30 days old, on a holding or holdings situated in the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of Austria, during the past 30 days there has been no case of foot-and-mouth disease, classical swine fever, African swine fever or swine vesicular disease ;

(f) they come from holdings on which there has been no evidence of anthrax for the past 30 days ;

(g) they have been subjected with negative result to the following test(s) and conform to the following guarantees, as required by a Member State in application of Article 2 of Commission Decision 94/321/EC ;

(h) they have been continuously isolated under conditions approved by an official veterinarian from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals from the time of application of the first of the tests referred to in this certificate ;

(Delete if not applicable)

(i) they have received no thyrostatic, oestrogenic, androgenic or gestogenic substances for fattening purposes ;

(j) they have been obtained directly from a holding or holdings without passing through any market, and were loaded at :

..... ;

(Name of loading place. Delete if not applicable)

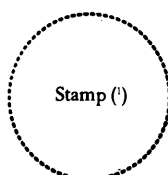
and until dispatched onto the territory of the European Community they did not come into contact with any cloven-hoofed animals other than bovine or porcine animals meeting the requirements of Decision 94/321/EC and were not at any place other than a place situated at the centre of an area of 20 km diameter in which, according to official findings by the veterinary authorities of Croatia, there had been no incidence of foot-and-mouth disease, African swine fever, classical swine fever or swine vesicular disease during the previous 30 days ;

- (k) any transport vehicles or containers in which they were loaded conform to international standards for the transport of live animals, were previously cleansed and disinfected with an officially authorized disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle during transportation.

VI. All tests referred to in this certificate have been carried out according to the protocols set out in Annex I to Commission Decision 91/189/EEC. All loading places through which the animals have passed conform to the standards set out in Annex II to the same Decision.

VII. This certificate is valid for 10 days from the date of loading.

Done at, on



.....
(Signature of official veterinarian, who must be a veterinarian
in the whole-time employment of the state of Croatia.) (!)

.....
(Name in capital letters, qualifications
and title)

.....
(!) The Signature and the Stamp must be in a colour different to that of the printing.

ANNEX E

ENZOOTIC BOVINE LEUKOSIS FREE HERDS AND REGIONS

1. A herd becomes established as enzootic bovine leukosis free when :
 - (a) (i) there has been no evidence whatever of enzootic bovine leukosis in the herd for a period of at least two years ;
and
(ii) it has been subjected with negative result to two herd tests for enzootic bovine leukosis at an interval of not less than four and not more than 12 months, each herd test consisting of one of the serological tests described in Annex I to Commission Decision 91/189/EEC applied to all bovine animals in the herd over 24 months of age on the date of the test ;
or
 - (b) the region in which it is situated becomes established as an enzootic bovine leukosis free region, provided the status of the herd is not at the time suspended under the terms of paragraph 5.
2. A region becomes established as enzootic bovine leukosis free when :
 - (a) at least 99,8 % of bovine herds have the status of enzootic bovine leukosis free ;
or
 - (b) (i) there has been no evidence whatever of enzootic bovine leukosis in the region for a period of at least three years ;
and
(ii) all bovine herds in the region have been subjected to at least one herd test as described in paragraph 1 ;
and
(iii) at least 10 % of bovine herds in the region, selected on a random basis, have been subjected with negative result to at least two herd tests as described in paragraph 1.
3. A herd maintains its status as enzootic bovine leukosis free as long as :
 - (a) there is no evidence whatever of enzootic bovine leukosis in the herd ;
and
 - (b) all the bovine animals in the herd were born there or were introduced from herds of enzootic bovine leukosis free status ;
and
 - (c) within three years of the date of its establishment as enzootic bovine leukosis free, and at intervals of not more than three years thereafter, it is subjected with negative result to a herd test as described in paragraph 1.
4. A region maintains its status as enzootic bovine leukosis free as long as :
 - (a) each year, a proportion of the herds in the region, selected on a random basis and sufficient in number to demonstrate, with a 99 % confidence rating, that not more than 0,2 % of herds are infected with enzootic bovine leukosis, have been subjected to a herd test as described in paragraph 1 ;
or
 - (b) each year, a proportion of the herds in the region, sufficient to contain at least 20 % of the bovine animals in the region over 24 months of age, have been subjected with negative result to a herd test as described in paragraph 1.
5. The enzootic bovine leukosis free status of a herd is suspended when :
 - (a) the conditions described in paragraph 3 cease to apply ;
or
 - (b) one or more animals give a positive result to one of the serological tests described in Annex I to Commission Decision 90/189/EEC.
6. The enzootic bovine leukosis free status of a region is suspended when :
 - (a) the conditions described in paragraph 4 cease to apply ;
or
 - (b) enzootic bovine leukosis is detected and confirmed in more than 0,2 % of bovine herds in the region.

7. The enzootic bovine leukosis free status of a herd is re-established when :

- (a) any reactor animal and, if the reactor is a cow, its progeny in the herd have been removed under the supervision of the veterinary authorities for slaughter, except that the competent authority may grant a derogation from the requirement for the removal of the progeny of a reactor cow if it is satisfied that the animal(s) was/were separated from its/their dam immediately after birth ;

and

- (b) (i) if the suspension results from a positive test on a single animal, the herd has been subjected with negative result and not less than three months after the withdrawal referred to in 7 (a) to a herd test as described in paragraph 1 ;

or

- (ii) if the suspension results from a positive test on more than one animal, the herd has been subjected to two herd tests as described in paragraph 1, the first being applied not less than three months after the withdrawal referred to in 7 (a) and the second not less than four or more than 12 months later, the tests to include any progeny of a reactor cow retained in the herd under the derogation referred to in paragraph 7 (a), regardless of their age at the time of test ;

and

- (c) an epizootological enquiry has been conducted on all herds epizootologically linked to the infected herd.

8. The enzootic bovine leukosis free status of a region is re-established when :

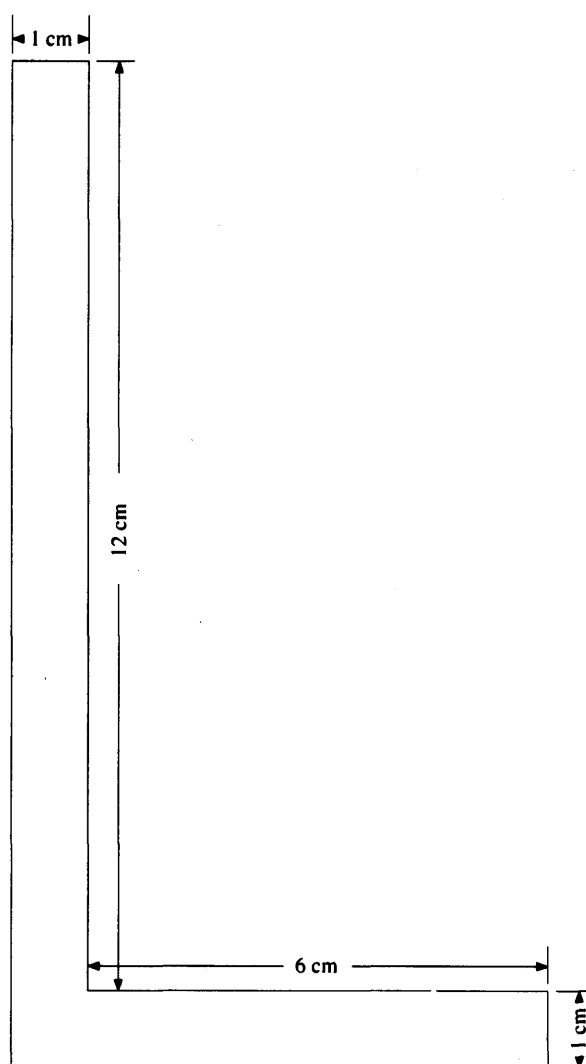
- (a) at least 99,8 % of bovine herds in the region have the status of enzootic bovine leukosis free ;

and

- (b) at least 20 % of bovine herds in the region have been subjected with negative result to two herd tests as described in paragraph 1 at an interval of not less than four and not more than 12 months.
-

*ANNEX F***MARK TO BE APPLIED TO BOVINE ANIMALS IN APPLICATION OF ARTICLE 1 (4) (B) OF
COMMISSION DECISION 94/321/EC**

A permanent mark, having the dimensions indicated below, applied to and visible on at least two places, on the hind-quarters of each animal using the technique known as 'freeze-branding'.



CORRIGENDA

Corrigendum to Commission Regulation (EC) No 227/94 of 1 February 1994 establishing final regional reference amounts for producers of soya beans, rapeseed, colza seed and sunflower seed, for the 1993/4 marketing year

(Official Journal of the European Communities No L 28 of 2 February 1994)

On page 36, in Annex II for the Region 'Catania collina interna' under column 'Payment (ECU/ha)':

for: '813,37',

read: '81,34'.
