

Official Journal

of the European Communities

ISSN 0378-6978

L 160

Volume 40

18 June 1997

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EC) No 1099/97 of 17 June 1997 fixing representative prices and additional import duties in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95	1
Commission Regulation (EC) No 1100/97 of 17 June 1997 amending Regulation (EC) No 2805/95 fixing the export refunds in the wine sector	3
Commission Regulation (EC) No 1101/97 of 17 June 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables	6
Commission Regulation (EC) No 1102/97 of 17 June 1997 amending the import duties in the cereals sector.....	8

II *Acts whose publication is not obligatory*

Commission

97/379/EC:

- ★ **Commission Decision of 4 June 1997 authorizing the Member States to permit temporarily the marketing of seed of soja bean (*Glycine max* (L.) Merr.) not satisfying the requirements of Council Directive 69/208/EEC** 11

97/380/EC:

- ★ **Commission Decision of 4 June 1997 authorizing the Member States to permit temporarily the marketing of seed of Timothy (*Phleum bertolonii* DC) not satisfying the requirements of Council Directive 66/401/EEC** 13

★ Commission Decision of 13 June 1997 on marking and use of pigmeat in application of Article 9 of Council Directive 80/217/EEC concerning Belgium and repealing Decision 97/294/EC ⁽¹⁾	14
--	----

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1099/97

of 17 June 1997

fixing representative prices and additional import duties in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽²⁾, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽³⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽⁴⁾, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽⁵⁾, as last amended by Regulation (EC) No 2916/95, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 1484/95 ⁽⁶⁾, as last amended by Regulation (EC) No 927/97 ⁽⁷⁾, fixes detailed rules for implementing the system of additional import duties and fixes additional import duties in the poultrymeat and egg sectors and for egg albumin;

Whereas it results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices and additional duties for imports of certain products should be amended taking into account variations of prices according to origin; whereas, therefore, representative prices and corresponding additional duties should be published;

Whereas it is necessary to apply this amendment as soon as possible, given the situation on the market;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to amended Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 18 June 1997.

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

Done at Brussels, 17 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 99.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽⁴⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽⁶⁾ OJ No L 145, 29. 6. 1995, p. 47.

⁽⁷⁾ OJ No L 133, 24. 5. 1997, p. 10.

ANNEX

ANNEX I

CN code	Description	Representative price ECU/100 kg	Additional duty ECU/100 kg	Origin (¹)
0207 14 10	Boneless cuts of fowls of the species <i>gallus domesticus</i> , frozen	216,6	25	01
		279,0	6	02
		280,4	6	03
		285,9	4	04
0207 27 10	Boneless cuts of turkey, frozen	224,6	22	05
1602 32 11	Preparations uncooked of the species <i>gallus domesticus</i>	221,6	20	01
		280,6	2	03
1602 39 21	Preparations uncooked other than turkeys and of the species <i>gallus domesticus</i>	221,6	20	01

(¹) Origin of imports:

- 01 China
- 02 Brazil
- 03 Thailand
- 04 Argentina
- 05 Israel.

COMMISSION REGULATION (EC) No 1100/97
of 17 June 1997
amending Regulation (EC) No 2805/95 fixing the export refunds in the wine
sector

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 536/97 ⁽²⁾, and in particular Article 55 (3) thereof,

Whereas, pursuant to Article 55 of Regulation (EEC) No 822/87 to the extent necessary to enable the products listed in Article 1 (2) (a) and (b) of that Regulation to be exported on the basis of the prices for those products on the world market and within the limits of the Agreements concluded in accordance with Article 228 of the Treaty, the difference between those prices and the prices in the Community may be covered by an export refund;

Whereas, pursuant to Article 56 (3) of Regulation (EEC) No 822/87, refunds are to be fixed taking into account the situation and likely trends with regard to:

- prices and availability of the products in question on the Community market,
- world market prices for those products;

Whereas account must also be taken of the other criteria and objectives referred to in Article 56 (3) of Regulation (EEC) No 822/87; whereas, in particular, consideration must be given to the limits of the Agreements concluded

in accordance with Article 228 of the Treaty, and in particular those resulting from the agreements concluded in the framework of the Uruguay Round of multilateral trade negotiations;

Whereas, when applying the abovementioned rules to the current market situation, the refunds should be fixed in accordance with the Annex to this Regulation; whereas Commission Regulation (EC) No 2805/95 of 5 December 1995 fixing the export refunds in the wine sector ⁽³⁾, as last amended by Regulation (EC) No 68/97 ⁽⁴⁾, should be amended accordingly and provision made to implement it immediately;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2805/95 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 18 June 1997.

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

Done at Brussels, 17 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 83, 25. 3. 1997, p. 5.

⁽³⁾ OJ No L 291, 6. 12. 1995, p. 10.

⁽⁴⁾ OJ No L 14, 17. 1. 1997, p. 51.

ANNEX

ANNEX

CN code	Product code	For export to (1)	Refund (ECU/hl)
2009 60 11 2009 60 19 2009 60 51 2009 60 71 2204 30 92 2204 30 94 2204 30 96 2204 30 98	9100	01	36,513 36,513 36,513 36,513 36,513 9,674 36,513 9,674
2204 21 79 2204 21 79 2204 21 83	9120 9220 9120	02 and 09 02 and 09	4,782
2204 21 79	9180	02	9,743
2204 21 80	9180	02	10,595
2204 21 79	9180	09	9,117
2204 21 80	9180	09	9,915
2204 21 79	9280	02	11,407
2204 21 80	9280	02	12,405
2204 21 79	9280	09	10,674
2204 21 80	9280	09	11,607
2204 21 83	9180	02	13,308
2204 21 84	9180	02	14,473
2204 21 83	9180	09	12,453
2204 21 84	9180	09	13,542
2204 21 79	9910	02 and 09	4,782
2204 21 94 2204 21 98	9910	02 and 09	15
2204 29 62 2204 29 64 2204 29 65 2204 29 83	9120	02 and 09	4,782
2204 29 62 2204 29 64 2204 29 65	9220	02 and 09	4,782
2204 29 62 2204 29 64 2204 29 65	9180	02	9,743
2204 29 71 2204 29 72 2204 29 75	9180	02	10,595

CN code	Product code	For export to ⁽¹⁾	Refund (ECU/hl)
2204 29 62 2204 29 64 2204 29 65	9180	09	9,117
2204 29 71 2204 29 72 2204 29 75	9180	09	9,915
2204 29 62 2204 29 64 2204 29 65	9280	02	11,407
2204 29 71 2204 29 72 2204 29 75	9280	02	12,405
2204 29 62 2204 29 64 2204 29 65	9280	09	10,674
2204 29 71 2204 29 72 2204 29 75	9280	09	11,607
2204 29 83	9180	02	13,308
2204 29 84	9180	02	14,473
2204 29 83	9180	09	12,453
2204 29 84	9180	09	13,542
2204 29 62 2204 29 64 2204 29 65	9910	02 and 09	4,782
2204 29 94 2204 29 98	9910	02 and 09	15,000

⁽¹⁾ The destinations are as follows:

- 01 — Libya, Nigeria, Cameroon, Gabon,
 - Saudi Arabia, United Arab Emirates, India, Thailand, Vietnam, Indonesia, Malaysia, Brunei, Singapore, Philippines, China, South Korea, Japan, Taiwan, Equatorial Guinea,
- 02 all countries of the African continent with the exception of those explicitly excluded under 09,
- 09 all destinations other than those in 02, with the exception of the following third countries and territories:
 - all countries of the American continent within the meaning of Commission Regulation (EEC) No 208/93 (OJ No L 25, 2. 2. 1993, p. 11),
 - Algeria,
 - Australia,
 - Bosnia-Herzegovina,
 - Croatia,
 - Cyprus,
 - Israel,
 - Morocco,
 - The Republic of Serbia and Montenegro,
 - Slovenia,
 - South Africa,
 - Switzerland,
 - The former Yugoslav Republic of Macedonia,
 - Tunisia,
 - Turkey,
 - Hungary,
 - Bulgaria,
 - Romania.

COMMISSION REGULATION (EC) No 1101/97

of 17 June 1997

establishing the standard import values for determining the entry price of certain fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2375/96⁽²⁾, and in particular Article 4 (1) 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 last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 June 1997.

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

Done at Brussels, 17 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 17 June 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0709 90 77	052	78,2
	999	78,2
0805 30 30	388	71,3
	528	59,6
	999	65,5
0808 10 61, 0808 10 63, 0808 10 69	388	88,2
	400	82,4
	404	104,6
	508	90,4
	512	66,9
	524	77,7
	528	69,9
	804	95,8
	999	84,5
	052	196,8
0809 20 49	064	213,6
	066	104,0
	400	221,4
	999	184,0

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1102/97
of 17 June 1997
amending the import duties in the cereals sector

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 last amended by Commission Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, as amended by Regulation (EC) No 641/97⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 1081/97⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1081/97,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1081/97 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 18 June 1997.

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

Done at Brussels, 17 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 98, 15. 4. 1997, p. 2.

⁽⁵⁾ OJ No L 157, 14. 6. 1997, p. 3.

ANNEX I

Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	8,87	0,00
1001 90 91	Common wheat seed	41,18	31,18
1001 90 99	Common high quality wheat other than for sowing ⁽¹⁾	41,18	31,18
	medium quality	61,06	51,06
	low quality	72,42	62,42
1002 00 00	Rye	77,73	67,73
1003 00 10	Barley, seed	77,73	67,73
1003 00 90	Barley, other ⁽¹⁾	77,73	67,73
1005 10 90	Maize seed other than hybrid	91,68	81,68
1005 90 00	Maize other than seed ⁽¹⁾	91,68	81,68
1007 00 90	Grain sorghum other than hybrids for sowing	77,73	67,73

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 13 June 1997 to 16 June 1997)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	128,11	119,40	116,24	94,48	176,06 (1)	107,20 (1)
Gulf premium (ECU/tonne)	—	14,09	5,94	8,43	—	—
Great Lakes premium (ECU/tonne)	15,64	—	—	—	—	—

(1) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,13 per tonne; Great Lakes — Rotterdam: ECU 21,75 per tonne.
3. Subsidy within the meaning of the third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne (HRW2)
: ECU 0,00 per tonne (SRW2).
-

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 June 1997

authorizing the Member States to permit temporarily the marketing of seed of soja bean (*Glycine max* (L.) Merr.) not satisfying the requirements of Council Directive 69/208/EEC

(97/379/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽¹⁾, as last amended by Directive 96/72/EC⁽²⁾, and in particular Article 16 thereof,

Having regard to the request submitted by Austria,

Whereas in Austria the production of seed of very early varieties of soja bean (*Glycine max* (L.) Merr.) satisfying the requirements of Directive 69/208/EEC in relation to minimum germination capacity has been insufficient in 1996 and is therefore not adequate to meet that country's needs;

Whereas it is not possible to cover this demand satisfactorily with seed from other Member States, or from third countries, satisfying all the requirements laid down in the said Directive;

Whereas Austria should therefore be authorized to permit for a period expiring on 30 June 1997 the marketing of seed of the abovementioned species subject to less stringent requirements;

Whereas, moreover, other Member States which are able to supply Austria with such seed not satisfying the requirements of the Directive should be authorized to permit the marketing of such seed;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

Austria is authorized to permit, for a period expiring on 30 June 1997, the marketing in its territory of a maximum of 200 tonnes of seed of very early varieties of soja bean (*Glycine max* (L.) Merr.) which does not satisfy the requirements laid down in Annex II to Directive 69/208/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the germination capacity is at least 62 % of pure seed;
- (b) the official label shall bear the endorsement 'minimum germination capacity 62 %.'

Article 2

Member States other than the applicant Member State are also authorized to permit, on the terms set out in Article 1 and for the purposes intended by the applicant Member State, the marketing in their territory of the seed authorized to be marketed under this Decision.

Article 3

Member States shall immediately notify the Commission and the other Member States of the various quantities of seed labelled and permitted to be marketed in their territory pursuant to this Decision.

⁽¹⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽²⁾ OJ No L 304, 27. 11. 1996, p. 10.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 4 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 4 June 1997

authorizing the Member States to permit temporarily the marketing of seed of Timothy (*Phleum bertolonii* DC) not satisfying the requirements of Council Directive 66/401/EEC

(97/380/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, as last amended by Directive 96/72/EC⁽²⁾, and in particular Article 17 thereof,

Having regard to the request submitted by Sweden,

Whereas in Sweden the production of seed of the category 'certified seed' of certain varieties of Timothy (*Phleum bertolonii* DC) satisfying the requirements of Directive 66/401/EEC in relation to minimum germination capacity has been insufficient in 1996 and is therefore not adequate to meet that country's needs;

Whereas it is not possible to cover this demand satisfactorily with seed from other Member States, or from third countries, satisfying all the requirements laid down in the said Directive;

Whereas Sweden should therefore be authorized to permit for a period expiring on 30 June 1997 the marketing of seed of the abovementioned species subject to less stringent requirements;

Whereas, moreover, other Member States which are able to supply Sweden with such seed not satisfying the requirements of the said Directive should be authorized to permit the marketing of such seed;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

Sweden is authorized to permit, for a period expiring on 30 June 1997, the marketing in its territory of a

maximum of 1,7 tonnes of seed of the category 'certified seed' of varieties of the type 'Evergreen' of Timothy (*Phleum bertolonii* DC) which does not satisfy the requirements laid down in Annex II to Directive 66/401/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the germination capacity is at least 75 % of pure seed;
- (b) the official label shall bear the endorsement 'minimum germination capacity 75 %.'

Article 2

Member States other than the applicant Member State are also authorized to permit, on the terms set out in Article 1 and for the purposes intended by the applicant Member State, the marketing in their territory of the seed authorized to be marketed under this Decision.

Article 3

Member States shall immediately notify the Commission and the other Member States of the various quantities of seed labelled and permitted to be marketed in their territory pursuant to this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 4 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 304, 27. 11. 1996, p. 10.

COMMISSION DECISION

of 13 June 1997

on marking and use of pigmeat in application of Article 9 of Council Directive 80/217/EEC concerning Belgium and repealing Decision 97/294/EC

(Text with EEA relevance)

(97/381/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever⁽¹⁾, as last amended by Decision 93/384/EEC⁽²⁾, and in particular Article 9 (6) (g) thereof,

Whereas in February 1997 outbreaks of classical swine fever in the Netherlands were declared by the Dutch Veterinary Authorities;

Whereas in accordance with Article 9 (1) of Directive 80/217/EEC a surveillance zone was immediately established around outbreak sites;

Whereas the surveillance zone for an outbreak confirmed in Gastel in May was established in collaboration with the Belgian Veterinary Authorities as the zone included part of the territory of Belgium;

Whereas all pig holdings in the part of the surveillance zone covering a part of the territory of Belgium have been subject to a weekly inspection by a veterinarian. During this inspection samples for laboratory examination are collected if deemed necessary. No evidence of classical swine fever in the zone has been detected;

Whereas the provisions for the use of a health mark on fresh meat are given in Council Directive 64/433/EEC on health conditions for the production and marketing of fresh meat⁽³⁾ as last amended by Directive 95/23/EC⁽⁴⁾;

Whereas Belgium has submitted a request for the adoption of a specific solution concerning marking and use of pigmeat coming from pigs kept on holdings situated in an established surveillance zone and slaughtered subject to a specific authorization issued by the competent authority;

Whereas it is necessary to repeal Commission Decision 97/294/EC of 7 May 1997 on marking and use of pigmeat

in application of Article 9 of Council Directive 80/217/EEC concerning Belgium⁽⁵⁾;

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 the provisions of Council Directive 80/217/EEC, in particular Article 9 (6), Belgium is authorized to apply the mark described in Article 3 (1) (A) (e) of Directive 64/433/EEC to pigmeat obtained from pigs originating from holdings situated in a surveillance zone in Belgium established in accordance with the provisions of Article 9 (1) of Directive 80/217/EEC on the condition that the pigs in question:

- (a) originate from a holding to which, following the epidemiological inquiry, no contact has been established with an infected holding;
- (b) originate from a holding which for a period of at least three weeks has been subject to a weekly inspection by a veterinarian. The inspection has included all pigs kept on the holding;
- (c) have been subject to protection measures established in accordance with Article 9 (6) (f) and (g) of Directive 80/217/EEC;
- (d) have been included in a programme for monitoring body temperature and clinical examination. The programme shall be carried out as given at Annex I;
- (e) have been slaughtered within 12 hours of arrival at the slaughterhouse.

2. Belgium shall ensure that a certificate as given at Annex II is issued in respect of meat referred to in paragraph 1.

Article 2

Pigmeat which complies with the conditions of Article 1 (1) and enters into intra-Community trade must be accompanied by the certificate referred to in Article 1 (2).

⁽¹⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽²⁾ OJ No L 166, 8. 7. 1993, p. 34.

⁽³⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁴⁾ OJ No L 243, 11. 10. 1995, p. 7.

⁽⁵⁾ OJ No L 121, 13. 5. 1997, p. 24.

Article 3

Belgium shall ensure that abattoirs designated to receive the pigs referred to in Article 1 (1) do not on the same day accept pigs for slaughter other than the pigs in question.

Article 4

Belgium shall provide Member States and the Commission with:

- (a) the name and location of slaughterhouses designated to receive pigs for slaughter referred to in Article 1 (1);
- (b) a monthly report which contains information on:
 - the area to which the provisions of Article 1 apply,
 - number of pigs slaughtered at the designated slaughterhouses,
 - identification system and movement controls applied to slaughter pigs, as required in accordance with Article 9 (6) (f) (i) of Directive 80/217/EEC,

- instructions issued concerning the application of the programme for monitoring body temperature referred to in Annex I.

Article 5

Decision 97/294/EC is hereby repealed.

Article 6

This Decision is applicable until 1 August 1997.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 13 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

MONITORING OF BODY TEMPERATURE

The programme for monitoring body temperature and clinical examination referred to in Article 1 (1) (d) shall include the following:

1. Within the 24-hour period before loading a consignment of pigs intended for slaughter, the official veterinary authority shall ensure that the body temperature of a number of pigs of the said consignment is monitored by inserting a thermometer into the rectum. The number of pigs to be monitored for temperature shall be as given below:

No of pigs in consignment	No of pigs to be monitored
0 - 25	all
26 - 30	26
31 - 40	31
41 - 50	35
51 - 100	45
101 - 200	51
200 +	60

At the time of examination, the following information shall be recorded for each pig on a table issued by the competent veterinary authorities: number of eartags, time of examination and temperature.

In cases where the examination shows a temperature of 40 °C or above, the official veterinarian shall immediately be informed. He shall initiate a disease investigation and take into account the provisions of Article 4 of Council Directive 80/217/EEC introducing Community measures for the control of classical swine fever.

2. Shortly (0 to 3 hours) before loading of the consignment examined as described in point 1, a clinical examination shall be carried out by an official veterinarian designated by the competent veterinary authorities.
3. At the time of loading of the consignment of pigs examined as described in points 1 and 2, the official veterinarian shall issue a health document, which shall accompany the consignment to the designated slaughterhouse.
4. At the slaughterhouse of designation the results of the temperature monitoring shall be made available to the official veterinarian who performs the ante-mortem examination.

ANNEX II

CERTIFICATE

for fresh meat referred to in Article 1 (1) of Commission Decision 97/381/EC

No ⁽¹⁾

Place of loading:

Ministry:

Department:

I. Identification of meat

Meat of pigs

Nature of cuts:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse:

.....

.....

III. Destination of meat

The meat will be sent

from:

(place of loading)

to:

(place of destination)

by the following means of transport ⁽²⁾

Name and address of consignee:

.....

.....

⁽¹⁾ Serial number issued by the official veterinarian.⁽²⁾ In the case of rail trucks and lorries, state the registration number and in the case of boats, name and, where necessary, the number of the container.

IV. Health attestation

I, the undersigned official veterinarian, certify that the meat described above was obtained under the conditions governing production and control laid down in Directive 64/433/EEC and is in conformity with the provisions of Decision 97/381/EC on marking and use of pigmeat in application of Article 9 of Directive 80/217/EEC.

Done at, on

.....
(name and signature of the official veterinarian)
