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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1796/94
of 18 July 1994
amending, for the fifteenth time, Regulation (EEC) No 3094/86 laying down
certain technical measures for the conservation of fishery resources

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, according to Article 2 of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽³⁾, it falls to the Council to define, in the light of available scientific advice, the conservation measures required for the realization of the objectives indicated in Article 1 of the said Regulation;

Whereas it is therefore necessary to establish principles and certain procedures at Community level so that each Member State can assure the management of the fishing activities of vessels flying its flag;

Whereas, according to Article 4 of Council Regulation (EEC) No 3760/92, the Council is to establish measures laying down the conditions of access to waters and resources and of the pursuit of exploitation activities and, in particular, lay down technical measures regarding fishing gear and its method of use;

Whereas Regulation (EEC) No 3094/86 ⁽⁴⁾ defines the general technical rules for the capture and landing of biological resources to be found in the waters which it delimits;

Whereas taking account of the latest scientific advice, it is necessary to establish seasonal limitations on fishing activities in the Firth of Clyde and the Irish Sea in order to limit fishing for herring;

Whereas, taking account of the scientific advice, it is necessary to establish seasonal limitations on certain fishing activities in the Skagerrak and the Kattegat;

Whereas the catching of certain species to be transformed into fish-meal or oil can be carried out with a derogatory mesh size provided that such catching operations do not have a negative influence on other demersal stocks, in particular cod and haddock;

Whereas these restrictions on fishing activities amount to technical measures and should therefore be incorporated into Regulation (EEC) No 3094/86,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3094/86 is hereby amended as follows:

1. In Article 7:

(i) paragraph 2 shall be deleted and the existing paragraph 3 shall become paragraph 2;

(ii) the following paragraphs shall be added:

'3. Fishing for herring shall be prohibited from 1 July to 31 October within the area bounded by the following coordinates:

- the west coast of Denmark at latitude 55° 30'N,
- latitude 55° 30'N longitude 07° 00'E,
- latitude 57° 00'N longitude 07° 00'E,
- the west coast of Denmark at latitude 57° 00'N.

⁽¹⁾ OJ No C 346, 24. 12. 1993, p. 10.

⁽²⁾ OJ No C 126, 9. 5. 1994.

⁽³⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 288, 11. 10. 1986, p. 1. Regulation as last amended by Regulation (EEC) No 3676/93 (OJ No L 341, 31. 12. 1993, p. 1).

4. Fishing for herring shall be prohibited in the zone extending from six to twelve miles off the east coast of the United Kingdom as measured from the baselines between latitudes 54° 10'N and 54° 45'N for the period 15 August to 30 September and between latitudes 55° 30'N and 55° 45'N for the period 15 August to 15 September.

5. Fishing for herring shall be prohibited throughout the year in the Irish Sea (ICES Division VII a) in the maritime area between the west coasts of Scotland, England and Wales and a line drawn twelve miles from the baselines of the coasts bounded to the south by latitude 53° 20'N and the north-west by a line drawn between the Mull of Galloway (Scotland) and the Point of Ayre (Isle of Man).

6. Fishing for herring shall be prohibited from 21 September to 31 December in the parts of the Irish Sea (ICES Division VII a) bounded by the following coordinates :

- (a) — the east coast of the Isle of Man at latitude 54° 20'N,
 - latitude 54° 20'N, longitude 3° 40'W,
 - latitude 53° 50'N, longitude 3° 50'W,
 - latitude 53° 50'N, longitude 4° 50'W,
 - the south-west coast of the Isle of Man at longitude 4° 50'W ;
- (b) — the east coast of Northern Ireland at latitude 54° 15'N,
 - latitude 54° 15'N, longitude 5° 15'W,
 - latitude 53° 50'N, longitude 5° 50'W,
 - the east coast of Ireland at latitude 53° 50'N.

Fishing for herring shall be prohibited throughout all the year in Logan Bay, defined as being the waters east of a line drawn from the Mull of Logan,

situated at latitude 54° 44'N and longitude 4° 59'W, to Laggantalluch Head, situated at latitude 54° 41'N and longitude 4° 58'W.

7. Notwithstanding paragraph 6, vessels with a length not exceeding 12,2 metres based in ports situated on the east coast of Ireland and Northern Ireland between latitudes 53° 00'N and 55° 00'N may fish for herring in the prohibited area described in paragraph 6 (b). The only method of fishing authorized shall be drift netting with nets of a minimum mesh size of 54 mm.

8. Fishing for herring shall be prohibited in the maritime area situated to the north-east of a line drawn between Mull of Kintyre and Corsewall Point from 1 January to 30 April.

9. The areas and periods described in this Article may be altered in accordance with the procedure laid down in Article 17.'

2. The following paragraph shall be added to Article 9 :

'18. Trawling and purse seining for mackerel, sprat and herring shall be prohibited in the Skagerrak from Saturday midnight to Sunday midnight and in the Kattegat from Friday midnight to Sunday midnight.'

3. In Annex I, under heading 'Regions 1 and 2', geographical zone 'entire region except Norway pout box', the date concerning the 'maximum percentage of protected species' shall be replaced by '15, of which not more than 5 % of cod and haddock'.

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 Brussels, 18 July 1994.

For the Council

The President

J. BORCHERT

COUNCIL REGULATION (EC) No 1797/94
of 18 July 1994

relating to the conclusion of the Protocol defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of Mauritius on fishing in the waters of Mauritius

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43, in conjunction with Article 228 (2) and (3), first subparagraph, thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas, in accordance with the Agreement between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters ⁽²⁾, the Contracting Parties held negotiations with a view to determining amendments or additions to be made to the Agreement at the end of the period of application of Protocol No 1 ;

Whereas, as a result of these negotiations, a new Protocol defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the said Agreement was initialled on 26 November 1993 ;

Whereas it is in the Community's interest to approve this Protocol,

HAS ADOPTED THIS REGULATION :

Article 1

The Protocol defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of Mauritius on fishing in the waters of Mauritius is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol in order to bind the Community ⁽³⁾.

Article 3

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, 18 July 1994.

For the Council

The President

J. BORCHERT

⁽¹⁾ Opinion delivered on 6 May 1994 (not yet published in the Official Journal).

⁽²⁾ OJ No L 159, 10. 6. 1989, p. 2.

⁽³⁾ The date of entry into force of the Protocol will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

PROTOCOL

defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of Mauritius on fishing in the waters of Mauritius

Article 1

1. Pursuant to Article 2 of the Agreement, and for a period of three years from 1 December 1993, the following fishing possibilities shall be accorded:

- for ocean-going tuna seiners: licences for 20 vessels;
- for vessels flying by line (except tuna trollers and tuna surface longliners): licences for 100 grt/month on an annual average.

2. Furthermore, fishing licences may also be granted for tuna trollers and surface tuna longliners.

3. These fishing possibilities may, at the Community's request, be increased by the Joint Committee referred to in Article 8 of the Agreement.

Article 2

1. The financial compensation referred to in the Agreement for the abovementioned period is fixed at ECU 975 000, payable in three annual instalments.

2. In the case of tuna fishing, this compensation shall cover a catch weight in waters of Mauritius of 6 000 tonnes of tuna fished per year. If the annual amount of tuna caught by Community vessels in the waters of Mauritius exceeds this quantity, the abovementioned compensation shall be increased by ECU 50 for each additional tonne caught.

3. The use to which this compensation is put shall be the sole competence of Mauritius.

4. The financial compensation shall be paid into an account opened at a financial institution or other body designated by Mauritius.

Article 3

1. The Community shall also pay a contribution of ECU 380 000 towards the financing of scientific and technical programmes (including equipment, infrastructure, etc) in order to improve knowledge of fish stocks and fisheries in general.

2. The competent authorities of Mauritius shall send to the Commission a brief report on the utilization of the funds.

3. The Community's contribution to the scientific and technical programmes shall be paid into an account specified by the authorities of Mauritius.

Article 4

The two parties hereby agree that an essential condition for the success of their cooperation is that the skills and know-how of persons engaged in sea fishing be improved. To this end, the Community will assist Mauritian nationals in finding places in establishments in its Member States or States with which it has concluded cooperation agreements and will make available an amount of ECU 100 000 for study or practical training awards with a maximum duration of five years in the various scientific, technical and economic subjects relating to fisheries. Of this amount, up to ECU 30 000 may be used, at the request of the Mauritian authorities, to cover the cost of attending international meetings relating to fisheries.

Article 5

Should the Community fail to make the payments specified in Articles 2 and 3, the Agreement on fishing may be suspended.

Article 6

The Annex to the Agreement between the European Community and the Government of Mauritius on fishing in the waters of Mauritius is hereby repealed and replaced by the Annex to this Protocol.

Article 7

This Protocol with its Annex shall enter into force on the date of its signature.

It shall apply from 1 December 1993.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES BY COMMUNITY VESSELS IN THE WATERS OF MAURITIUS**1. Licence application and issuing formalities**

The application procedure for, and issue of, the licences enabling Community vessels to fish in the waters of Mauritius shall be as follows :

- (a) The Commission of the European Communities shall present to the authorities of Mauritius via the representative of the Commission of the European Communities in Mauritius an application, made by the shipowner, for each vessel that wishes to fish under this Agreement, at least 20 days before the date of commencement of the period of validity requested. The application shall be made on the forms provided for that purpose by Mauritius, a specimen of which is annexed hereto.
- (b) Every licence shall be issued to the shipowner for one designated vessel. At the request of the Commission of the European Communities the licence for a vessel may and, in cases of *force majeure*, shall be replaced by a licence for another Community vessel.
- (c) The licences shall be delivered by the authorities of Mauritius to the representative of the Commission of the European Communities in Mauritius.
- (d) The licence document must be held on board at all times. However, on receipt of the notification of the advance payment sent by the Commission of the European Communities to the Mauritian authorities, the vessel will be included on a list, to be notified to the Mauritian authorities, the vessel will be included on a list, to be notified to the Mauritian fisheries control authorities. Whilst awaiting receipt of the licence document, a fax copy of this licence document may be obtained and shall be kept on board, which will authorize the vessel to fish, pending delivery on board of the licence document.
- (e) The authorities of Mauritius shall communicate before the date of entry into force of the agreement the arrangements for payments of the licence fees, and in particular the details of the bank account and the currency to be used.

2. Validity of licences and payment provisions for tuna vessels

- (a) Licences shall be valid for a period of one year. They are renewable.
- (b) For tuna seiners, the fees shall be set at ECU 20 per tonne caught within the waters of Mauritius. Applications for licences for tuna vessels shall be issued following advance payment to Mauritius of a lump sum of ECU 1 000 a year for each tuna seiner, equivalent to the fees for 50 tonnes of tuna caught within the waters of Mauritius per year.
- (c) For small tuna trollers and surface tuna longliners mentioned in Article 1 of the Protocol, the licence fee is fixed at ECU 20 per tonne caught in Mauritian waters. The licences shall be issued following advance payment to Mauritius of a lump sum of ECU 500 per year per vessel, equivalent to the fees due for 25 tonnes of tuna caught in Mauritian waters per year.
- (d) A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by the shipowners and forwarded simultaneously to the authorities of Mauritius and the Commission of the European Communities. The corresponding amount shall be paid by the shipowners to the Treasury of Mauritius no later than 31 March of the following year. The final statement of the fees due in respect of a fishing year shall be drawn up by the Commission of the European Communities, taking into account available scientific opinion and any statistical data which can be gathered by Orstom, the Spanish Oceanographic Institute and any international fishing organizations in the Indian Ocean. The shipowners shall be notified by the Commission of the European Communities of the statement and shall have 30 days in which to meet their financial obligations. If the amount of the sum due for actual fishing operations is less than the advance payment, the corresponding outstanding sum shall not be recoverable by the shipowner.

3. Validity of licences and payment provisions for other vessels

For vessels fishing by line (except tuna trollers and tuna surface longliners), licences shall be valid for three, six or twelve months. The annual fees shall be fixed in relation to the GRT as follows : ECU 60 per GRT *pro rata temporis*.

4. Observers

All vessels above 50 GRT shall, at the request of the authorities of Mauritius, take on board an observer designated by these authorities in order to check catches made in the waters of Mauritius. Observers shall have all facilities necessary for the performance of this duty including access to places and documents. An observer must not be present for longer than the time required to fulfil his duties. They shall be provided with suitable food and accommodation while on board. Should a vessel with a Mauritian observer on board leave the waters of Mauritius, every step will be taken to ensure that the observer returns to Mauritius as soon as possible, at the shipowner's expense.

5. Radio communication and reporting

Vessels above 50 GRT shall communicate, when entering and leaving Mauritian waters, and, every three days, while fishing in Mauritian waters, to a radio station (the name, call sign and frequency of which shall be specified in the licence) or by fax (No 230-208-1929), their position and the volume of catches on board.

The captains of all vessels including vessels fishing by line shall complete a fishing report form which will indicate the date, the vessel's position, and the quantity and species of fish caught. Tuna vessels shall also provide the number of sets and the quantity of tuna caught per species. These forms shall be forwarded to the Authorities of Mauritius not later than three weeks after each fishing campaign. However, in the case of vessels fishing by line, tuna trollers and tuna surface longliners, these reports shall be sent not later than one month after the end of each quarter.

6. Fishing zones

Tuna seiners, tuna trollers and tuna surface longliners may fish in the waters of Mauritius except within a distance of 12 nautical miles measured from the baseline. Vessels fishing by line are only authorized to fish in their traditional grounds, namely Soudan Bank and East Soudan Bank.

7. Supply to the tuna canning industry

Community tuna vessels shall endeavour to sell part of their catch to the Mauritian tuna canning industry at a price to be fixed in common agreement between Community shipowners and the owners of the Mauritian tuna canning industry.

APPLICATION FOR A FOREIGN FISHING VESSEL LICENCE

Name of applicant :

Address of applicant :

.....

Name and address of charterers of vessel if different from above :

.....

Name and address of agent in Mauritius (if any) :

.....

Name of vessel :

Type of vessel :

Country of registry :

Port and registration number :

Fishing vessel external identification :

Radio call sign and frequency :

Fax number of vessel :

Length of vessel :

Width of vessel :

Engine type and power :

Gross registered tonnage of vessel :

Net registered tonnage of vessel :

Minimum crew complement :

Type of fishing practised :

Proposed species of fish :

.....

.....

.....

.....

Period of validity requested :

I certify that the above particulars are correct.

Date Signature

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 June 1994

amending Decision 93/74/EEC concerning the status of Denmark with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia

(94/450/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products⁽¹⁾, as amended by Directive 93/54/EEC⁽²⁾, and in particular Article 5 thereof,

Whereas Denmark, by Commission Decision 93/74/EEC⁽³⁾, is recognized as an approved continental zone and coastal zone for fish with regard to infections haematopoietic necrosis, and partly as an approved continental and coastal zone with regard to viral haemorrhagic septicaemia (VHS);

Whereas Denmark, by letter dated 14 March 1994, has submitted the appropriate justifications for extending the approved zone with regard to VHS;

Whereas after scrutiny, this information allows extension of the approved zone as far as VHS is concerned with two

water catchment areas and the coastal areas belonging thereto;

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

In the Annex to Decision 93/74/EEC, 'Grejs Å' is added to the first column, and 'Bygholm Å' is added to the second column.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 46, 19. 2. 1991, p. 1.

⁽²⁾ OJ No L 175, 19. 7. 1993, p. 34.

⁽³⁾ OJ No L 27, 4. 2. 1993, p. 35.

COMMISSION DECISION

of 27 June 1994

authorizing the United Kingdom to exempt certain transport operations from the application of the provisions of Council Regulation (EEC) No 3820/85 on the harmonization of certain social legislation relating to road transport and Council Regulation (EEC) No 3821/85 on recording equipment in road transport

(Only the English text is authentic)

(94/451/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonization of certain social legislation relating to road transport ⁽¹⁾, and in particular Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport ⁽²⁾, and in particular Article 3 (3) thereof,

Whereas on 25 October 1993 the United Kingdom Government sent the Commission a letter requesting it to authorize it to exempt vehicles used within the boundaries of airports from the application of the provisions of Regulations (EEC) No 3820/85 and (EEC) No 3821/85;

Whereas the vehicles concerned are, in view of their type of construction and fittings, intended specifically for airport operations; whereas they are driven exclusively within the perimeters of airports and are not allowed under any circumstances to travel on public highways outside airports; whereas they may travel on roads situated within the boundaries of airports which, under certain conditions, are accessible to the public;

Whereas the Commission is of the opinion that such transport operations are carried out in exceptional circumstances within the meaning of Article 13 (2) of Regulation (EEC) No 3820/85 and Article 3 (3) of Regulation (EEC) No 3821/85; whereas this exemption will not seriously jeopardize the objectives of the two Regulations,

Article 1

1. Pursuant to the provisions of Article 13 (2), the United Kingdom is hereby authorized to exempt from the application of Regulation (EEC) No 3820/85 vehicles which travel exclusively within the boundaries of airports, which must be used in connection with the operation of airports and which are not authorized or technically approved for travel on the public highway outside of airports.

2. The United Kingdom is hereby authorized to grant exemptions from the application of Regulation (EEC) No 3821/85 to the transport vehicles referred to in paragraph 1, provided that the objectives of Regulation (EEC) No 3820/85 are not called into question.

3. These exemptions apply solely within the United Kingdom.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 27 June 1994.

For the Commission

Marcelino OREJA

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1985, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1985, p. 8.

COMMISSION DECISION

of 27 June 1994

amending for the fourth time Decision 93/144/EEC on certain protective measures in respect of salmon from Norway

(Text with EEA relevance)

(94/452/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 amended by 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,

Whereas following the appearance of infectious salmon anaemia in Norway, the Commission by Decision 93/144/EEC⁽⁵⁾, as last amended by Decision 93/694/EC⁽⁶⁾, has prohibited the importation of salmon of the species *Salmo salar*, live or dead non-eviscerated, originating in Norway;

Whereas the period of validity of this measure should be extended so that the situation for this disease in Norway can be evaluated in the light of the information available;

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 3 of Decision 93/144/EEC, '30 June 1994' is hereby replaced by '30 September 1994'.

Article 2

Member States shall alter the measures they apply to trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 27 June 1994.

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 56, 9. 3. 1993, p. 48.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 40.

COMMISSION DECISION

of 29 June 1994

amending or repealing some detailed rules concerning the animal health and public health conditions required for imports of certain live animals and animal products from Austria, Finland, Norway and Sweden in application of the European Economic Area Agreement

(Text with EEA relevance)

(94/453/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 Articles 3, 4, 8, 11, 14 and 16 thereof,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep frozen semen of domestic animals of the bovine species⁽³⁾, as last amended by Directive 93/60/EEC⁽⁴⁾, and in particular Articles 8 and 9 thereof,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species⁽⁵⁾, as last amended by Directive 93/52/EEC⁽⁶⁾, and in particular Articles 8, 9 and 10 thereof,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae⁽⁷⁾, as last amended by Directive 92/36/EEC⁽⁸⁾, and in particular Articles 15a, 16, 18 and 19 (ii) 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⁽⁹⁾, as last amended by Directive 92/118/EEC⁽¹⁰⁾, and in particular Article 19 thereof,

Having regard to Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species⁽¹¹⁾, and in particular Articles 7, 9 (2) and 10 (2) thereof,

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⁽¹²⁾, as last amended by Decision 92/438/EEC⁽¹³⁾, and in particular Article 18 thereof,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and as regards pathogens, to Directive 90/425/EEC⁽¹⁴⁾, and in particular Article 10 (2) thereof,

Whereas an agreement on the European Economic Area has been concluded on the 13 December 1993 between the European Communities, their Member States and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Kingdom of Sweden⁽¹⁵⁾;

Whereas in the veterinary field and in order to enable the EFTA Surveillance Authority to take the necessary measures, the provisions of this Agreement apply only from 1 July 1994;

Whereas in the framework of this Agreement, Austria, Finland, Norway and Sweden apply some Community veterinary provisions laying down animal health and public health conditions governing trade in certain live animals and animal products; whereas, therefore, some

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 194, 22. 7. 1988, p. 10.

⁽⁴⁾ OJ No L 186, 28. 7. 1993, p. 28.

⁽⁵⁾ OJ No L 302, 19. 10. 1989, p. 1.

⁽⁶⁾ OJ No L 175, 19. 7. 1993, p. 21.

⁽⁷⁾ OJ No L 224, 18. 8. 1990, p. 42.

⁽⁸⁾ OJ No L 157, 10. 6. 1992, p. 28.

⁽⁹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽¹⁰⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽¹¹⁾ OJ No L 224, 18. 8. 1990, p. 62.

⁽¹²⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽¹³⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽¹⁴⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽¹⁵⁾ OJ No L 1, 3. 1. 1994, p. 1.

Community provisions laying down animal health and public health requirements for imports from third countries will not apply to these countries any more;

Whereas account must be taken so that the Community third country regime for ovine and caprine animals remains applicable for imports from Austria, Finland and Norway;

Whereas, in this context, it is necessary to repeal the specific rules applying to Austria, Finland, Norway and Sweden and to amend other detailed rules applying to third countries including these four countries;

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

In Part 1 of the Annex to Council Decision 79/542/EEC⁽¹⁾, the data relating to Austria, Finland and Norway are deleted except those concerning live ovine and caprine and residues, and the line relating to Sweden is deleted.

Article 2

Commission Decision 80/790/EEC⁽²⁾ is repealed.

Article 3

Commission Decision 80/799/EEC⁽³⁾ is repealed.

Article 4

Commission Decision 80/800/EEC⁽⁴⁾ is repealed.

Article 5

Council Decision 82/730/EEC⁽⁵⁾ is repealed.

Article 6

Council Decision 82/731/EEC⁽⁶⁾ is repealed.

Article 7

Council Decision 82/736/EEC⁽⁷⁾ is repealed.

Article 8

Council Decision 83/421/EEC⁽⁸⁾ is repealed.

Article 9

In the Annex to Commission Decision 90/14/EEC⁽⁹⁾, 'Austria', 'Finland', 'Norway' and 'Sweden' are deleted.

Article 10

In the Annex to Commission Decision 91/270/EEC⁽¹⁰⁾, 'Austria', 'Finland', 'Norway' and 'Sweden' are deleted.

Article 11

In the second part of Annex A and Annex B to Commission Decision 91/449/EEC⁽¹¹⁾, 'Austria', 'Finland', 'Norway' and 'Sweden' are deleted.

Article 12

Commission Decision 92/260/EEC⁽¹²⁾ is amended as follows:

1. in Annex I, group A is replaced by:

'Group A
Greenland, Iceland and Switzerland';

2. in Annex II (A) the title of the health certificate is replaced by:

'Health certificate for the temporary admission of registered horses into the Community territory from Greenland, Iceland or Switzerland for a period of less than 90 days coming'.

Article 13

Commission Decision 92/401/EEC⁽¹³⁾ is repealed.

Article 14

Commission Decision 92/461/EEC⁽¹⁴⁾ is repealed.

Article 15

Commission Decision 92/462/EEC⁽¹⁵⁾ is repealed.

Article 16

In part II Annex A to Commission Decision 92/471/EEC⁽¹⁶⁾, 'Austria', 'Finland', 'Norway' and 'Sweden' are deleted.

⁽¹⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽²⁾ OJ No L 233, 4. 9. 1980, p. 47.

⁽³⁾ OJ No L 234, 5. 9. 1980, p. 35.

⁽⁴⁾ OJ No L 234, 5. 9. 1980, p. 38.

⁽⁵⁾ OJ No L 311, 8. 11. 1982, p. 1.

⁽⁶⁾ OJ No L 311, 8. 11. 1982, p. 4.

⁽⁷⁾ OJ No L 311, 8. 11. 1982, p. 18.

⁽⁸⁾ OJ No L 238, 27. 8. 1983, p. 35.

⁽⁹⁾ OJ No L 8, 11. 1. 1990, p. 71.

⁽¹⁰⁾ OJ No L 134, 29. 5. 1991, p. 56.

⁽¹¹⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽¹²⁾ OJ No L 130, 15. 5. 1992, p. 67.

⁽¹³⁾ OJ No L 224, 8. 8. 1992, p. 1.

⁽¹⁴⁾ OJ No L 261, 7. 9. 1992, p. 18.

⁽¹⁵⁾ OJ No L 261, 7. 9. 1992, p. 34.

⁽¹⁶⁾ OJ No L 270, 15. 9. 1992, p. 27.

Article 17

In the Annex to Commission Decision 93/160/EEC⁽¹⁾, 'Austria', 'Finland', 'Norway' and 'Sweden' are deleted.

Article 18

Commission Decision 93/195/EEC⁽²⁾ is amended as follows:

1. in Annex I, group A is replaced by:

'Group A
Greenland, Iceland and Switzerland';

2. in Annex II, group A is replaced by:

'Group A
Greenland, Iceland and Switzerland'.

Article 19

Commission Decision 93/196/EEC⁽³⁾ is amended as follows:

1. in Annex I, 'Austria, Finland' and 'Norway, Sweden' are deleted from footnote 5;

2. in Annex II, footnote 3, group A is replaced by:

'Group A:
Greenland, Iceland and Switzerland'.

Article 20

Commission Decision 93/197/EEC⁽⁴⁾ is amended as follows:

1. in Annex I, group A is replaced by:

'Group A
Greenland, Iceland and Switzerland';

2. in Annex II (A) the title of the health certificate is replaced by:

'Health certificate for imports into Community territory of registered equidae and equidae for breeding and production from Greenland, Iceland and Switzerland'.

Article 21

In Part 2A of the Annex to Commission Decision 93/198/EEC⁽⁵⁾, 'Sweden' is deleted.

Article 22

In Part 2 of the Annex to Commission Decision 93/199/EEC⁽⁶⁾, 'Austria: Vorarlberg, Tyrol, Upper Austria,

Burgenland, Carinthia, Styria and Vienna', 'Finland', 'Norway' and 'Sweden' are deleted.

Article 23

Commission Decision 93/321/EEC⁽⁷⁾ is amended as follows:

1. in the title, 'Sweden, Norway, Finland and' is deleted;
2. in Article 1 (1) 'Sweden, Norway, Finland and' is deleted.

Article 24

Commission Decision 93/432/EEC⁽⁸⁾ is repealed.

Article 25

Commission Decision 93/451/EEC⁽⁹⁾ is repealed.

Article 26

Commission Decision 93/688/EC⁽¹⁰⁾ is repealed.

Article 27

In the Annex to Commission Decision 93/693/EC⁽¹¹⁾, Parts 4, 8 and 9 are deleted.

Article 28

In the Annex to Commission Decision 94/70/EC⁽¹²⁾ the lines relating to Austria, Finland, Norway and Sweden are deleted.

Article 29

In the Annex to Commission Decision 94/85/EC⁽¹³⁾, the lines relating to Austria, Finland, Norway and Sweden are deleted.

Article 30

In Part II (B) of the Annex to Commission Decision 94/278/EC⁽¹⁴⁾, 'Finland', 'Norway' and 'Sweden' are deleted.

Article 31

Commission Decision 94/316/EC⁽¹⁵⁾ is repealed.

Article 32

This Decision is addressed to the Member States.

Done at Brussels, 29 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 67, 19. 3. 1993, p. 27.

⁽²⁾ OJ No L 86, 6. 4. 1993, p. 1.

⁽³⁾ OJ No L 86, 6. 4. 1993, p. 7.

⁽⁴⁾ OJ No L 86, 6. 4. 1993, p. 16.

⁽⁵⁾ OJ No L 86, 6. 4. 1993, p. 34.

⁽⁶⁾ OJ No L 86, 6. 4. 1993, p. 43.

⁽⁷⁾ OJ No L 123, 19. 5. 1993, p. 36.

⁽⁸⁾ OJ No L 200, 10. 8. 1993, p. 39.

⁽⁹⁾ OJ No L 210, 21. 8. 1993, p. 21.

⁽¹⁰⁾ OJ No L 319, 21. 12. 1993, p. 51.

⁽¹¹⁾ OJ No L 320, 22. 12. 1993, p. 35.

⁽¹²⁾ OJ No L 36, 8. 2. 1994, p. 5.

⁽¹³⁾ OJ No L 44, 17. 2. 1994, p. 33.

⁽¹⁴⁾ OJ No L 120, 11. 5. 1994, p. 44.

⁽¹⁵⁾ OJ No L 140, 3. 6. 1994, p. 30.

COMMISSION DECISION

of 4 July 1994

amending Commission Decision 93/674/EC on the Community's financial contribution to programmes for the control of organisms harmful to plants and plant products in Madeira for 1993

(Only the Portuguese text is authentic)

(94/454/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93 ⁽²⁾, and in particular Article 33 thereof,

Whereas the final sentence of Article 5 of Commission Decision 93/674/EC of 7 December 1993 on the Community's financial contribution to programmes for the control of organisms harmful to plants and plant products in Madeira for 1993 ⁽³⁾ lays down that the final date for payments in connection with operations covered by the said programmes is to be 1 August 1994, non-compliance the time limit resulting in loss of entitlement to Community financing;

Whereas the annual report on the programmes for the control of organisms harmful to plants and plant products in Madeira for 1993 must be submitted to the Commission and to the Standing Committee on Plant Health by the competent authority no later than 31 August 1994;

Whereas the delay in implementing the said programmes was noted at the first meeting of the Monitoring Committee of these programmes;

Whereas the relevant official authorities of the Autonomous Region of Madeira are determined to complete all the said programmes;

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

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 93/674/EC is hereby amended as follows:

1. In the final sentence of Article 5, '1 August 1994' is replaced by '1 August 1995'.
2. In the first sentence of the second subparagraph of Annex II (I) (B) (II) (4), '31 August 1994' is replaced by '31 August 1995'.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 4 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 314, 16. 12. 1993, p. 44.

COMMISSION DECISION

of 6 July 1994

on specific financial contributions from the Community for the eradication of
Newcastle disease in Ireland

(Only the English text is authentic)

(94/455/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as amended by Commission Decision 94/77/EC⁽²⁾, and in particular Articles 3 and 4 thereof,

Whereas one outbreak of Newcastle disease occurred in Ireland on 14 August 1992; whereas the appearance of this disease is a serious danger to the Community's poultry and, in order to help eradicate the disease as rapidly as possible, the Community has the possibility of making good the losses so caused;

Whereas, as soon as the presence of Newcastle disease was officially confirmed the Irish authorities took appropriate measures which included the measures as listed in Article 3 (2) of Decision 90/424/EEC; whereas such measures were notified by the Irish authorities;

Whereas the conditions for Community financial assistance have been met;

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

For one outbreak of Newcastle disease which has occurred during the month of August 1992 Ireland may obtain Community financial assistance. The financial contribution by the Community shall be:

- 50 % of the costs incurred by Ireland in compensating the owner for the slaughter, destruction of poultry and poultry products as appropriate,
- 50 % of the costs incurred by Ireland for the cleaning, disinsectization and disinfection of holdings and equipment,
- 50 % of the costs incurred by Ireland in compensating the owner for the destruction of contaminated feedingstuffs and contaminated equipment.

Article 2

1. The Community financial contribution shall be granted after supporting documents have been submitted.
2. The documents referred to in paragraph 1 shall be sent by Ireland no later than six months from the notification of this Decision.

Article 3

The Commission will follow developments in the disease situation and, if necessary, due to the evolution of the disease a new decision will be adopted in accordance with the provisions laid down in Article 3 (4) of Council Decision 90/424/EEC.

Article 4

This Decision is addressed to Ireland.

Done at Brussels, 6 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 36, 8. 2. 1994, p. 15.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 754/94 of 30 March 1994 concerning the classification of certain goods in the combined nomenclature

(Official Journal of the European Communities No L 89 of 6 April 1994)

On page 3 in the Annex, under the column 'Description of goods', item 2, first line :

for: '2. A colour with...'

read: '2. A colour monitor with...'
