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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (ECSC, EC, EURATOM) No 1329/97
of 7 July 1997**

**adjusting the weighting applicable in Greece to the remuneration and pensions
of officials and other servants of the European Communities**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EC) No 2485/96 ⁽²⁾, and in particular Articles 63, 64, 65, 65a and 82 of the Staff Regulations, Annex XI to the Staff Regulations and the first paragraph of Article 20 and Article 64 of the Conditions of Employment,

Having regard to the proposal from the Commission,

Whereas in the second half of 1996 the cost of living increased substantially in Greece, a Member State where officials and other servants of the European Communities are employed; whereas, therefore, the weighting applicable to the remuneration and pensions of these officials and other servants pursuant to Regulation (Euratom, ECSC, EC) No 2485/96 should be adjusted with effect from 1 January 1997,

HAS ADOPTED THIS REGULATION:

Article 1

1. With effect from 1 January 1997, the weighting applicable to the remuneration of officials and other servants employed in the country referred to below shall be as follows:

Greece: 89,2.

2. The weighting applicable to the pension shall be determined in accordance with Article 82 (1) of the Staff Regulations.

Articles 3 to 10 of Regulation (ECSC, EEC, Euratom) No 2175/88 ⁽³⁾ shall continue to apply.

Article 2

This Regulation shall enter into force on the day following that 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 July 1997.

For the Council

The President

J.-C. JUNCKER

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 338, 28. 12. 1996, p. 1.

⁽³⁾ OJ No L 191, 22. 7. 1988, p. 1.

COMMISSION REGULATION (EC) No 1330/97

of 10 July 1997

on the issuing of import licences for bananas under the tariff quota for the third quarter of 1997 (second period)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community ⁽³⁾, as last amended by Regulation (EC) No 1409/96 ⁽⁴⁾, and in particular Article 9 (3) thereof,

Having regard to Commission Regulation (EC) No 478/95 of 1 March 1995 on additional rules for the application of Council Regulation (EEC) No 404/93 as regards the tariff quota arrangements for imports of bananas into the Community and amending Regulation (EEC) No 1442/93 ⁽⁵⁾, as amended by Regulation (EC) No 702/95 ⁽⁶⁾, and in particular Article 4 (3) thereof,

Whereas Article 2 of Commission Regulation (EC) No 1136/97 of 20 June 1997 on the issuing of import licences for bananas under the tariff quota for the third quarter of 1997 and on the submission of new applications ⁽⁷⁾, fixes the quantities available for new licence applications under the tariff quota during the third quarter of 1997; whereas Article 4 (3) of Regulation (EC) No 478/95 lays down that the quantities for which licences may be issued for the origin(s) concerned must be determined without delay;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93 lays down that where, in the case of a given quarter and origin, for a country or group of countries referred to in

Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators exceed the quantity available, a reduction percentage is to be applied to application for that origin; whereas, however, that provision does not apply to category C licence applications nor to category A and B applications relating to a quantity of 150 tonnes or less, provided that the total quantity covered by the category A and B applications does not exceed, for a given origin, 15 % of the total of the quantities applied for;

Whereas the quantity applied for, for 'Dominican Republic category B', exceeds the quantity available and a reduction coefficient should therefore be applied; whereas import licences may be issued for the quantity referred to in all other new applications;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the tariff quota for the import of bananas during the third quarter of 1997 against new applications as referred to in Article 4 (1) of Regulation (EC) No 478/95:

1. for the quantity indicated in the licence applications multiplied, in the case of the origin 'Dominican Republic' by the reduction coefficient of 0,5388 for category B licence applications, excluding applications relating to a quantity of 150 tonnes or less;
2. for the quantity indicated in licence application, in the case of an origin other than those referred to in point 1 above.

Article 2

This Regulation shall enter into force on 11 July 1997.

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 181, 20. 7. 1996, p. 13.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 71, 31. 3. 1995, p. 84.

⁽⁷⁾ OJ No L 164, 21. 6. 1997, p. 12.

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

Done at Brussels, 10 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1331/97
of 10 July 1997

derogating from Commission Regulation (EC) No 1223/94 laying down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and derogating from Commission Regulation (EEC) No 3665/87 laying down common detailed rules for the application of the system of export refunds on agricultural products

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 organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Articles 13 (1), the third subparagraph of 13 (8) and 23 thereof,

Whereas Article 4 of Commission Regulation (EC) No 1223/94 of 30 May 1994 laying down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty⁽³⁾, as last amended by Regulation (EC) No 2340/96⁽⁴⁾, specifies the period of validity of advance-fixing certificates for refunds;

Whereas the situation on the common wheat and maize (corn) markets makes it necessary to adjust the period of validity of advance-fixing certificates for maize (corn) exported in the form of goods not covered by Annex II to the Treaty in order to prevent applications for advance fixing of refunds for speculative purposes;

Whereas provision should be made that application of the system of prefinancing of export refunds for maize (corn) exported in the form of goods not covered by Annex II, pursuant to Commission Regulation (EEC) No 3665/87 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁵⁾, as last amended by Regulation (EC) No 815/97⁽⁶⁾, should not, because of the current situation on the common wheat and maize (corn) markets, lead to an extension of the period of validity of advance-fixing certificates for maize (corn) exported in the form of goods not covered by Annex II to the Treaty;

Whereas provision should be made that application of the system for prefinancing should not lead, taking account of the current situation on the common wheat and maize (corn) market, to an extension of the validity of the rate applied on the day of acceptance of the declaration of payment for exports of maize (corn) in the form of goods not covered by Annex II to the Treaty;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. By derogation from Article 4 (1) of Regulation (EC) No 1223/94, the duration of validity of certificates delivered between the date of entry into force of this Regulation and 30 September 1997 of advance fixing of refunds for maize (corn) used in the form of glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79 or 2106 90 55 and exported in the form of goods not covered by Annex II to the Treaty is limited to the last day of the month of delivery.

2. The provisions in the last subparagraph of Article 27 (5) of Regulation (EEC) No 3665/87 shall not apply to the certificates referred to in the previous paragraph.

3. In cases where the system of prefinancing of processing referred to in Article 27 of Regulation (EEC) No 3665/87 is applied, the export declaration must be accepted no later than the last day of the month of acceptance of the payment declaration.

Article 2

By derogation from Article 27 (5) of Regulation (EEC) No 3665/87 the acceptance of an export declaration for maize (corn) used in the form of glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79 or 2106 90 55 for the manufacture of goods not covered by Annex II to the Treaty may take place, in cases where an export refund advance-fixing certificate is not presented, no later than the last day of the month of acceptance of the payment declaration.

Article 3

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

It shall apply until 30 September 1997.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 2.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 33.

⁽⁴⁾ OJ No L 318, 7. 12. 1996, p. 9.

⁽⁵⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 116, 6. 5. 1997, p. 22.

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

Done at Brussels, 10 July 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION REGULATION (EC) No 1332/97
of 10 July 1997

derogating, for Portugal, from the marketing standards applicable to melons

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables ⁽¹⁾, and in particular Article 3 (3) thereof,

Whereas Commission Regulation (EC) No 1093/97 of 16 June 1997 laying down marketing standards applicable to melons and water melons ⁽²⁾ lays down specific rules on the packaging and marking of those products;

Whereas Article 3 (3) of Regulation (EC) No 2200/96 provides for the possibility of derogation from the standards in force for fruit and vegetables produced in a given region which are sold by the retail trade of the region for well-established traditional local consumption;

Whereas certain varieties of melons produced in Portugal are traditionally sold in the region of production loose, i.e. after being loaded directly into the means of transport or a compartment of the means of transport; whereas, therefore, such a derogation should be allowed in the territory of Portugal;

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

Article 1

1. Notwithstanding Annex I to Commission Regulation (EC) No 1093/97, melons produced in Portugal other than the Charentais, Ogen and Galia varieties may be sold loose in the region of production in that Member State by the retail trade.

2. For the purposes of paragraph 1, the document or, where appropriate, the notice referred to in Article 5 (2) of Regulation (EC) No 2200/96 accompanying each consignment must bear, in addition to the other information required, the following indication: 'For sale by the retail trade in the region of production only'.

Article 2

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

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

Done at Brussels, 10 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 297, 28. 10. 1996, p. 1.

⁽²⁾ OJ No L 158, 17. 6. 1997, p. 21.

COMMISSION REGULATION (EC) No 1333/97

of 10 July 1997

temporarily suspending the issue of export licences for certain milk products
and determining the extent to which export licences may be issued against
applications currently pending

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EEC) No 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EC) No 1587/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No
1466/95 of 27 June 1995 laying down special detailed
rules of application for export refunds on milk and milk
products ⁽³⁾, as last amended by Regulation (EC) No
417/97 ⁽⁴⁾, and in particular Article 8 (3) thereof,

Whereas the market in certain milk products is currently
subject to uncertainty; whereas licence applications of a
speculative nature should be avoided which may lead to
distortions of competition between operators and poten-
tially disrupt the continuity of exports of these products
for the remainder of the period in question; whereas the
issue of export licences for the products involved should
be temporarily suspended and licences for some of these
products should not be issued in respect of applications
pending;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The issue of export licences for milk products falling within CN code 0406 30 is hereby suspended for the period 11 July to 31 July 1997.
2. Licences shall be issued for products falling within CN code 0406 30 submitted on 7 July 1997 for which applications are still pending.
3. No licences shall be issued for products falling within CN code 0406 30 for which applications submitted from 8 to 9 July 1997 are still pending and against which licences would have been issued from 15 July 1997.

Article 2

This Regulation shall enter into force on 11 July 1997.

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

Done at Brussels, 10 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 64, 5. 3. 1997, p. 1.

COMMISSION REGULATION (EC) No 1334/97

of 10 July 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 11 July 1997.

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

Done at Brussels, 10 July 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 10 July 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
ex 0707 00 25	052	53,5
	999	53,5
0709 90 77	052	98,7
	999	98,7
0805 30 30	388	72,5
	524	49,5
	528	53,0
	999	58,3
0808 10 71, 0808 10 73, 0808 10 79	388	85,9
	400	81,7
	508	76,5
	512	66,7
	524	76,4
	528	69,7
	804	87,5
	999	77,8
	388	64,7
	512	76,6
0808 20 47	528	59,0
	804	151,0
	999	87,8
	388	64,7
0809 20 49	512	76,6
	528	59,0
	804	151,0
	999	87,8
	052	263,6
	064	191,5
	068	191,5
0809 30 31, 0809 30 39	400	229,5
	616	207,0
	999	216,6
	052	99,9
	999	99,9

⁽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 1335/97
of 10 July 1997
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁽¹⁾, as last amended by Regulation (EC) No 150/95⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 1012/97⁽³⁾;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that, subject to confirmation periods being triggered, the agricultural conversion rate for a currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels;

Whereas the representative market rates are determined on the basis of basic reference periods or, where applicable, confirmation periods, established in accordance with Article 2 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽⁴⁾, as last amended by Regulation (EC) No 1482/96⁽⁵⁾; whereas paragraph 2 of that Article provides that, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated from the average of the ecu rates for three consecutive quotation days, exceeds six points, the representative market rates are to be adjusted on the basis of the three quotation days in question;

Whereas, as a consequence of the exchange rates recorded from 1 July to 10 July 1997, it is necessary to fix a new agricultural conversion rate for the Belgian or Luxem-

bourg franc, the Danish krone, the German mark, the Portuguese escudo, the French franc, the Dutch gilder, the Austrian schilling and the Spanish peseta;

Whereas Article 15 (2) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance is to be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the amount concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EC) No 1012/97 is hereby repealed.

Article 4

This Regulation shall enter into force on 11 July 1997.

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

Done at Brussels, 10 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 145, 5. 6. 1997, p. 25.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 188, 27. 7. 1996, p. 22.

ANNEX I

Agricultural conversion rates

ECU 1 =	40,7357	Belgian and Luxembourg francs
	7,51757	Danish kroner
	1,97407	German marks
	312,011	Greek drachmas
	199,234	Portuguese escudos
	6,65716	French francs
	6,02811	Finnish marks
	2,22212	Dutch guilders
	0,759189	Irish punt
	1 973,93	Italian lire
	13,8905	Austrian schillings
	166,718	Spanish pesetas
	8,88562	Swedish kroner
	0,720829	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	39,1689	Belgian and Luxembourg francs	ECU 1 =	42,4330	Belgian and Luxembourg francs
	7,22843	Danish kroner		7,83080	Danish kroner
	1,89814	German marks		2,05632	German marks
	300,011	Greek drachmas		325,011	Greek drachmas
	191,571	Portuguese escudos		207,535	Portuguese escudos
	6,40112	French francs		6,93454	French francs
	5,79626	Finnish marks		6,27928	Finnish marks
	2,13665	Dutch guilders		2,31471	Dutch guilders
	0,729989	Irish punt		0,790822	Irish punt
	1 898,01	Italian lire		2 056,18	Italian lire
	13,3563	Austrian schillings		14,4693	Austrian schillings
	160,306	Spanish pesetas		173,665	Spanish pesetas
	8,54387	Swedish kroner		9,25585	Swedish kroner
	0,693105	Pound sterling		0,750864	Pound sterling

DECISION No 1336/97/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 17 June 1997****on a series of guidelines for trans-European telecommunications networks**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the first paragraph of Article 129d thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽⁴⁾ in the light of the joint text approved on 16 April 1997 by the Conciliation Committee,

- (1) Whereas the establishment and development of trans-European telecommunications networks aim at ensuring the circulation and exchange of information across the Community; whereas this outlay in equipment is a precondition to enable citizens and industry — especially SMEs — in the Community to derive full benefit from the potential of telecommunications so as to make possible the establishment of the 'information society', in which the development of applications, services and telecommunications networks will be of crucial importance with a view to ensuring the availability for each citizen, company or public authority, including in the less developed or peripheral regions, of any type or quantity of information they may need;
- (2) Whereas, in its White Paper on 'Growth, Competitiveness and Employment', the Commission stressed the importance of establishing the information society, which, by introducing new forms of economic, political and social relations, will help the Union to face the new challenges of the next century, including the challenge of employment

creation; whereas this was recognized by the Brussels European Council of December 1993;

- (3) Whereas the internal market constitutes an area without borders, within which the free movement of goods, persons, capital and services has to be ensured, and where Community measures already adopted or in the process of being adopted require significant exchange of information between individuals, economic operators and administrations; whereas the fact of possessing efficient means of exchanging information is of vital importance for improving the competitiveness of undertakings; whereas these exchanges of information can be ensured by trans-European telecommunications networks; whereas the availability of trans-European networks will strengthen social and economic cohesion in the Community;
- (4) Whereas establishment and development of trans-European telecommunications networks must enable information to be freely exchanged between individuals, economic operators and administrations, while respecting individuals' rights to privacy and intellectual and industrial property rights;
- (5) Whereas, in June 1994, in their report on 'Europe and the global information society', which they prepared for the Corfu European Council of 24 and 25 June 1994, the members of a group of prominent representatives of industry recommended the implementation of trans-European telecommunications networks and the securing of their interconnectivity with all European networks; whereas the report identified mobile communications as a pillar of the information society whose potential should be strengthened; whereas the Corfu European Council gave its general approval to that recommendation;
- (6) Whereas those recommendations were followed by the Commission in its communication to the European Parliament and the Council entitled 'Europe's way to the information society: an action plan'; whereas the conclusions of the Council meeting on 28 September 1994 on this action plan stressed the fact that the fast development of high-performance information infrastructures is essential for the Community on the basis of a global, coherent and balanced approach;
- (7) Whereas Article 129c of the Treaty requires the Community to establish a series of guidelines covering the objectives, priorities and broad lines of

⁽¹⁾ OJ No C 302, 14. 11. 1995, p. 23 and OJ No C 175, 18. 6. 1996, p. 4.

⁽²⁾ OJ No C 39, 12. 2. 1996, p. 20.

⁽³⁾ OJ No C 129, 2. 5. 1996, p. 32.

⁽⁴⁾ Opinion of the European Parliament of 1 February 1996 (OJ No C 47, 19. 2. 1996, p. 15), Council Common Position of 21 March 1996 (OJ No C 134, 6. 5. 1996, p. 18) and Decision of the European Parliament of 17 July 1996 (OJ No C 261, 9. 9. 1996, p. 59). Decision of the European Parliament of 14 May 1997 and Council Decision of 26 May 1997.

measures envisaged in the sphere of trans-European networks; whereas these guidelines must identify projects of common interest; whereas trans-European networks in the area of telecommunications infrastructure cover the three layers constituting these networks: applications, generic services and basic networks;

- (8) Whereas the information society cannot develop without the existence of accessible applications, and especially applications of collective interest, addressing user needs as well as possible, and taking into account, where appropriate, the needs of the elderly and disabled; whereas applications will thus form an important part of the projects of common interest; whereas the applications relevant to teleworking must take account in particular of legal provisions concerning workers' rights applying in the Member States concerned;
- (9) Whereas projects of common interest can, in many cases, already be implemented in the present telecommunications networks, especially the Euro-ISDN, and thereby offer trans-European applications; whereas guidelines have to be drawn up to identify these projects of common interest;
- (10) Whereas there should be coordination between the implementation of the proposals chosen and similar initiatives adopted at national or regional level in the Community;
- (11) Whereas in the selection and implementation of such projects account should be taken of all infrastructures offered by incumbent and new providers;
- (12) Whereas on 9 November 1995 the European Parliament and the Council adopted Decision No 2717/95/EC on a set of guidelines for the development of the EURO-ISDN (Integrated Services Digital Network) as a trans-European network⁽¹⁾;
- (13) Whereas the present networks, which include existing ISDN, are evolving towards becoming advanced networks offering a variable data flow rate up to broadband capabilities, adaptable to different needs, in particular to the provision of multimedia services and applications; whereas implementation of Integrated Broadband Communication Networks (IBC networks) will be the outcome of this evolution; whereas IBC networks will constitute the optimum platform for information society applications;
- (14) Whereas the work of the RACE Programme (specific research and technological development programme in the field of communication technologies (1990 to 1994)) laid down in Decision 91/352/EEC⁽²⁾ has prepared the ground and provided the technology base for the introduction of IBC networks in Europe;
- (15) Whereas the work of the Esprit Programme (specific programme for research and technological development, including demonstration, in the field of information technologies (1994 to 1998)), laid down in Decision 94/802/EC⁽³⁾, has prepared the ground and provided the technology base for the introduction of information technology applications;
- (16) Whereas the results of the work of the specific research and technological development programmes in the field of telematic systems of general interest (1991 to 1994) laid down by Decision 91/353/EEC⁽⁴⁾ and of the specific programme for research and technological development, including demonstration, in the field of telematics applications of common interest (1994 to 1998) laid down by Decision 94/801/EEC⁽⁵⁾ prepare the ground for the introduction of interoperable applications of common interest across Europe;
- (17) Whereas effective coordination needs to be ensured between the development of the trans-European telecommunications networks, which must address real-world concerns, without attempting to carry out purely experimental projects, and the different Community programmes, in particular the specific programmes of the fourth framework programme for research, technological development and demonstration, programmes in favour of SMEs, information-content-oriented programmes (such as INFO 2000 and MEDIA II) and other information society activities; whereas such coordination must also be ensured with the projects provided for by Decisions of the European Parliament and of the Council applying to trans-European networks;
- (18) Whereas the measures aimed at ensuring the interoperability of telematic networks between administrations fall within the framework of priorities adopted in relation to the present guidelines for trans-European telecommunications networks;

⁽¹⁾ OJ No L 282, 24. 11. 1995, p. 16.

⁽²⁾ OJ No L 192, 16. 7. 1991, p. 8.

⁽³⁾ OJ No L 334, 22. 12. 1994, p. 24.

⁽⁴⁾ OJ No L 192, 16. 7. 1991, p. 18.

⁽⁵⁾ OJ No L 334, 22. 12. 1994, p. 1.

(19) Whereas in its communication of 24 July 1993 on preparatory actions in the field of trans-European networks in respect of integrated broadband communications, the Commission recognized the need to carry out preparatory actions with the sector actors to draw up appropriate guidelines; whereas the result of these actions forms the basis for the guidelines relating to IBC networks in this Decision;

(20) Whereas the telecommunications sector is being progressively liberalized; whereas the development of trans-European applications, generic services and basic networks will increasingly rely on private initiative; whereas these trans-European developments must respond on a European scale to market needs or to actual and sizeable needs of society which are not covered by market forces alone; whereas, taking this into account, the interested sector actors will be requested to submit, through the application of appropriate procedures giving everyone equal opportunities, specific proposals; whereas these procedures have to be defined; whereas a Committee will assist the Commission for specification of projects of common interest;

(21) Whereas a *modus vivendi* between the European Parliament, the Council and the Commission concerning the implementing measures for acts adopted in accordance with the procedure laid down in Article 189b of the Treaty was concluded on 20 December 1994⁽¹⁾;

(22) Whereas projects of common interest which relate to the territory of a Member State require the approval of the Member State concerned;

(23) Whereas the Commission and the Member States will have to act to ensure interoperability of the networks and coordinate, on the one hand, the activities of the Member States aimed at implementation of trans-European telecommunications networks and, on the other, comparable national projects, only to the extent necessary to ensure overall coherence;

(24) Whereas it is important, for the optimum development of the information society, to ensure an efficient exchange of information between the Community and third countries, in particular the States parties to the Agreement on the European Economic Area or countries having concluded an Association Agreement with the Community;

(25) Whereas, however, activities undertaken in the context of these guidelines are subject to the full

application of the competition rules laid down in the Treaty and implementing legislation,

HAVE ADOPTED THIS DECISION:

Article 1

This Decision establishes guidelines covering the objectives, priorities and broad lines of measures envisaged in the sphere of trans-European networks in the area of telecommunications infrastructure. These guidelines identify projects of common interest by listing those projects in Annex I and by laying down the procedure and criteria for the specification thereof.

Article 2

The Community shall support the interconnection of networks in the sphere of telecommunications infrastructure, the establishment and development of interoperable services and applications as well as access to them, with the objectives of:

- facilitating the transition towards the information society, as well as providing experience on the effects of the deployment of new networks and applications on social activities and promoting the satisfaction of social and cultural needs and improving the quality of life,
- improving the competitiveness of Community firms, in particular SMEs, and strengthening the internal market,
- strengthening economic and social cohesion, taking account in particular of the need to link island, landlocked and peripheral regions to the central regions of the Community,
- accelerating the development of new growth-area activities leading to job creation.

Article 3

The priorities for the realization of the objectives referred to in Article 2 shall be:

- study and validation of the technical and commercial feasibility, followed by the deployment of applications supporting the development of a European information society, in particular applications of collective interest,
- study and validation of feasibility, followed by the deployment of applications contributing to economic and social cohesion, by improving access to information throughout the Community and building on European cultural diversity,

⁽¹⁾ OJ No C 102, 4. 4. 1996, p. 1.

- stimulation of trans-boundary interregional initiatives and of initiatives involving regions, in particular the less-favoured ones, for the launch of trans-European telecommunications services and applications,
- study and validation of feasibility, followed by the deployment of applications and services contributing to the strengthening of the internal market and job creation, in particular those offering to SMEs means to improve their competitiveness in the Community and at world level,
- identification, study and validation of the technical and commercial feasibility, followed by the deployment of trans-European generic services providing seamless access to all kinds of information, including in rural and peripheral regions, and interoperable with equivalent services at world level,
- study and validation of the feasibility of new integrated broadband communication (IBC) networks, where required for such applications and services, and promotion of the interconnectivity of such networks,
- identification and removal of gaps and missing links for effective interconnection and interoperability of all the components of telecommunications networks in the Community and at world level, with particular emphasis on basic telecommunications networks as defined in Annex I.

Article 4

The broad lines of measures to be implemented for achieving the objectives defined in Article 2 shall cover:

- specification of projects of common interest by the establishment of a work programme,
- actions aimed at increasing the awareness of individuals, economic operators and administrations of the benefits they can derive from the new advanced trans-European telecommunications services and applications,
- actions aimed at the stimulation of combined initiatives by users and providers to launch projects in the sphere of trans-European telecommunications networks, in particular IBC networks,
- support, within the framework of the methods laid down in the Treaty, for actions to study and validate the feasibility, followed by the deployment, of applications, in particular applications of collective interest, and encouragement of the establishment of public/private collaboration, in particular through partnerships,
- stimulation of the supply and use of services and applications for SMEs and professional users, which constitute a source of employment and growth,
- promotion of interconnectivity of networks, of interoperability of broadband services and applications and

of the infrastructure they require, in particular for multimedia applications, and of interoperability between existing and broadband services and applications.

Article 5

The development of trans-European networks in the sphere of telecommunications infrastructure shall be undertaken under this Decision through the implementation of projects of common interest. The projects of common interest are listed in Annex I.

Article 6

In accordance with Articles 7, 8 and 9, projects of common interest listed in Annex I shall be specified, using the criteria listed in Annex II. The projects identified are eligible for Community support in compliance with Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks⁽¹⁾.

Article 7

1. On the basis of Annex I the Commission, following consultation of the sector operators and taking the other trans-European network policies into account, shall prepare a work programme, adopted in accordance with the procedure laid down in Article 8, and subsequently proceed with calls for proposals.

2. The Commission shall verify that the projects relating to the territory of a Member State are approved by the Member State concerned.

Article 8

1. The Commission shall be responsible for the implementation of this Decision.

2. For the cases specified in Article 9 (1), the Commission shall be assisted by a committee composed of representatives of the Member States and chaired by the representative of the Commission.

The Commission representative shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority provided for in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission.

⁽¹⁾ OJ No L 228, 23. 9. 1995, p. 1.

The votes of the Member States' representatives within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the committee's opinion, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal relating to the measures to be taken. The Council shall act by qualified majority.

If, on expiry of a period of three months from referral of the matter to the Council, the latter has not acted, the proposed measures shall be adopted by the Commission.

Article 9

1. The procedure laid down in Article 8 shall apply to:
 - the preparation and updating of the work programme referred to in Article 7,
 - the determination of the content of calls for proposals,
 - the specification of projects of common interest using the criteria set out in Annex II,
 - the determination of supplementary support and co-ordination actions,
 - the measures to be taken to evaluate the implementation of the work programme on a financial and technical level.

2. The Commission shall inform the committee, at each of its meetings, of the progress made in implementing the work programme.

Article 10

This Decision shall apply to the Integrated Services Digital Network (ISDN) without prejudice to Decision No 2717/95/EC of the European Parliament and of the Council.

Article 11

Member States shall take all the measures necessary to facilitate the implementation of the projects of common interest in conformity with Community rules. The authorization procedures which may be necessary shall be completed as quickly as possible in conformity with Community legislation.

Article 12

This Decision shall not prejudice any financial commitment by a Member State or the Community.

Article 13

The participation of third countries, in particular countries party to the Agreement on the European Economic Area or having concluded an Association Agreement with the Community, may be authorized by the Council on a case-by-case basis, in accordance with the procedure laid down in Article 228 of the Treaty, in order to allow them to contribute to the implementation of projects of common interest, and to promote the interconnection and interoperability of telecommunications networks, provided that it does not entail an increase in Community aid.

Article 14

Every three years the Commission shall submit a report on the implementation of this Decision to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

The report shall contain an evaluation of the results achieved with Community support in the various project fields in relation to the overall objectives and shall contain an assessment of the social and societal impact of the introduction of the applications after they are deployed.

Together with that report, the Commission shall submit appropriate proposals for revision of Annex I to this Decision on the basis of technical developments and experience gained.

In the absence of a decision by 31 December of the fourth year, Annex I shall be deemed to have lapsed except in respect of calls for proposals which have already been published in the *Official Journal of the European Communities* prior to that date.

Article 15

This Decision is addressed to the Member States.

Done at Brussels, 17 June 1997.

*For the European
Parliament*
The President
J.M. GIL-ROBLES

For the Council
The President
A. JORRITSMA LEBBINK

ANNEX I

IDENTIFICATION OF PROJECTS OF COMMON INTEREST

The trans-European telecommunications networks will open up the Community market to the new applications and services which will form the basis for the development of the information society. They are essential for supporting Community prosperity, creating jobs, and strengthening economic and social cohesion.

A three-layer model has generally been accepted as the most appropriate framework for describing trans-European telecommunications networks. The layers are:

- the Applications layer, through which users interact with generic services and basic networks to meet their professional, educational and social needs,
- the Generic Services layer, which is made up of compatible generic services and their management. Through support of the applications' common requirements, and by providing common tools for development and implementation of new applications, these services supplement applications whilst aiding their interoperability,
- the Basic Networks layer, which provides the physical access, transport and switching elements of the networks, including their management and signalling. These elements ensure trans-European network interconnectivity.

These three layers form a coherent structure, where applications are supported by the two lower layers: generic services and basic networks. In particular, applications cannot be offered in the absence of one of the other two layers; however, each layer should be sufficiently open to support any element of the layer immediately above. In this context, projects of common interest should be identified on the basis of their operational capability to support the objectives laid down in this Decision.

The following sections identify in each layer of the trans-European networks the projects of common interest that must be specified in accordance with Article 9 and under the procedure laid down in Article 8.

1. Applications

Applications will need to take account of linguistic requirements and will need to be interoperable to bring the maximum benefit to the users across the Community. Where this can be applicable, they shall take into account the specific needs of less developed or less populated regions. They must address the widest possible populations of users and demonstrate citizens' access to services of collective interest. For the benefit of disabled people, special requirements should be taken into account in the early stage of the planning of projects and with regard to access to services.

The projects of common interest for applications are:

- A network for universities and research centres: an advanced trans-European network carrying multimedia applications should be established, linking universities and research centres across Europe, with open access to their libraries.
- Distance education and training: advanced distance education and training services should be made accessible to schools, colleges, businesses and individuals. Centres should be set up and made remotely accessible across the Community in order to provide courseware and training services for SMEs, large companies, education systems, and public administrations. New approaches to all relevant aspects of education and training should be developed and promoted to facilitate the transition towards the information society.
- Health telematics: trans-European networks and applications based on common standards should be deployed, which would link on a Community scale all the partners of the health sector, in particular general practitioners, hospitals and public health centres.
- Transport telematics: full advantage should be taken of trans-European telecommunications networks to provide user-oriented services, in the domains of logistical support for transport industries and of the development of value added services, such as information services, integrated payment and reservation services, trip planning and route guidance, and freight and fleet management. In addition, transport telematics services in urban areas should be covered, taking into account standardization and interoperability requirements. The deployment of these services, based on advanced fixed and mobile telecommunications networks, should provide, wherever possible, the necessary complementarity and interoperability with the trans-European transport networks.

- Telematics for the environment: trans-European networks can make an important contribution to the monitoring and management of the environment, including emergency management. This contribution can be brought about by the implementation of information systems collecting environmental data and making them available to the responsible authorities, and the establishment of reliable communications systems supporting interventions in emergency situations.
- Teleworking: the development of teleworking (in satellite offices and if possible in homes) supported by advanced telecommunications systems will help to provide new forms of flexibility in terms of the place of work and the way in which work is organized. Through the decentralization of professional activities, teleworking can also help to reduce the environmental consequences of daily commuting to population centres. The development of teleworking can be fostered by implementing projects making available individual telematic tools for teleworkers, as well as creating telework centres for itinerant workers. Special attention should be paid to evaluating and taking into account the social consequences of these applications.
- Telematic services for SMEs: projects of common interest will support the use of trans-European telecommunications applications and services by Community SMEs, with links to public authorities, trade associations, consumers, customers and suppliers and including information services and electronic trade. The awareness of telematics-based solutions in general should be raised among SMEs.
- Electronic tendering: a trans-European electronic tendering network should be set up, based on electronic procedures for the award of public contracts involving public administrations and suppliers in the Community.
- City information highways: the creation of networks and services should be promoted which interconnect households, businesses, social organizations and administrations and provide access to on-line multimedia information, education, cultural, entertainment and tourism services on a local, regional, national and Community basis. Links between city and regional networks should be promoted.
- Library services: trans-European advanced networked services involving all types of libraries (national, university, research, public, etc.) should be deployed to provide effective access to both the reservoir of organized knowledge and the cultural wealth held in libraries across the Community, in support of the economic, social, educational and cultural life of the Community.
- Telematic services for the job market: networked services, such as job information databases, should be developed to support the changing labour market in the Community and to help tackle unemployment.
- Cultural and linguistic heritage: initiatives should be launched to foster the preservation of and access to the European cultural and artistic heritage, and to demonstrate the potential of the information infrastructure to stimulate creative endeavours and to support the development of local content in local languages and its dissemination.

2. Generic Services

The projects of common interest for generic services networks are:

- Implementation of operational trans-European generic services, which should include in particular electronic mail, file transfer systems, on-line access to electronic databases, and video services. As there is an urgent need for these trans-European generic services, they will use existing or emerging networks, fixed or mobile, and user access arrangements already in operation. They should include service elements operating at Community level, such as directories, clearing, authentication, data protection and information security, preservation and remuneration of intellectual property, trans-European 'kiosk' and networked navigational aids, services enabling citizens' access, payment services, etc.
- Progressive extension of generic services towards a multimedia environment. These services will offer end-users access to multimedia services, and might cover *inter alia* multimedia mail, high-speed file transfer and video services, including video-on-demand. Use of these multimedia services by business and residential users should be encouraged, as should the integration of new service elements such as automatic translation, speech recognition, graphical user interfaces, intelligent agents and tools for user interaction and personalization.
- Introduction of non-proprietary digital signature as a basis for open service provision and mobility of use: generic services will rely on a large number of complementary and competing service-providers. Open service provision and mobility of use will be of key importance and require electronic names (digital signatures) allowing adequate protection of privacy to be generally available and supported.

3. Basic networks

The projects of common interest for basic networks are:

- Euro-Integrated Services Digital Networks: for reasons of commercial and technical trans-European availability, ISDN is today the most appropriate digital switched basic network that can support new services and applications. Its present development makes it an opportunity for Europe, and its market and geographical extension will be justified by the implementation of these new services and applications on a European scale. However, it should be borne in mind that ISDN is only a first step and that it is going to evolve towards becoming merely a means of user access to broadband basic services. The removal of remaining gaps for the effective interoperability of services should receive special attention.
- Commercial introduction of Asynchronous Transfer Mode (ATM) and other IBC networks: this area must be considered as being of the greatest common European interest.
- Interoperation of existing and IBC networks: existing networks (for fixed, mobile and satellite services) should be interconnected and interoperate between themselves and with ATM-based high-speed networks, in order to offer the most appropriate economic solutions to the various situations which will occur during the setting up of the information society. This issue is at the core of the development of the IBC network, and is particularly relevant for SMEs, as well as for the professional and residential markets.
- Development of fixed, mobile and satellite networks with the aim of supporting the applications and services referred to above.

4. Projects of particular importance

Some of these projects of common interest are of particular importance for the development of the information society. These are generic services, the applications of collective interest concerning distance education and training, cultural heritage, services to SMEs and telematics for transport, the environment and health. Calls for proposals concerning these projects of particular importance or a combination thereof will be published, as a rule, at least once a year. The Commission will report to Parliament in this connection.

5. Supplementary support and coordination actions

In addition to its support for projects of common interest, the Community should initiate actions aimed at providing the appropriate environment. They will contribute to consensus development and concerted efforts concerning national and regional activities for stimulation and promotion of new applications and services, in conformity with the implementation of programmes in other areas, as well as the development of IBC networks. They will involve consultation with European standardization and strategic planning bodies and coordination with actions funded by the different Community financial instruments. This includes:

- development of target specifications, and transition towards these targets. These specifications will help sector actors to make sound economic investment decisions,
 - definition of means of accessing IBC networks at the three specified layers,
 - establishment of common specifications based on European and world standards,
 - furthering cooperation among sector actors, in particular emerging and fragmented operators, such as cable television network operators, as well as with users,
 - coordination of the activities undertaken under this Decision with related Community and national programmes.
-

*ANNEX II***CRITERIA FOR THE SPECIFICATION OF PROJECTS OF COMMON INTEREST**

Projects of common interest will be specified from among the projects submitted by interested sector actors in response to a call for proposals, as provided for in Article 7, on the basis of their compliance with the objectives and priorities laid down in Articles 2 and 3 respectively. These projects must be transnational in the sense that they shall be conceived to satisfy needs existing in several Member States. As a general rule, they shall be implemented in several Member States but implementation in a single Member State shall be allowed if it contributes to a broader trans-European interest.

In addition, account will be taken of the economic and financial criteria set out in Regulation (EC) No 2236/95. These criteria, which will be used in the framework of the said Regulation for deciding on the granting of financial support to a specific project, are:

- the potential economic viability of the project, which should be assured,
 - the maturity of the project,
 - the stimulative effect of Community intervention on public and private financing,
 - the soundness of the financial package,
 - the direct or indirect socio-economic effects, in particular on employment,
 - the consequences for the environment,
 - for cross-border projects in particular, coordination of the timing of the different parts of a project.
-

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 June 1997

laying down special conditions governing the import of fishery and aquaculture products originating in Australia

(Text with EEA relevance)

(97/426/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by Directive 95/71/EC⁽²⁾, and in particular Article 11 thereof,

Whereas a group of Commission experts has conducted an inspection visit to Australia to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of Australian legislation on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas in Australia the Department for Primary Industries and Energy — Australian Quarantine and Inspection Service — (AQIS), is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11 (4) (a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in

which it must be drafted and the grade of person empowered to sign it;

Whereas, pursuant to Article 11 (4) (b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products, giving the name of the third country and the approval number of the establishment of origin;

Whereas, pursuant to Article 11 (4) (c) of Directive 91/493/EEC, a list of approved establishments must be drawn up; whereas that list must be drawn up on the basis of a communication from AQIS to the Commission; whereas it is therefore for the Ministry of Health to ensure compliance with the provisions laid down to that end in Article 11 (4) of Directive 91/493/EEC;

Whereas AQIS has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding fulfilment of requirements equivalent to those laid down by that Directive for the approval of establishments;

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

The Department for Primary Industries and Energy — Australian Quarantine and Inspection Service — (AQIS) is recognized as the competent authority in Australia for verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 332, 30. 12. 1995, p. 40.

Article 2

Fishery and aquaculture products originating in Australia must meet the following conditions:

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model set out in Annex A hereto;
2. the products must come from approved establishments listed in Annex B hereto;
3. except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'Australia' and the approval number of the establishment of origin in indelible letters.

Article 3

1. The certificate referred to in point 1 of Article 2 must be drawn up in at least one official language of the Member State where the checks are carried out.
2. The certificate must bear the name, capacity and signature of the representative of AQIS and the latter's

official stamp in a colour different from that of the other indications on the certificate.

Article 4

This Decision shall apply from 1 September 1997.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 25 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery or aquaculture products originating in Australia and intended for export to the European Community

Reference No:

Country of dispatch: Australia

Competent authority: Department of Primary Industries and Energy — Australian Quarantine and Inspection Service (AQIS)

I. Details identifying the products

Description of fishery or aquaculture product⁽¹⁾:

— species (scientific name):

— presentation of product and type of treatment⁽²⁾:

Code number (where available):

Type of packaging:

Number of packages:

Net weight:

Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s) approved by AQIS for exports to the European Community:

.....
.....
.....
.....

III. Destination of products

The fishery or aquaculture products⁽¹⁾ are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:

Name and address of dispatcher:
.....
.....

Name of consignee and address at place of destination:
.....
.....

⁽¹⁾ Delete where inapplicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

The official inspector hereby certifies that the fishery and aquaculture products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and, where appropriate, packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto;
7. in addition, where the fishery products are frozen or processed bivalve molluscs: the molluscs were obtained from approved production areas laid down by Annex to Decision 97/427/EC laying down special conditions for the import of live bivalve molluscs echinoderms, tunicates, and marine gastropods originating in Australia.

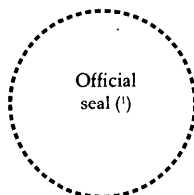
The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, 92/48/EEC and Decision 97/427/EC.

Done at

(place)

.....

(date)



.....
(Signature of official inspector) (!)

.....
(name in capital letters, capacity and qualifications of person signing) (!)

(!) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX B

LIST OF APPROVED ESTABLISHMENTS AND FACTORY VESSELS

I. Establishments

Number	Name	Address
10	PORT LINCOLN TUNA PROCESSORS PTY LTD	PORT LINCOLN, SA
12	SOUTHERN CANNING PTY LTD	PORTLAND, VIC
27	DOVER FISHERIES PTY LTD	ROYAL PARK, SA
149	P&O COLD STORAGE LTD	FOOTSCRAY, VIC
207	FRIGMOBILE PTY LTD	HEMMANT, QLD
247	VINCI SEAFOOD EXPORTERS PTY LTD	FREMANTLE, WA
304	FREMANTLE FISHERMEN'S CO-OPERATIVE SOCIETY LTD	LANCELIN, WA
755	BARWON SEAFOODS PTY LTD	NORTH GEELONG, VIC
757	LONIMAR AUSTRALIA PTY LTD	KENSINGTON, VIC
793	KIVELOS NOMINEES PTY LTD	FOOTSCRAY, VIC
802	A RAPTIS & SONS PTY LTD	COLMSLIE, QLD
816	TASMANIAN SEAFOODS PTY LTD	MARGATE, TAS
818	P SAMIOS & CO PTY LTD	WOOLLOONGABBA, QLD
825	NORWEST SEAFOODS PTY LTD	CARNARVON, WA
828	INF PTY LTD	OSBORNE PARK, WA
838	MG KAILIS GULF FISHERIES PTY LTD	LEARMONTH, WA
851	GERALDTON FISHERMEN'S CO-OPERATIVE LTD	GERALDTON, WA
852	AUSTRALIAN ABALONE EXPORTS PTY LTD	LAVERTON NORTH, VIC
853	KAILIS & FRANCE FOODS PTY LTD	OSBORNE PARK, WA
864	EELS AUSTRALIS PTY LTD	DELORAIN, TAS
873	FREMANTLE FISHERMEN'S CO-OPERATIVE SOCIETY LTD	JURIEN, WA
889	DOVER FISHERIES PTY LTD	DOVER, TAS
921	SEITO OCEAN PRODUCTS PTY LTD	EAST BUNDABERG, QLD
930	FREMANTLE FISHERMEN'S CO-OPERATIVE SOCIETY LTD	GERALDTON HARBOUR, WA
933	HARRY MESSINIS	GEELONG, VIC
936	MG KAILIS (1962) PTY LTD	DONGARA, WA
953	CAPE BANKS PROCESSING COMPANY PTY LTD & H STANKE & SONS PTY LTD	CARPENTER ROCKS, SA
959	EELS AUSTRALIS PTY LTD	SKIPTON, VIC
960	MANTZARIS FISHERIES PTY LTD	GEELONG, VIC
994	GEOFFREY MAXWELL SWANN	ESPERANCE, WA
1013	P & O COLD STORAGE LTD	SPEARWOOD, WA
1018	OCEAN FOODS PTY LTD	EXETER, SA

Number	Name	Address
1043	GAMEFISHER PTY LTD	DARWIN, NT
1046	TASMANIAN SEAFOODS PTY LTD	SMITHTON, TAS
1048	AUSTRALIAN BIGHT FISHERMEN PTY LTD	PORT LINCOLN, SA
1049	WARREN ROBERT MOORE	MT BARKER, WA
1050	A RAPTIS & SONS PTY LTD	HINDMARSH, SA
1070	OSMANLI PTY LTD	BUNDABERG, QLD
1077	STANLEY FISH PTY LTD	STANLEY, TAS
1082	OCEAN FOODS PTY LTD	SOUTHEND, SA
1088	SEVSTAR NOMINEES PTY LTD	MORNINGTON, VIC
1149	WA SEAFOOD EXPORTERS PTY LTD	OSBORNE PARK, WA
1168	FRIGMOBILE PTY LTD	TOWNSVILLE, QLD
1169	VIN TIN PTY LTD	GERALDTON, WA
1195	BELCARA PTY LTD	YANCHEP, WA
1249	MORETON BAY SEAFOODS PTY LTD	CLONTARF, QLD
1263	AUSTPAN PACIFIC PTY LTD	PORTSMITH, QLD
1277	RIGMAR PTY LTD	GLENORCHY, TAS
1296	BATAVIA COAST FISHERIES PTY LTD	GERALDTON, WA
1322	ABACUS FISHERIES COMPANY PTY LTD	CARNARVON, WA
1325	SEA TRADERS PTY LTD	CLONTARF, QLD
1332	DAVID CHARLES PEEBLES & PETER JAMES HARVEY	MALAGA, WA
1342	FISHMAC PTY LTD	BUNDABERG, QLD
1351	POULOS BROS (WHOLESALE) PTY LTD	UNANDERRA, NSW
1366	EASTERN MARINE PTY LTD	SOUTH MELBOURNE, VIC
1379	DOBOY COLD STORES PTY LTD	HEMMANT, QLD
1380	PORT OF DEVONPORT AUTHORITY	WEST DEVONPORT, TAS
1438	HAMISH PTY LTD	O'CONNOR, WA
1487	P & O COLD STORAGE LTD	NORTH FREMANTLE, WA
1489	FORTUNA SEAFOODS PTY LTD	KAWANA, QLD
1495	INDEPENDENT SEAFOOD PRODUCERS PTY LTD	SOUTH TOWNSVILLE, QLD
1504	KAILIS & FRANCE FOODS PTY LTD	COOGEE, WA
1523	BAYSHORE HOLDINGS PTY LTD	JURIEN, WA
1534	FREMANTLE FISHERMEN'S CO-OPERATIVE SOCIETY LTD	FREMANTLE, WA
1597	WISTANE PTY LTD	MADDINGTON, WA
1617	CAIRNS COLD STORES PTY LTD	CAIRNS, QLD
1630	MESSINIS BROS PTY LTD	DANDENONG, VIC
1643	CORAL REEF SEAFOODS PTY LTD	SLADE POINT, QLD
1666	MIA EXPORT PTY LTD	PORT LINCOLN, SA

Number	Name	Address
1674	K & TJI PTY LTD	LAVERTON NORTH, VIC
1692	BURNIE PORT AUTHORITY	BURNIE, TAS
1693	E & B KOLIVAS NOMINEES PTY LTD	ST KILDA, VIC
1756	EAST COAST EELS (AUST) PTY LTD	STRATFORD, VIC
1775	STEVE & CON SEAFOODS PTY LTD	MOORABBIN, VIC
1799	KARYSTOS PTY LTD	FOOTSCRAY, VIC
1805	THIRD PUNO PTY LTD	BRUNSWICK, VIC
1917	PENINSULA SEAFOODS PTY LTD	DANDENONG, VIC
1953	GLOBAL SEAFOODS FISHERIES PTY LTD	MORNINGSIDE, QLD
1999	AQUA FARMS AUSTRALIA PTY LTD	MOAMA, NSW
2037	KARLIAM PTY LTD	HERVEY BAY, QLD
2231	UNITRADE INTERNATIONAL PTY LTD	CANNINGVALE, WA
2239	OYSTER NURSERIES PTY LTD	MACKSVILLE, NSW
2245	HERBERT EDWARD & PAULA JOY MURRAY	BOWEN, QLD
2256	PETER JAMES PACKMAN & MICHAEL VINCENT DWYER	BUNDABERG, QLD
2276	INDEPENDENT SEAFOOD PRODUCERS PTY LTD	CAIRNS, QLD
2333	WITNEY PTY LTD	KARDINYA, WA
2394	YABBY BLUE PTY LTD	MOONEE PONDS, VIC
2459	SCOOTMORE CORPORATION PTY LTD	CLONTARF, QLD
2567	A & A BIANCHI PTY LTD	WYNNUM, QLD
2574	RAMPSEA PTY LTD	MACKAY, QLD
2580	ST SEAFOOD INTERNATIONAL PYT LTD	KIPPA-RING, QLD
2619	ABALONE SHELLFISH ENTERPRISES PTY LTD	APOLLO BAY, VIC
2620	FNP CATALANO NOMINEES PTY LTD	CANNINGTON, WA
2641	ANNIE & HERBERT EDWARD MORLEY	LUCINDA, QLD
2651	JOAN ELIZABETH MCILWAIN	WARANA, QLD
2678	MANDARIN TRAWLERS (AUSTRALIA) PTY LTD	BURNETT HEADS, QLD
2779	BOWEN FISHERMANS SEAFOOD COMPANY PTY LTD	BOWEN, QLD
2784	V & E LAGO PTY LTD	HEMMANT, QLD
2799	RAND TRANSPORT (1986) PTY LTD	KEWDALE, WA
2824	WILLSEA PTY LTD	PORT MACDONNEL, SA
2879	SOUTH PACIFIC DRIED SEAFOOD PTY LTD	ARCHERFIELD, QLD
2906	PORT MELBOURNE COLD STORES PTY LTD	PORT MELBOURNE, VIC
2907	SAFCOL FOODS PTY LTD	ELIZABETH, SA
2911	DE BRETT SEAFOOD PTY LTD	MOOLOOLABA, QLD
2941	JOSEPH BARRY CURTAIN	SORELL, TAS
2963	GERALDTON FISHERMEN'S CO-OPERATIVE LTD	GERALDTON, WA

Number	Name	Address
2988	GOULBURN RIVER TROUT PTY LTD	ALEXANDRA, VIC
2996	AUSTRALIAN LIVE SEAFOOD PTY LTD	KING ISLAND, TAS
3056	JAMES BOWES PTY LTD	GERALDTON, WA
3117	BOOKAR EEL CULTURE PTY LTD	CAMPERDOWN, VIC
3143	PIONEER SEAFOODS PTY LTD	GLADSTONE, QLD
3145	TASSAL LTD	DOVER, TAS
3225	STATHY PETER & STEVEN DAMON EFSTATHIS	MORNINGSIDE, QLD
3269	MANTZARIS FISHERIES PTY LTD	NORTH GEELONG, VIC
3320	CARDINAL SEAFOODS PTY LTD	VIRGINIA, QLD
3323	NORTAS PTY LTD	MORNINGTON, TAS
3353	GEOFF SUMMERGREENE	TRIBUNNA, TAS
3355	WARREN WILLIAM MARKWELL	INNISFAIL, QLD
3362	KAILIS BROS PTY LTD	CANNING VALE, WA
3378	ENTERPRISE FISHERIES PTY LTD	GLADSTONE, QLD
3407	GAMBARO'S SEAFOODS PTY LTD	PINKENBA, QLD
3418	OZASIA PTY LTD	CAIRNS, QLD
3442	MACKAY REEF FISH SUPPLIES PTY LTD	MACKAY, QLD
3486	THEODORE GLINATIS	TWEED HEADS SOUTH, NSW
3512	MG KAILIS EXPORTS PTY LTD	CAIRNS, QLD
3561	SEAPOWERS RESOURCES MACKAY PTY LTD	MACKAY, QLD
3583	CHRISTOPHER & WENDY ANNE ROBINSON	CAIRNS, QLD
3595	IAN & CLAUDE RICCIARDI	HAMILTON HILL, WA
3645	ELENI PTY LTD	BASSENDAN, WA
3711	PIONEER SEAFOODS PTY LTD	BOWEN, QLD
3801	SEALANES (1985) PTY LTD	SOUTH FREMANTLE, WA
3989	CREEL SEAFOODS PTY LTD	MURARRIE, QLD
4081	WESTERN MARINE EXPORTS PTY LTD	ESPERANCE, WA
4127	GREAT OCEAN SEAFOOD PTY LTD	TULLAMARINE, VIC
4332	DANROCK INTERNATIONAL PTY LTD	PORTLAND, VIC
4422	JACK B, ROBIN W HUTCHINGS & CHARLENE J GRIBBLE	KALBAR, QLD
4423	FAIRSEA INTERNATIONAL PTY LTD	MOUNT GAMBIER, SA
4559	JANLOW NOMINEES PTY LTD	ST HELENS, TAS
4586	SEETER PTY LTD	CAIRNS, QLD
4663	SEVEN SEAS PTY LTD	WINGFIELD, SA
4730	MAXWELL FREDERICK & NEIL JOHN TREWARTHA	WARRNAMBOOL, VIC
4846	JOLLY ROGER EXPORTS PTY LTD	BOTANY, NSW
5128	JIM, JACK & JOHN ZARAKIS	WEST FOOTSCRAY, VIC

Number	Name	Address
5153	HARBOURSIDE SERVICES PTY LTD	TOWNSVILLE, QLD
5211	K-SEAS TRADING PTY LTD	CLONTARF, QLD
5452	WEST AUSTRALIAN FRESHWATER LOBSTER FARMS PTY LTD	GINGIN, WA
5485	GEORGE TOWN SEAFOODS PTY LTD	GEORGE TOWN, TAS
5606	MARKWELL FISHERIES PTY LTD	CHINDERAH, NSW
5703	GREG & JOHN FARTCH & MICHAEL MCGRATH	BLACKFELLOWS CAVES, SA
5742	ABALONE SHELLFISH ENTERPRISES PTY LTD	APOLLO BAY, VIC
5777	TERENCE THORNTON RYAN, PATRICK THORNTON RYAN, MARIA JOY RYAN & CATHERINE HEATHER RYAN	TATIARA, SA
5830	STEVEN KOLB	PINGELLY, WA
5852	MULATAGA PTY LTD	CANNING VALE, WA
6001	DIAMOND FISHERIES PTY LTD	DANDENONG, VIC
6013	SEA RAKER FISHERIES PTY LTD	ESSENDON AIRPORT, VIC
6015	SEAWAY PRODUCE PTY LTD	MENTONE, VIC
6035	FISH FACTORY PTY LTD	ATHOL PARK, SA
6036	YAMASA SEAFOOD AUSTRALIA PTY LTD	LAVERTON NORTH, VIC
6084	AUSTRALIAN FRESH CORPORATION PTY LTD	FORTITUDE VALLEY, QLD
6108	JOB FISH AUSTRALIA PTY LTD	CLONTARF, QLD
6137	DEUGRO (NORTHERN TERRITORY) PTY LTD	MIDDLE POINT, NT
6230	PAUL & BERYL LINETTE GRUNSKÉ	BUNDABERG, QLD
6237	MICHAEL JOHN & MARY ELIZABETH NENKE	KUKERIN, WA
6242	AUSTRALIAN FISH PROJECTS PTY LTD	BOTANY, NSW
6246	FREMANTLE CROCODILE PARK PTY LTD	FREMANTLE, WA
6254	SOUTHERN CROSS FISHERIES (QLD) PTY LTD	KAWANA WATERS, QLD
6286	PJC AIR CONDITIONING MANUFACTURERS PTY LTD	SEAFORD, VIC
6359	MARINE BOARD OF HOBART	HOBART, TAS
6371	MARINA FRESH SEAFOODS PTY LTD	SOUTH TOWNSVILLE, QLD
6409	LATITUDE FISHERIES PTY LTD	GERALDTON, WA
6417	SEAFRESH HOLDINGS PTY LTD	JOHNS CREEK, WA
6443	MACKAY SEAFOODS PTY LTD	SLADE POINT, QLD
6472	LANE LABS MANUFACTURING PTY LTD	EAGLE FARM, QLD

Total: 173

II. Factory vessels

Number	Owner	Name/address	
532	JEFFERY DAVID CROAD	PROWLER FD	QLD
569	IAN BRUCE & BRUCE ROBERT HARRIS	C-GIRL	QLD
593	GARY NEISLER	KARLYLE	QLD
701	PETER HODGETTS	REINGA	QLD
830	TREVOR ALBERT & WENDY JEAN MORTON	SEEKER II	QLD
908	GEOFFREY CHARLES PAYNE	CHARING CROSS	QLD
949	DESMOND JOSEPH & NOLA RUBY SCHULTZ	NOLA-R	QLD
986	BARRY JOHN & VALERIE MARIE MURPHY	BOONARI LIKOO	QLD
1008	MUON PHAM	CARRARRA	QLD
1010	HUNG TAN PHAM	SUSANNE ROSS	QLD
1011	ROBERT PETER RALPH	NORLAND	QLD
1019	N & C HOSCHKE PTY LTD	CAPE BEDFORD	QLD
1026	BAKEWELL FOODS PTY LTD	MORLEY	WA
1035	MADANG CONTRACTORS (QLD) PTY LTD	CAPE YORK	QLD
1037	NOAN PTY LTD	IRON HECTOR I	QLD
1080	WA SEAFOOD EXPORTERS PTY LTD	SENHORA DE FATIMA	WA
1092	CAYSAND NO 7 PTY LTD	CRYSTAL LADY	WA
1116	SEABRING FISHERIES PTY LTD	SEABRING	QLD
1126	RUBY MARINE ENGINEERING PTY LTD	MARKWELL ENTERPRISE	QLD
1157	VERNON CHARLES & KATHLEEN JUNE LEE	FAYSEA-G	QLD
1164	PQ NOMINEES PTY LTD	SKANDIA	SA
1167	NOEL MICHAEL & KENNETH JOHN LOLLBACK	JUKENDALE	QLD
1172	MARTYN BLAND CROAD	JACQUELENE C	QLD
1186	IAN GREGORY ASHTON	SEABREEZE II	QLD
1198	CAYSAND NO 7 PTY LTD	BORDA	WA
1204	MERVYN & JANICE HARGRAVES	LINDA JANE	QLD
1213	CECIL WILLIAM & MARGARET EDITH KING	NINO	QLD
1217	BREVEL PTY LTD	NOREMAC	QLD
1223	KERRY ANN & PETER LESLIE MCKINNON	LORANA	QLD
1233	RONALD SEATON & RACHELLE LOUISE EARLE	ROPER THERESE	QLD
1234	CRAIG MICHAEL DEAN	UANNJO	QLD
1244	PETER GRAEME & DOROTHY MAY WARD	YARRAH LEA	QLD
1249	MORETON BAY SEAFOODS PTY LTD	CLONTARF	QLD
1256	ALAN SIDNEY CHARLES WARD	CONNAUGHT	QLD
1279	NETWON PTY LTD	LOUISIANNE	QLD

Number	Owner	Name/address	
1293	PHILLIP OWEN DOYLE	LADY JOCELYN	QLD
1300	RUSHAWAY HOLDINGS PTY LTD	DANNY MAC	QLD
1314	FERNHAM PTY LTD	BLUE RIBAND	QLD
1316	PETER ERIC HOWLETT	MARAUDER	QLD
1323	WILLIAM FRED RALPH	MARION SUE	QLD
1324	COLIN DAVID & MURIEL KATHLEEN ANDERSON	ARKANA	QLD
1327	STEVEN JOSEPH BOARDMAN	MERCEDES I	QLD
1334	SHELTON SIDNEY SMITH	SHALBA	QLD
1336	IAN JAMES & PAMELA SUE CHARLTON	MORAY	QLD
1340	BURGER INVESTMENTS PTY LTD	CHROMATT	QLD
1350	TEAL HOLDINGS PTY LTD	PERPETUA	QLD
1361	GEOFFREY MICHAEL & JOAN ELIZABETH RYNNE & JOHN HERBERT & ANNETTE MAY HOLZAPFEL	PISCES STAR	QLD
1377	ISLE HOLDINGS PTY LTD	MATILDA BAY	WA
1384	GARY CHARLES & MARGARET MAY SHEEHAN & JACK HARKNESS	INTREPID	QLD
1386	JOHN DISTLER AND EDNA MAVIS OLSEN	MARAEUNUI	QLD
1397	JURE & ROSEMARY MRVELJ & MADOC PTY LTD	BARTALUMBA K	SA
1399	PETER VERNON LEE	REGULUS	QLD
1406	LARS & KAREN JANICE TORPELUND	GUNSYND	QLD
1407	KY FISHERIES PTY LTD	KYLETT	SA
1413	PHILIP ANTHONY & CORRIE MCJANNETT	JEROBA	QLD
1421	DOUGLAS DANIEL & JOAN MARIE NUTLEY	JUDY B	QLD
1423	ROBERT HUGH & STEPHEN ROBERT WYLIE	ARAFURA	NT
1427	MG KAILIS GULF FISHERIES PTY LTD	AQUARIUS	QLD
1432	PAUL GRUNSKÉ	DANNY B	QLD
1434	LAWRANCE RAYMOND, AMY MATILDA-ANN & KURT RANDALL PRICE	RENEGADE II	QLD
1454	N & C HOSCHKE PTY LTD	DELISA	QLD
1462	NEVILLE WICKS	BATTLER	QLD
1463	GLENGIVEN PTY LTD	REWARD II	QLD
1464	MARK ARTHUR GADDES	ASHLEY-JAY	QLD
1478	BARRY CAMPBELL, COLIN E BYRNES, LORRAINE J HARVEY	IRON TROJAN	QLD
1480	RUSHAWAY HOLDINGS PTY LTD	RUSHAWAY	QLD
1486	ALLAN BRUCE WILKINSON	GULF STAR	QLD
1494	VERN LEE INVESTMENTS PTY LTD	SECOND WIND	QLD
1497	ROBERT JAMES ROSE	BRUPEG	QLD

Number	Owner	Name/address	
1499	DM MADEN HOLDINGS PTY LTD	DELTA DAWN	QLD
1500	GRIFFIN BAY HOLDINGS PTY LTD	KFV CUMBERLAND	WA
1503	FONGOLD PTY LTD	PIONEER STAR	QLD
1511	DUDLEY ROBERT VICKERS	CASCADE BAY	QLD
1514	SCHULZ FISHERIES PTY LTD	IDA G	QLD
1517	MARTYN BLAND CROAD	MBC	QLD
1528	PAMELA & GRYFFID LAURENCE JONES	ALICE BEATIE	QLD
1538	RICHARD & ELIZABETH JONES, TERRY & LORRAINE GRANT & EDWARD POSAR	ILLUSION	QLD
1550	STEVEN PAUL & CHRISTINE MACDONALD	PALLARENDA	QLD
1558	LYALL & DEANNE MARIE PRICE AND PETER GEORGE & CATHY IRENE BILLAM	MINGARA II	QLD
1566	TB FISHERIES PTY LTD	JACQUELINE D	QLD
1572	TREVOR JOHN & EILEEN TERESA TALBOT	JENNIFER RUTH	QLD
1587	SCHULZ FISHERIES PTY LTD	ANGELINA STAR	QLD
1594	JAMES MICHAEL & MARIA THERESA ROGERS	BETJAY	QLD
1603	BO RAMSKOV JENSON	REMUS	QLD
1612	ROBERT BRUCE & KATRINA GAIL LEE	STEVEN C	QLD
1616	MELROCK ENTERPRISES (QLD) PTY LTD	SHANENDALE	QLD
1628	KENNETH JOHN LEE	ANKH-CROSS	QLD
1634	CARPENTARIA FISHING CO PTY LTD	INVINCIBLE	WA
1650	VERNON CHARLES & KATHLEEN JUNE LEE	TROCEND G	QLD
1655	DOLWICK PTY LTD & AUSTIN STREET AUTOMOTIVE PTY LTD	LIN FAR	QLD
1656	PALIN FISHERIES PTY LTD	LIN G	QLD
1658	ARKFIN ENTERPRISES PTY LTD	MOCCASIN	QLD
1689	ROBERT ALFRED PHILLIP & VALERIE JUNE ROBBINS	ARROW C	QLD
1697	PAULSEN FISHERIES PTY LTD	JIMARNDY	QLD
1698	RUBY MARINE ENGINEERING PTY LTD	BOUNTIFUL LADY	QLD
1701	SUARNI FISHERIES PTY LTD	SUARNI	QLD
1702	GREGORY TASMAN & BEVERLEY SYLVIA DORLOFF & PETER JEFFREY REES	MARKINA	QLD
1715	RODNAR PTY LTD	MB POSIEDON	QLD
1719	CHARPORT PTY LTD	OSPREY NRF	QLD
1721	HAWKWOOD PTY LTD	CURRINGA	QLD
1725	RODNEY WAYNE BROWN	SIGNET	QLD
1729	CAYSAN D NO. 103 PTY LTD	ALI BABA	QLD

Number	Owner	Name/address	
1731	FREDERICK JOHN & DAPHNE MAY LANGFORD & HAROLD BASIL & MARIE LEONIE HELLMUTH	NORTH QUEEN	QLD
1741	GULF NET MENDING PTY LTD	RIOLI	QLD
1745	BRIAN CLARENCE, IRENE ANN & BRIAN TREVOR BIENTKE	DEBRENE-ADELE	NSW
1746	JOHN BERNARD BRADLEY	MISS MACLEAY	QLD
1748	HILLBURY PTY LTD	LARA J	QLD
1750	GARWOOD CONTRACTORS PTY LTD	PEG I	QLD
1752	PETER JOHN & MARGARET FAE BARNES	HAMERSLEY	NSW
1766	GORDON CLAUDE & NOELEN OLIVE MASSEY	KELANA	QLD
1767	RODNEY WAYNE & STEPHEN RONALD BROWN & EUNICE JOAN & EDWARD JOHN HANSEN	MAXIM	QLD
1774	GREENOP FISHING COMPANY PTY LTD	SANTIEGO	QLD
1779	GULF NET MENDING PTY LTD	CASSANDRA	QLD
1785	RODNEY JOHN & ROSLYN MAREE HANSFORD	SEA KING	QLD
1798	LENNIG FISHERIES PTY LTD	BREAKAWAY III	QLD
1819	NGUYEN CONG SON & PHAM THI THAN	DEFIANT	QLD
1826	WILLIAM DAVID WALSH	STARLIGHT	QLD
1832	GLENGIVEN PTY LTD	PEG II	QLD
1847	DUJOUR PTY LTD	LADY MORETON	QLD
1851	LIVENSEA PTY LTD	CAPTAIN SENRAB	QLD
1862	F & M J WICKS PTY LTD	VALERIE DAWN III	QLD
1863	KERAHANN PTY LTD	WILLIAM KELF	QLD
1866	BARAMEDA ENTERPRISES PTY LTD	ILLIAM KELF	QLD
1869	AGNES FISHERIES PTY LTD	ELKE STAR	QLD
1870	ROBERT JOHN STANDEN	RESTLESS	QLD
1880	DOXVIEW PTY LTD	ANNIE LAURIE	QLD
1882	CHRISTOPHER PAUL & KAREN DAWN WICKS	MABEL D	QLD
1884	MV & CJ MILL WARD INVESTMENTS PTY LTD	NEKWAH	QLD
1885	PETER RODERICK LECORNU	SHAMROCK II	QLD
1890	ROGER JOHN SMITH	SMITHY	QLD
1896	PETER GUDGEON	SUNDOWN KARINA	QLD
1897	ULTHENE PTY LTD	PETANNE	QLD
1899	IAN ERIC & JACQUELINE ANN ARTHY	LAURABADA	QLD
1904	NOEL EDWARD AND GAYE SUZANNE SYMONS	NORTH REEF	QLD
1905	LEIGH DAVID MCCLURE CAMPBELL & KAY LORRAINE KING	PROWLER	QLD
1906	ROSEWOOD FISHERIES PTY LTD	DIAMOND LIL	QLD

Number	Owner	Name/address	
1907	KEI-AN VENTURES PTY LTD	ALISTAR	QLD
1929	TURVEY VESSEL MANAGEMENT PTY LTD	JAGGIS	QLD
1930	GEORGE MACKAY & CATHERINE MARGARET DUNCAN	MARY JAY	QLD
1934	GARY EDWIN AND SHIRLEY WICKS	TRINITY	QLD
1952	HEINZ, KAY MARIE, PAUL ADRIAN & CHERIE KIM WENGER	K MAREE II	QLD
1962	DONALD MAYNARD MACDOUGALL	NAVARCHUS	QLD
2131	IAN JAMES & PAMELA SUE CHARLTON	AMBITION	QLD
2139	JAMES FREDERICK & TAMMY DUNCAN	DODGER	QLD
2160	RICHARD LAURENCE & ELIZABETH ANN JONES & RICHARD POSAR	REFLECT	QLD
2196	TOPLINER PTY LTD	SHO MAC	QLD
2230	TERRY ANDREAS HANSEN, GLEN ANDREW HANSEN & DIANE ELIZABETH HANSEN	BUNDALEE	QLD
2236	NOEL GRAHAM ROWLES	MARGRAM I	QLD
2283	MARSHELLY FISHING CO PTY LTD	PACIFIC MIST	QLD
2289	RD & KA INVESTMENTS PTY LTD	NIZAM	QLD
2300	GAMEWAY PTY LTD	AQUATIC MIST	QLD
2314	KMA FISHERIES PTY LTD	DRIFTER II	QLD
2342	VICTOR WILLIAM NEIL & DAWN LORRAINE THOMPSON	SHACRALI	QLD
2403	PETER EDNEY	CAMIRA	QLD
2410	BARRY JOHN WILSON	RONDA-LENE	QLD
2454	RC & RM LACAZE INVESTMENTS PTY LTD	MARY JANE	QLD
2469	RAYMOND EDWARD & MAUREEN CYNTHIA FEARNLEY	TAFURA	QLD
2538	ROY KLEINSCHMIDT & SONS PTY LTD	FIORA	QLD
2553	BILLY JO PTY LTD	BILLY JO	QLD
2563	JOHN HARVY & ANGELA FORREST WELK	MOONSHOT	QLD
2565	KEITH EDWIN & JOAN MARY ELKERTON	MOBY DICK	QLD
2575	ROBERT WALTON INVESTMENTS PTY LTD	GLENJOY III	QLD
2603	WAYNE H & DONNA K HELLMUTH	TWEED SEEKER	QLD
2631	GEORGE DAVID & BRONWYN JOAN BATE & KINGSLEY NEWMAN & DIANNE ROBERTA WARD	GOLD COASTER	QLD
2632	ROBERT ANTHONY DALEY	MAUREEN B	QLD
2636	ADVANCE PTY LTD	WARLORD	QLD
2656	VAN DUNG LE & SEN THI MAI	TRAVELYN STAR	QLD
2658	ALLAN CAMERON & KRISTINA LYXELL	JEBRONDY	QLD
2666	KEVIN SCOTT LEE & LEIGH ROBYN LEE	TORAKINA	QLD
2668	REDPEX NOMINEES PTY LTD	PROTEUS	QLD

Number	Owner	Name/address	
2670	KENNETH ROY & CHRISTINA MARY RODER	LC FAY	QLD
2674	NEVILLE WICKS	SEA RAY	QLD
2680	ABROCHAIR PTY LTD	ARAGOSTA	QLD
2687	PERDER INVESTMENTS PTY LTD	DHIKARR	QLD
2693	RUSSLE ANDREW & JEANETTE FAY KILFOY	SEA LION	QLD
2695	DAVID JOHN & PATRICIA KITTY MADEN	CHINDERAH STAR	QLD
2708	JOHN WILLIAM & PATRICIA MAY HEARD	JILLIAN	QLD
2757	DARREN RICHARD MANN	MOONRAKER	QLD
2777	BRUCE DAVIS PTY LTD	MAGGIE JO	QLD
2782	REGINALD CHARLES & EILEEN M HAMANN	KOLAN 1	QLD
2801	BLASLOV FISHING PTY LTD	GROZDANA B	SA
2807	ROBERT JAMES & DOROTHY JUNE PIGGOTT	GALVESTON	QLD
2916	JOAN ELIZABETH MCILWAIN	SEADAR BAY	QLD
2925	GEOFFREY RAYMOND LEMON	VAN D ROSE	QLD
2935	DAVID JAMES & MARCIA FAITH NEBE	MARSHELLY	QLD
2945	JOHN GRANT & BEVERLEY JUNE BELL	WANDERBELLE II	QLD
2965	STEPHEN ROY DAVISON	ALOMA	QLD
2967	LAJOS MORVAI	FRANKANA	QLD
2992	CLIVE ROBERT & GEOFFREY CRAIG JOHNSON	OBAN STAR	NSW
3009	JOHN JOSEPH JARRETT	JALaura	QLD
3034	BARRY JOHN & VALERIE MARIE MURPHY	DENNY-BEN	QLD
3073	CANDICE K PTY LTD	CANDICE K	SA
3078	LAURENCE ROY & LAUREEN ISOBELLE SOMMERVILLE	LAURELLA	QLD
3083	PETER DONALD & CATHLENE ELVIE MOISEL	TIROL	QLD
3168	NICOLA, JANET MARGARET, MICHAEL JAMES & KAYLEEN ANN CRISAFULLI	FARSUND	QLD
3177	COLIN, CATHERINE MARY & WAYNE ROBERT FLAHERTY	SOUTHERN INTRUDER	QLD
3183	RONALD EDWARD WANLESS	EILEEN ROSE	QLD
3187	WJ & J MCKAY PTY LTD	BRALDA	QLD
3188	AQUA SAM PTY LTD	AQUA-SAM	QLD
3272	PALIMAK PTY LTD	TORADO	QLD
3322	RONALD THOMAS JAMES & RAYLENE FORSTER	HYDRA-CAT	QLD
3324	TERRY ANDREAS HANSEN	MAGANI	QLD
3345	DONALD LESLIE & LOLA DOROTHY CARLYON	RIVERLEA STAR	QLD
3346	GEORGE JAMES & JOAN PATRICIA CARRINGTON	TOOPIN	QLD
3410	PHILLIP GEORGE TYRELL	EYLANDTER II	QLD

Number	Owner	Name/address	
3419	GIUSEPPE GERMANO	COBRAM	VIC
3434	IMOBOAT PTY LTD	TAGULA BAY	QLD
3456	VERNON CHARLES, KATHLEEN JUNE & KEVIN SCOTT LEE	ROBERT B	QLD
3479	NORMAN ALLAN, ROSE ELIZABETH & COLIN MARK JAMES	SHELL-LEE-N	QLD
3486	THEODORE GLINATSI	TWEED HEADS SOUTH	NSW
3512	MG KAILIS EXPORTS PTY LTD	CAIRNS	QLD
3514	ALAN CLIVE TRICKEY	MAROOCHY STAR	QLD
3543	ROSS DOUGLAS & KAY ALEXIA MCLAY	NAPIER	QLD
3555	LANCE JOSEPH & SUSAN GAYLE O'CONNELL	AMANDA	QLD
3556	SEABRING FISHERIES PTY LTD	HEATHER JAY	QLD
3562	JAMES RICHARD AND VALERIE JEAN ODLUM	EASTERN LEADER	QLD
3564	RICHARD JOHN BENN	MERIKI	QLD
3566	MARK STEVEN TWYFORD & TERRENCE WAYNE MUST	ARALUEN	QLD
3574	ASP HOLDINGS PTY LTD	AVENGER I	QLD
3585	G& M FEATHERSTONE PTY LTD	CRYSTAL KING	QLD
3590	WELDIS PTY LTD	BAARROOK	QLD
3603	ELBOND PTY LTD	PATRICIA M	QLD
3639	STEPHEN PATRICK DOWNEY & RUSSELL JAMES NIELSEN	PAULETTE	QLD
3641	GARY & MARILYN JOAN PINZONE	SAN-ANTONNE II	QLD
3642	HEINZ, KAY MARIE AND PAUL ADRIAN WENGER	SHERONA	QLD
3649	GRAEME VICTOR AND JEAN FRANCES CROSS	DRAGNET II	QLD
3650	DONALD ASHTON & CAROL ANN RETTAY	MORNING STAR IV	WA
3656	GULF NET MENDING PTY LTD	GULF ROSE	QLD
3670	GRAHAM EDWARD PIPER	TUB	QLD
3681	TRI DUNG & HONG OAI NGUYEN & VAN HUNG & LAN ANH LE	ELIZABETH J	QLD
3693	ROBERT JAMES ROSE	MUNDORA	QLD
3709	BARATEL PTY LTD	BARBARA	QLD
3737	KENNETH HERBERT GODDARD	BALTIC AMBER	QLD
3812	JOHN WILLIAM & MADELINE HODGE	IRON CASSIA	QLD
3915	MATTHEW FRANCIS & KAREN ELIZABETH QUADRELL	SEA QUEEN	QLD
4913	NORMAN ALLAN, ROSE ELIZABETH & COLIN MARK JAMES	ROSEN-C	QLD
4936	PHONG TRIEU	LINDA ROSE	QLD
4978	ROBERT GEORGE & MARIE ELIZABETH GIDDINS	DARDEN STAR	QLD
5016	THORNHILL PTY LTD	SANDY S	SA
5220	ALAN JOHN & LESLEY KAY NAGLE	SIRIUS	QLD

Number	Owner	Name/address	
5387	ASP HOLDINGS PTY LTD	ANNIHILATOR	QLD
5388	ASP HOLDINGS PTY LTD	ASSAILANT	QLD
5418	CARINA ASSOCIATES PTY LTD	PACIFIC RAIDER	SA
5420	AYRES ROCK FISHING CORPORATION PTY LTD	MOON RIVER	QLD
5426	TERENCE DAVID & ELAINE MAUDE CAMERON	PANIA II	QLD
5449	STEPHEN JEFFREY & JUDITH ANNE WRAYFORD	TINGARA	QLD
5458	PETER JOHN & MARGARET FAE BARNES	DANIKA	QLD
5461	VICTORIA K PTY LTD	TK ENTERPRISE	QLD
5492	NOEL FREDERICK & CYNTHIA ANNE HOSCHKE	VENTURA	QLD
5713	DAGENHAVEN PTY LTD	LARISSA E	QLD
5735	ALAN KENNETH MAY	ADVANTAGE	QLD
6119	COLIN GEORGE & ANTHONY MICHAEL WRIGHT	EVENING STAR	QLD
6138	ALAN CLIVE TRICKEY	ANTINE	QLD
6180	ROSS KEITH & ELIZABETH ANN SMITH	MARIA C	QLD
6181	GARRY MICHAEL & LUCIA EDITH SCHIFFKE	SHIMER JEAN	QLD
6182	PETER MICHAEL KERR	CYLETON	QLD
6192	MERVYN ROY, MAUREEN EILEEN, GARY ROY & MARK WILLIAM SEMPFF	BAY RAIDER	QLD
6193	ROY KLEINSCHMIDT & SONS PTY LTD	VALHALLA	QLD
6197	STEPHEN JOSEPH BUSBY	PAULA	QLD
6198	NEIL GORDON HICK	PACIFIC BOUNTY	QLD
6221	PETER J STUART	GOLDEN MOON	QLD
6273	ROLAND HUGHIE BOWMAN	DAWSONIA	QLD
6352	RICHARD LYON	RAMAGE	QLD
6353	JOHN LAWRENCE WILSON	WILLOW III	QLD
6354	MARNIKOL PTY LTD	NIKOL-P22	SA
6368	GARRY MICHAEL & LUCIA EDITH SCHIFFKE	EDWEENA II	QLD
6398	RONBRIDGE PTY LTD	OCEAN WILD	QLD
6442	HESHDAL PTY LTD	STARDANCER	QLD
6458	HENCHMAN FISHING COMPANY PTY LTD	BRAHMAN	QLD

Total: 269

COMMISSION DECISION

of 25 June 1997

laying down special conditions for the import of live bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Australia

(Text with EEA relevance)

(97/427/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and placing on the market of live bivalve molluscs⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 9 thereof,

Whereas legislation of Australia makes the 'Department of Primary Industries and Energy — Australian Quarantine and Inspection Service — (AQIS)' responsible for inspecting the health of live bivalve molluscs, echinoderms, tunicates and marine gastropods and for monitoring the hygiene and sanitary conditions of production; whereas the same legislation empowers AQIS to authorize or prohibit the harvesting of live bivalve molluscs, echinoderms, tunicates and marine gastropods from certain zones;

Whereas the AQIS and its laboratories are capable of effectively verifying the applications of the laws in force in Australia;

Whereas the competent authorities of Australia have undertaken to communicate regularly and quickly to the Commission data on the presence of plankton containing toxins in the harvest zones;

Whereas the competent authorities of Australia have provided official assurances regarding compliance with the requirements specified in Chapter V of the Annex to Directive 91/492/EEC and with requirements equivalent to those prescribed in that Directive for the classification of production and relaying zones, approval of dispatch and purification centres and public health control and production monitoring; whereas, in particular, any possible change in harvesting zones is to be communicated to the Community;

Whereas Australia is eligible for inclusion in the list of third countries fulfilling the conditions of equivalence referred to in Article 9 (3) (a) of Directive 91/492/EEC;

Whereas Australia wishes to export to the Community frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods;

Whereas, for this purpose, in accordance with Article 9 (3) (b) (ii) of Directive 91/492/EEC, the production areas from which bivalve molluscs, echinoderms, tunicates and marine gastropods may be harvested and exported to the Community must be designated;

Whereas the special import conditions apply without prejudice to decisions taken pursuant 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⁽²⁾, as last amended by Directive 95/22/EEC⁽³⁾;

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

The 'Department of Primary Industries and Energy — Australian Quarantine and Inspection Service — (AQIS)' shall be the competent authority in Australia for verifying and certifying that live bivalve molluscs, echinoderms, tunicates and marine gastropods fulfil the requirements of Directive 91/492/EEC.

Article 2

Live bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Australia and intended for human consumption must originate in the authorized production areas listed in the Annex hereto.

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 1.

⁽²⁾ OJ No L 46, 19. 2. 1991, p. 1.

⁽³⁾ OJ No L 243, 11. 10. 1995, p. 1.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 25 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Production zones in compliance with provision laid down in Annex I, 1 (a) to Directive 91/492/EEC

GEOGRAPHICAL BOUNDARIES

Tasmania	Bigbay Duck Bay Port Sorell Moulting Bay Great Swanport Little Swanport Blackman Bay Dunalley Bay	EagleHawk Bay Garfish Bay/Dart Island Little Norfolk Bay Pittwater Pipeclay Lagoon Birchs Bay Fleurty's Point Long Bay Reef	Great Bay Simpsons Bay Little Taylors/Satellite Deep Bay Chale Bay Port Esperance Hastings Bay Recherche Bay	Garden Bay Huon River Gardners Bay Flinders Bay Ansons Bay Apollo/Roberts/Sykes Norfolk
Queensland	Moreton Island	North Stradbroke Island	Mud Island	
Victoria	Beaumaris Flinders	Dromana	Clifton Springs	Pt Arlington (Grassy Point)
Western Australia	Cockburn Sound (Kwinana Grain Terminal)	Oyster Harbour		
South Australia	Denial Bay Franklin Harbour	Smoky Bay Nepean Bay	Streaky Bay	Coffin Bay