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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2113/97
of 28 October 1997
repealing Regulation (EC) No 414/97 adopting exceptional support measures for
the market in pigmeat in Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EEC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in Germany animal health measures were adopted by the German authorities pursuant to Article 9 of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ⁽³⁾, as last amended by Decision 93/384/EEC ⁽⁴⁾; whereas exceptional support measures for the market in pigmeat were adopted for this Member State by Commission Regulation (EC) No 414/97 ⁽⁵⁾, as last amended by Regulation (EC) No 1500/97 ⁽⁶⁾;

Whereas, in view of the progress achieved on the animal health side, the exceptional market support measures can

now be closed down; whereas, therefore, Regulation (EC) No 414/97 needs to be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 414/97 is hereby repealed.

Article 2

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

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

Done at Brussels, 28 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 1.
⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.
⁽³⁾ OJ L 47, 21. 2. 1980, p. 11.
⁽⁴⁾ OJ L 166, 8. 7. 1993, p. 34.
⁽⁵⁾ OJ L 62, 4. 3. 1997, p. 29.
⁽⁶⁾ OJ L 202, 30. 7. 1997, p. 44.

COMMISSION REGULATION (EC) No 2114/97
of 28 October 1997

**amending 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 organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 1923/96⁽²⁾, and in particular Article 13 (11) thereof, and to the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products,

Whereas Article 5 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽³⁾, as last amended by Regulation (EEC) No 2026/83⁽⁴⁾, stipulates that an amount equal to the export refund is to be paid as soon as the products or goods have been brought under the customs warehousing or free zone procedure; whereas once the payment declaration has been accepted, it should be possible to transport such products or goods to a Member State other than that in which payment is made, for storage and subsequent export; whereas provision should be made for a T5 control copy to accompany the products or goods in order to furnish proof of departure from the Community; whereas, in order to prevent risks of duplicate payment, the export declaration should be endorsed with certain entries informing the paying agency of the Member State where the export declaration is accepted that the procedure for payment of the refund has already been commenced;

Whereas, under the existing customs rules, where products for which the refund is paid in advance are placed in a free zone, an export declaration must be made when the products leave that zone; whereas the consequences should be drawn and it should be laid down that only products placed under the customs warehousing procedure in one Member State may be transported to another Member State for storage under the customs warehousing procedure;

Whereas Commission Regulation (EEC) No 3665/87⁽⁵⁾, as last amended by Regulation (EC) No 815/97⁽⁶⁾, should be amended accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3665/87 is hereby amended as follows:

1. Article 28 (6) is deleted.
2. The following Article 28a is inserted:

'Article 28a

1. Products and goods placed under the customs warehousing procedure in the Member State where the payment declaration is accepted may be transported to another Member State for storage under the customs warehousing procedure and shall be subject in particular to the provisions of this Article.

In order to identify products and goods on dispatch from one Member State to another, the means of transport or packages used for transport must be sealed in accordance with Article 349 of Regulation (EEC) No 2454/93.

2. In cases as referred to in paragraph 1, proof that the products have left the customs territory of the Community or reached the destination laid down shall be furnished by presentation of the T5 control copy.

- (a) Box 104 of the control copy shall be completed with one of the following entries under the heading 'Other':

- Pago anticipado de la restitución — Reglamento (CEE) n° 3665/87, artículo 28 *bis*. Declaración de exportación que debe ser presentada, a más tardar, el ... (fecha límite establecida para el plazo contemplado en el apartado 5 del artículo 28)
- Forudbetaling af restitutionen — Artikel 28a i forordning (EØF) nr. 3665/87. Udførselsangivelsen skal indgives senest den ... (dato fastsat efter den i artikel 28, stk. 5, omhandlede frist)
- Vorfinanzierung der Erstattung — Artikel 28a der Verordnung (EWG) Nr. 3665/87. Die Ausfuhranmeldung ist bis spätestens ... vorzulegen (durch die Frist gemäß Artikel 28 Absatz 5 festgelegter Schlußtermin)

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ L 199, 22. 7. 1983, p. 12.

⁽⁵⁾ OJ L 351, 14. 12. 1987, p. 1.

⁽⁶⁾ OJ L 116, 6. 5. 1997, p. 22.

- Εκ των προτέρων πληρωμή της επιστροφής — κανονισμός (ΕΟΚ) αριθ. 3665/87, άρθρο 28α. Η δήλωση εξαγωγής πρέπει να κατατεθεί το αργότερο μέχρι ... (ημερομηνία λήξεως της προθεσμίας που αναφέρεται στην παράγραφο 5 του άρθρου 28)
 - Payment in advance of the refund — Regulation (EEC) No 3665/87, Article 28a. Export declaration to be lodged by ... (deadline set by the time limit referred to in Article 28 (5))
 - Paiement à l'avance de la restitution — Règlement (CEE) n° 3665/87 article 28 bis. Déclaration d'exportation à déposer au plus tard le ... (date limite fixée par le délai visé au paragraphe 5 de l'article 28)
 - Pagamento anticipato della restituzione — Regolamento (CEE) n. 3665/87, articolo 28 bis. Dichiarazione da presentare entro il ... (data limite fissata in base ai termini indicati al paragrafo 5 dell'articolo 28)
 - Betaling vooraf van de restitutie — Verordening (EEG) nr. 3665/87, artikel 28 bis. Aangifte ten uitvoer moet uiterlijk worden ingediend op ... (uiterste datum vastgesteld op basis van de in artikel 28, lid 5, bedoelde termijn)
 - Pagamento antecipado da restituição — Regulamento (CEE) n° 3665/87, artigo 28º-A. Apresentação da declaração de exportação o mais tardar em ... (data limite fixada pelo prazo referido no n° 5 do artigo 28º)
 - Ennakolta maksettu tuki — asetuksen (ETY) N:o 3665/87 28 a artikla. Vienti-ilmoitus annettava viimeistään ... (määräpäivä vahvistetaan 28 artiklan 5 kohdassa mainitun aikarajoituksen mukaisesti)
 - Förskottsbetalning av exportbidrag — artikel 28a i förordning (EEG) nr 3665/87. Exportdeklaration skall ges in senast den ... (tidpunkt fastställd enligt den i av artikel 28.5 angivna tidsfristen).
- (b) The supervising office of the warehouse of storage shall keep the T5 control copy and shall enter under the heading 'Remarks' in the section headed 'Control of use and/or destination' on the back the following entries:
- La fecha de aceptación de la declaración de exportación: ...
 - La fecha de salida del territorio aduanero o la de llegada al destino correspondiente: ...
 - dato for antagelsen af udførselsangivelsen: ...
 - dato for udgangen af toldområdet eller ankomsten til destinationen: ...
 - Zeitpunkt der Annahme der Ausfuhranmeldung: ...
 - Zeitpunkt des Verlassens des Zollgebiets oder des Erreichens der Bestimmung: ...
 - Την ημερομηνία αποδοχής της διασάφησης εξαγωγής: ...
 - Την ημερομηνία εξόδου από το τελωνειακό έδαφος ή αφίξεως στον προορισμό: ...
 - The date of acceptance of the export declaration: ...
 - The date of exit from the customs territory or arrival at destination: ...
 - La date d'acceptation de la déclaration d'exportation: ...
 - La date de sortie du territoire douanier ou de l'arrivée à destination: ...
 - La data di accettazione della dichiarazione d'esportazione: ...
 - La data di uscita dal territorio doganale o dell'arrivo a destinazione: ...
 - De datum van aanvaarding van de aangifte ten uitvoer: ...
 - De datum waarop de producten of goederen het douanegebied hebben verlaten of ter bestemming zijn aangekomen: ...
 - Data de aceitação da declaração de exportação: ...
 - Data de saída do território aduaneira ou da chegada ao destino: ...
 - Vienti-ilmoituksen vastaanottopäivämäärä: ...
 - Päivä, jona viety tullialueelta tai saapunut määräpaikkaan: ...
 - Mottagningssdag för exportdeklaration: ...
 - Utförseldag från tullområdet eller ankomstdag till destinationen: ...
- (c) Where, on their removal from storage, the products or goods cross the territory of another Member State with a view to export or to reach the specified destination, the first customs office of destination shall act as customs office of departure and shall compile or have compiled under its responsibility one or more new control copies.
- Box 104 of the new control copy or copies shall be marked accordingly. In addition, the number of the original of the control copy shall be entered in box 106, together with the name of the customs office issuing that copy and the date of issue.
- Where the entry to be made in the section headed 'Control of use and/or destination' on the new control copy or copies is based on information from control copies received by customs authorities of other Member States or national documents received by other national authorities, the customs office of destination referred to in the first subparagraph shall mark the numbers of the relevant control copies or national documents under 'Remarks'.

Where only part of the products covered by the control copy meets the conditions laid down, the customs office of destination shall enter the quantity of products which meeting those conditions in the section headed 'Control of use and/or destination' on the control copy.

3. In cases as referred to in paragraph 1, boxes 37 and 40 of the export declaration shall be completed accordingly. The date of acceptance of the COM 7 declaration must also be indicated in box 40.'

3. In Article 30 (1), 'Article 28 (6)' is replaced by 'Article 28a'.

Article 2

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

It shall apply to operations for which a payment declaration is accepted from the date of its entry into force.

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

Done at Brussels, 28 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2115/97
of 28 October 1997
on the issuing of A1 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 2 (3) thereof,

Whereas Commission Regulation (EC) No 1744/97⁽³⁾ sets the quantities for which A1 export licences, other than those requested in the context of food aid, may be issued;

Whereas Article 2 of Regulation (EC) No 2190/96 sets the conditions under which special measures may be taken by the Commission with a view to avoiding an overrun of the quantities for which A1 licences may be issued;

Whereas the Commission has received information which indicates that those quantities, reduced or increased by the quantities referred to in Article 2 (3) of Regulation (EC) No 2190/96, would be exceeded if A1 licences were issued without restriction for shelled almonds in response

to applications submitted since 23 October 1997; whereas, therefore, a percentage should be fixed for the issuing of licences for quantities applied for on 23 October 1997 and applications for A1 licences submitted later in that application period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

A1 export licences for shelled almonds for which applications were submitted on 23 October 1997 pursuant to Article 1 of Regulation (EC) No 1744/97 shall be issued for 62,6 % of the quantities applied for.

Applications for A1 export licences submitted after 23 October 1997 and before 12 November 1997 for that product shall be rejected.

Article 2

This Regulation shall enter into force on 29 October 1997.

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

Done at Brussels, 28 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 93, 8. 4. 1997, p. 16.

⁽³⁾ OJ L 244, 6. 9. 1997, p. 12.

COMMISSION REGULATION (EC) No 2116/97

of 28 October 1997

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for processing within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968, on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2222/96⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold with a view to being processed within the Community;

Whereas in the light of the prevailing market circumstances it is appropriate to restrict the list of the eligible finished products to products which besides beef also contain pork provided that the proportion of pork *vis-à-vis* beef is significantly reduced;

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽³⁾, as last amended by Regulation (EC) No 2417/95⁽⁴⁾, provides for the possibility of a two-stage procedure for the sale of beef from intervention;

Whereas, in order to ensure that the tendering procedure is consistent and uniform, measures should be adopted in addition to those laid down in Article 8 (1) of Commission Regulation (EEC) No 2173/79⁽⁵⁾, as last amended by Regulation (EC) No 2417/95;

Whereas the measures must be applied as quickly as possible;

Whereas the sale should be conducted in accordance with Commission Regulations (EEC) No 2539/84, (EEC) No 3002/92⁽⁶⁾, as last amended by Regulation (EC) No 770/96⁽⁷⁾, and (EEC) No 2182/77⁽⁸⁾, as last amended by Regulation (EC) No 2417/95, subject to certain special

exceptions on account of the particular use to which the products in question are to be put;

Whereas, as specified in Article 5 of Regulation (EEC) No 2539/84, lodging of securities should be required;

Whereas it seems appropriate to provide for derogations from provisions of Article 8 (2) (b) of Regulation (EEC) No 2173/79, taking into account the administrative difficulties which the application of this subparagraph raises in the Member States concerned;

Whereas meat plants in Denmark hold a special veterinary status for certain third country exports; whereas operators ought to tender separately for beef produced in such plants;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of:

- approximately 400 tonnes of bone-in forequarters held by the Portuguese intervention agency,
- approximately 2 000 tonnes of bone-in forequarters held by the German intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Austrian intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Danish intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Belgian intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the French intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Italian intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Dutch intervention agency,

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ L 248, 14. 10. 1995, p. 39.

⁽⁵⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁶⁾ OJ L 301, 17. 10. 1992, p. 17.

⁽⁷⁾ OJ L 104, 27. 4. 1996, p. 13.

⁽⁸⁾ OJ L 251, 1. 10. 1977, p. 60.

- approximately 1 000 tonnes of bone-in forequarters held by the Spanish intervention agency,
- approximately 100 tonnes of bone-in forequarters held by the Swedish intervention agency,
- approximately 35 tonnes of bone-in forequarters held by the Finnish intervention agency,
- approximately 400 tonnes of bone-in forequarters held by the Irish intervention agency,
- approximately 2 000 tonnes of boneless beef held by the Irish intervention agency,
- approximately 2 000 tonnes of boneless beef held by the Danish intervention agency,
- approximately 2 000 tonnes of boneless beef held by the French intervention agency,
- approximately 2 000 tonnes of boneless beef held by the United Kingdom intervention agency,
- approximately 153 tonnes of boneless beef held by the Spanish intervention agency.

2. For forequarters and for each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest.

3. The sales shall be conducted in accordance with the provisions of Regulations (EEC) No 2539/84, (EEC) No 3002/92, (EEC) No 2182/77 and this Regulation.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 4 November 1997.

6. Particulars relating to the quantities and the place where the products are stored may be obtained by interested parties at the addresses given in Annex II.

7. By way of derogation from Article 8 (1) of Regulation (EEC) No 2173/79 a tender must be submitted to the intervention agency concerned in a closed envelope bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 5.

8. By way of derogation from Article 8 (2) (b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 2

1. A tender or purchase application shall be valid only if presented by a natural or legal person who for at least the last twelve months prior to the day of presentation

has been engaged in the processing of products containing pork and who is entered in a national VAT register.

2. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender or the purchase application must be accompanied by:

- a written undertaking by the applicant to process the meat purchased into products specified in Article 3 within the period referred to in Article 5 (1) of Regulation (EEC) No 2182/77,
- a precise indication of the establishment or establishments where the purchased meat will be processed.

3. The applicants referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the tenders of the purchasers whom he represents together with the written instruction referred to above.

4. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

Meat purchased under this Regulation must be manufactured into processed products containing both beef and pork. Furthermore, proof must be provided to the satisfaction of the competent authority of the Member State in which processing takes place that the composition of the processed product concerned has been modified compared with the composition prior to the date of contract of sale leading to a reduction of the pork content of at least 10 percent and a corresponding increase of the beef content, such that the increased quantity of beef used is at least equivalent to the reduction in the quantity of pork used.

Article 4

Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed into the products specified in Article 3.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors shall at any time be able to demonstrate the identity and use of the purchased meat through appropriate production records.

Upon technical verification of the production method by the competent authority, allowance may be taken to the extent necessary for drip losses and trimmings.

Article 5

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 12 per 100 kilograms.

2. The security provided for in Article 5 (3) (a) of Regulation (EEC) No 2539/84 shall be:

- ECU 135 per 100 kilograms for bone-in forequarters,
- ECU 170 per 100 kilograms for boneless meat.

Article 6

By way of derogation from Article 9 of Regulation (EEC) No 2182/77, in addition to the entries laid down in Regulation (EEC) No 3002/92:

- Section 104 of T5 control copies must be completed with one or more of the following:
 - Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 2116/97]
 - Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 2116/97)

— Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 2116/97)

— Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 2116/97]

— For processing (Regulations (EEC) No 2182/77 and (EC) No 2116/97)

— Destinés à la transformation [règlements (CEE) n° 2182/77 et (CE) n° 2116/97]

— Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 2116/97]

— Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 2116/97)

— Para transformação [Regulamentos (CEE) n° 2182/77 e (CE) n° 2116/97]

— Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 2116/97)

— För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 2116/97)

- Section 106 of T5 control copies must be completed with the date of conclusion of the contract of sale.

Article 7

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

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

Done at Brussels, 28 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I —
ANEXO I — LIITE I — BILAGA I

Estado miembro	Productos	Cantidad aproximada (toneladas)	Precio mínimo expresado en ecus por tonelada (1)
Medlemsstat	Produkter	Tilnærmet mængde (tons)	Mindstepriser i ECU/ton (1)
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)	Mindestpreise, ausgedrückt in ECU/Tonne (1)
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)	Ελάχιστες τιμές πώλησης εκφραζόμενες σε Ecu ανά τόνο (1)
Member State	Products	Approximate quantity (tonnes)	Minimum prices expressed in ecus per tonne (1)
État membre	Produits	Quantité approximative (tonnes)	Prix minimaux exprimés en écus par tonne (1)
Stato membro	Prodotti	Quantità approssimativa (tonnellate)	Prezzi minimi espressi in ecu per tonnellata (1)
Lidstaat	Producten	Hoeveelheid bij benadering (ton)	Minimumprijzen uitgedrukt in ecu per ton (1)
Estado-membro	Produtos	Quantidade aproximada (toneladas)	Preço mínimo expresso em ecus por tonelada (1)
Jäsenvaltio	Tuotteet	Arvioitu määrä (tonneina)	Vähimmäishinnat ecuina tonnia kohden ilmaistuna (1)
Medlemsstat	Produkter	Ungefärlig kvantitet (ton)	Minimipriser i ecu per ton (1)

a) **Carnes deshuesada (2) — Udbenet kød (2) — Fleisch ohne Knochen (2) — Οπίσθια τέταρτα με κόκαλα (2) — Boneless beef (2) — Viande désossée (2) — Carne senza osso (2) — Vlees zonder been (2) — Carne desossada (2) — Luuton naudanliha (2) — Benfritt kött (2)**

Danmark	A. (1)		
	Interventionsskank (INT 11)	10	1 300
	Interventionssbov (INT 22)	500	1 600
	Interventionssbryst (INT 23)	200	1 300
	Interventionsforfjerding (INT 24)	500	1 450
	Interventionsskank (INT 21)	50	1 300
	B.		
	Interventionssbov (INT 22)	300	1 650
	Interventionssbryst (INT 23)	100	1 300
	Interventionsforfjerding (INT 24)	300	1 500
France	Jarret arrière d'intervention (INT 11)	400	1 400
	Jarret avant d'intervention (INT 21)	400	1 400
	Épaule d'intervention (INT 22)	400	1 650
	Poitrine d'intervention (INT 23)	400	1 350
	Avant d'intervention (INT 24)	400	1 400
United Kingdom	Intervention shank (INT 11)	400	1 200
	Intervention shin (INT 21)	400	1 200
	Intervention shoulder (INT 22)	400	1 300
	Intervention brisket (INT 23)	400	1 200
	Intervention forequarter (INT 24)	400	1 300
Ireland	Intervention shank (INT 11)	400	1 200
	Intervention shin (INT 21)	400	1 200
	Intervention shoulder (INT 22)	400	1 300
	Intervention brisket (INT 23)	400	1 200
	Intervention forequarter (INT 24)	400	1 300
España	Jarrete de intervención (INT 11)	12	1 200
	Morcillo de intervención (INT 21)	20	1 200
	Paleta de intervención (INT 22)	30	1 700
	Pecho de intervención (INT 23)	63	1 300
	Cuarto delantero de intervención (INT 24)	28	1 400

b) Cuartos delanteros con hueso — Forfjerdinger, ikke udbenet — Vorderviertel mit Knochen — Εμπρόσθια τέταρτα με κόκαλα — Bone-in forequarters — Quartiers avant avec os — Quarti anteriori non disossati — Voorvoeten met been — Quartos dianteiros com osso — Luullinen etuneljännēs — Framkvartsparter med ben

Deutschland	— <i>Vorderviertel</i> , stammend von: Kategorien A/C, Klassen U, R und O	2 000	1 000
Danmark	— <i>Forfjerdinger</i> , af: kategori A/C, klasse R og O	1 000	1 000
Italia	— <i>Quarti anteriori</i> , provenienti da: categoria A, classi U, R e O	1 000	1 000
Ireland	— <i>Forequarters</i> , from: category C, classes U, R and O	400	1 000
France	— <i>Quartiers avant</i> : Catégorie A/C	1 000	1 000
Belgique	— <i>Quartiers avant</i> provenant de: <i>Voorvoeten</i> , afkomstig van: Catégorie A, classes U, R et O Catégorie A, klassen U, R en O	1 000	1 000
Österreich	— <i>Vorderviertel</i> , stammend von: Kategorien A/C, Klassen U, R und O	1 000	1 000
Nederland	— <i>Voorvoeten</i> , afkomstig van: Catégorie A, klassen U, R en O	1 000	1 000
Portugal	— <i>Quartos dianteiros</i> : Categoria A, classes U, R e O	400	1 000
España	— <i>Cuartos delanteros</i> , provenientes de: Categoría A, clases U, R y O	1 000	1 000
Suomi/Finland	— <i>ETU-NELJÄNNES</i> A-Laatuluokka alaluokat R tai O	35	1 000
Sverige	— <i>FRAMKVARTSPART</i> Kategori A Klasserna R eller O	100	1 000

- (¹) Estos precios se entenderán con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) nº 2173/79.
- (²) Disse priser gælder i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.
- (³) Diese Preise gelten gemäß Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.
- (⁴) Οι τιμές αυτές εφαρμόζονται σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.
- (⁵) These prices shall apply in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.
- (⁶) Ces prix s'entendent conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) nº 2173/79.
- (⁷) Il prezzo si intende in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.
- (⁸) Deze prijzen gelden overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.
- (⁹) Estes preços aplicam-se conforme o disposto no nº 1 do artigo 17º do Regulamento (CEE) nº 2173/79.
- (¹⁰) Näitä hintoja sovelletaan asetuksen (ETY) N:o 2173/79 17 artiklan 1 kohdan määräysten mukaisesti.
- (¹¹) Dessa priser gäller i enlighet med bestämmelserna i artikel 17.1 i förordning (EEG) nr 2173/79.
- (¹²) Véase el Anexo VII del Reglamento (CEE) nº 2453/93 (DO nº L 225 de 4. 9. 1993, p. 4), cuya última modificación la constituye el Reglamento (CE) nº 2368/96 (DO nº L 323 de 13. 12. 1996, p. 6).
- (¹³) Se bilag VII til forordning (EØF) nr. 2453/93 (EFT nr. L 225 af 4. 9. 1993, s. 4), senest ændret ved forordning (EF) nr. 2368/96 (EFT nr. L 323 af 13. 12. 1996, s. 6).
- (¹⁴) Vgl. Anhang VII der Verordnung (EWG) Nr. 2453/93 (ABl. Nr. L 225 vom 4. 9. 1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2368/96 (ABl. Nr. L 323 vom 13. 12. 1996, S. 6).
- (¹⁵) Βλέπε παράρτημα VII του κανονισμού (ΕΟΚ) αριθ. 2453/93 (ΕΕ αριθ. L 225 της 4. 9. 1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2368/96 (ΕΕ αριθ. L 323 της 13. 12. 1996, σ. 6).
- (¹⁶) See Annex VII to Regulation (EEC) No 2453/93 (OJ No L 225, 4. 9. 1993, p. 4), as last amended by Regulation (EC) No 2368/96 (OJ No L 323, 13. 12. 1996, p. 6).
- (¹⁷) Voir annexe VII du règlement (CEE) nº 2453/93 (JO nº L 225 du 4. 9. 1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) nº 2368/96 (JO nº L 323 du 13. 12. 1996, p. 6).
- (¹⁸) Cfr. allegato VII del regolamento (CEE) n. 2453/93 (GU n. L 225 del 4. 9. 1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2368/96 (GU n. L 323 del 13. 12. 1996, pag. 6).
- (¹⁹) Zie bijlage VII van Verordening (EEG) nr. 2453/93 (PB L 225 van 4. 9. 1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2368/96 (PB L 323 van 13. 12. 1996, blz. 6).
- (²⁰) Ver anexo VII do Regulamento (CEE) nº 2453/93 (JO nº L 225 de 4. 9. 1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) nº 2368/96 (JO nº L 323 de 13. 12. 1996, p. 6).
- (²¹) Katso asetuksen (ETY) N:o 2453/93 (EYVL N:o L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2368/96 (EYVL N:o L 323, 13.12.1996, s. 6) liite VII.
- (²²) Se bilaga VII i förordning (EEG) nr 2453/93 (EGT nr L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2368/96 (EGT L 323, 13.12.1996, s. 6).
- (²³) Producida en un establecimiento cuyo número de registro sanitario esté comprendido entre 0 y 699.
- (²⁴) Fremstillet på en virksomhed med et veterinært autorisationsnummer mellem 0 og 699.
- (²⁵) Hergestellt in einer Fleischwarenfabrik mit einer veterinärrechtlichen Zulassungsnummer zwischen 0 und 699.
- (²⁶) Παραχθέν σε εγκατάσταση με αριθμό κτηνιατρικής έγκρισης μεταξύ 0 και 699.
- (²⁷) Produced in a plant having a veterinary approval number between 0 and 699.
- (²⁸) Viandes produites dans un établissement dont le numéro d'agrément vétérinaire est compris entre 0 et 699.
- (²⁹) Carni prodotte in uno stabilimento con un numero di riconoscimento veterinario compreso tra 0 e 699.
- (³⁰) Geproduceerd in een inrichting met een veterinair erkenningsnummer tussen 0 en 699.
- (³¹) Produzido num estabelecimento com um número de aprovação veterinária compreendido entre 0 e 699.
- (³²) Tuotettu laitoksessa, jonka eläinlääkinnällinen hyväksyntänumero on välillä 0-699.
- (³³) Producerat i en anläggning med ett veterinärkontrollnummer mellan 0 och 699.

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção — Interventioelinten osoitteet — Interventionsorganens adresser**

BELGIQUE/BELGIË:

Bureau d'intervention et de restitution belge
Rue de Trèves 82
B-1040 Bruxelles
Belgisch Interventie- en Restitutiebureau
Trierstraat 82
B-1040 Brussel
Téléphone: (32-2) 287 24 11; télex: BIRB. BRUB/24076-65567; télécopieur: (32-2) 230 2533/280 03 07

BUNDESREPUBLIK DEUTSCHLAND:

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Postfach 180203, D-60083 Frankfurt am Main
Adickesallee 40
D-60322 Frankfurt am Main
Tel.: (49) 69 1564-704/755; Telex: 411727; Telefax: (49) 69 15 64-790/791

DANMARK:

Landbrugs- og Fiskeriministeriet
EU-direktoratet
Kampmannsgade 3
DK-1780 København V
Tlf. (45) 33 92 70 00; telex 151317 DK; fax (45) 33 92 69 48, (45) 33 92 69 23

ESPAÑA:

FEGA (Fondo Español de Garantía Agraria)
Beneficencia, 8
E-28005 Madrid
Teléfono: (91) 347 65 00, 347 63 10; télex: FEGA 23427 E, FEGA 41818 E; fax: (91) 521 98 32, 522 43 87

FRANCE:

OFIVAL
80, avenue des Terroirs-de-France
F-75607 Paris Cedex 12
Téléphone: (33 1) 44 68 50 00; télex: 215330; télécopieur: (33 1) 44 68 52 33

ITALIA:

AIMA (Azienda di Stato per gli interventi nel mercato agricolo)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91; telex 61 30 03; telefax: 445 39 40/445 19 58

IRELAND:

Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
IRL-Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 661 62 63, (01) 678 52 14 and (01) 662 01 98

NEDERLAND:

Ministerie van Landbouw, Natuurbeheer en Visserij, Voedselvoorzienings- en verkoopbureau
p/a LASER, Zuidoost
Slachthuisstraat 71
Postbus 965
6040 AZ Roermond
Tel. (31-475) 35 54 44; telex 56396 VIBNL; fax (31-475) 31 89 39

ÖSTERREICH:

AMA-Agrarmarkt Austria
Dresdner Straße 70
A-1201 Wien
Tel.: (0222) 33 15 12 20; Telefax: (0222) 33 15 1297

PORTUGAL:

Instituto Nacional de Intervenção e Garantia Agrícola
Rua Fernando Curado Ribeiro, nº 4-G
P-1600 Lisboa
Tel.: (351-1) 751 85 00; telefax: (351-1) 751 86 15;

SVERIGE:

Statens jordbruksverk — Swedish Board of Agriculture
Vallgatan 8
S-551 82 Jönköping
Tfn (46-36) 15 50 00; telex 70991 SJV-S; fax (46-36) 19 05 46

SUOMI/FINLAND:

Ministry of Agriculture and Forestry
Department of Agriculture Policy
Mariankatu 23, PO Box 232
FIN-00171 Helsinki
Tel.: (358) 916 01; Telefax: (358) 916 09790

UNITED KINGDOM:

Intervention Board Executive Agency
Kings House
33 Kings Road
Reading RG1 3BU
Berkshire
Tel.: (01189) 58 36 26
Fax (01189) 56 67 50

**COMMISSION REGULATION (EC) No 2117/97
of 28 October 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 Commission 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 29 October 1997.

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

Done at Brussels, 28 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 28 October 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
0702 00 40	064	59,9
	204	48,2
	999	54,1
0709 90 79	052	66,8
	999	66,8
0805 30 30	052	88,9
	388	52,9
	512	34,9
	524	63,5
	528	62,2
	999	60,5
0806 10 40	052	73,7
	064	53,8
	400	212,5
	999	113,3
0808 10 92, 0808 10 94, 0808 10 98	052	58,8
	060	46,7
	064	43,1
	388	88,0
	400	80,3
	404	84,7
	512	53,1
	528	47,1
	800	135,5
	999	70,8
0808 20 57	052	90,0
	064	84,1
	400	134,2
	999	102,8

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

**COMMISSION REGULATION (EC) No 2118/97
of 28 October 1997**

**determining the extent to which applications lodged in October 1997 for import
licences for certain egg sector products and poultrymeat pursuant to Regulations
(EC) No 1474/95 and (EC) No 1251/96 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1474/95 ⁽¹⁾ opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin, as last amended by Regulation (EC) No 1514/97 ⁽²⁾, and in particular Article 5 (5) thereof,

Having regard to Commission Regulation (EC) No 1251/96 of 28 June 1996 opening and providing for the administration of tariff quotas in the poultrymeat sector and albumin ⁽³⁾, as last amended by Regulation (EC) No 1514/97 and in particular Article 5 (5) thereof,

Whereas the applications for import licences lodged for the fourth quarter of 1997 are, in the case of all products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 1997 submitted pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 January to 31 March 1998 applications may be lodged pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 for import licences for the total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 29 October 1997.

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

Done at Brussels, 28 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 29. 6. 1995, p. 19.

⁽²⁾ OJ L 204, 31. 7. 1997, p. 16.

⁽³⁾ OJ L 161, 29. 6. 1996, p. 136.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1997
E1	100,00
E2	83,75
E3	100,00
P1	—
P2	5,88
P3	4,70
P4	13,89

*ANNEX II**(tonnes)*

Group No	Total quantity available for the period 1 January to 31 March 1998
E1	76 944,80
E2	1 615,75
E3	7 236,69
P1	1 860,00
P2	400,00
P3	88,00
P4	100,00

COMMISSION REGULATION (EC) No 2119/97**of 28 October 1997**

determining the extent to which applications lodged in October 1997 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Romania and Bulgaria can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to Commission Regulation (EC) No 1899/97 ⁽¹⁾ setting rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulation (EC) No 3066/95 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94, and in particular Article 4 (5) thereof,

1. Applications for import licences for the period 1 October to 31 December 1997 submitted under Regulation (EC) No 1899/97 shall be met as referred to in Annex I.

2. During the first 10 days of the period 1 January to 31 March 1998 applications may be lodged pursuant to Regulation (EC) No 1899/97 for import licences for a total quantity as referred to in Annex II.

Article 2

Whereas the applications for import licences lodged for the fourth quarter of 1997 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities

This Regulation shall enter into force on 29 October 1997.

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

Done at Brussels, 28 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 267, 30. 9. 1997, p. 67.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1997
1	4,01
2	4,72
4	100,00
7	2,61
8	11,63
9	3,23
10	100,00
11	—
12	100,00
14	—
15	2,99
16	100,00
17	—
18	—
19	100,00
21	100,00
23	100,00
24	100,00
25	—
26	—
27	—
28	—
30	—
32	100,00
33	—
34	—
35	—
36	—
37	20,00
38	100,00
39	—
40	—
43	—
44	13,33
45	—

ANNEX II

Group No	(tonnes)	
	Total quantity available for the period 1 January to 31 March 1998	
1	1 567,50	
2	357,50	
4	11 088,83	
7	2 310,00	
8	577,50	
9	1 320,00	
10	1 074,62	
11	412,50	
12	1 239,10	
14	2 887,50	
15	1 347,50	
16	692,30	
17	1 201,25	
18	247,50	
19	226,35	
21	1 473,30	
23	1 521,00	
24	147,25	
25	4 372,50	
26	247,50	
27	1 815,00	
28	280,50	
30	1 485,00	
32	537,50	
33	412,50	
34	2 062,50	
35	165,00	
36	825,00	
37	137,50	
38	235,81	
39	1 320,00	
40	495,00	
43	585,31	
44	302,50	
45	1 485,00	

**COMMISSION REGULATION (EC) No 2120/97
of 28 October 1997**

determining the extent to which applications lodged in October 1997 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted

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

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 1514/97 ⁽²⁾, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the period 1 October to 31 December 1997 are greater

than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 October to 31 December 1997 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 29 October 1997.

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

Done at Brussels, 28 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 156, 23. 6. 1994, p. 9.

⁽²⁾ OJ L 204, 31. 7. 1997, p. 16.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1997
1	3,24
2	3,26
3	3,47
4	100,00
5	3,96

DIRECTIVE 97/51/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 6 October 1997

amending Council Directives 90/387/EEC and 92/44/EEC for the purpose of adaptation to a competitive environment in telecommunications

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

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

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

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽³⁾, in the light of the joint text approved by the Conciliation Committee on 28 May 1997,

(1) Whereas Council Directive 90/387/EEC of 28 June 1990 on the establishment of the internal market for telecommunications services through the implementation of open network provision ⁽⁴⁾ (ONP) concerns the harmonization of conditions for open and efficient access to and use of public telecommunications networks and, where applicable, services; whereas, in accordance with that Directive, the Council adopted Directive 92/44/EEC of 5 June 1992 on the application of open network provision to leased lines ⁽⁵⁾;

(2) Whereas the Council resolution of 22 July 1993 on the review of the situation in the telecommunications sector and the need for further development in that market ⁽⁶⁾, combined with the Council resolution of 22 December 1994 on the principles and timetable for the liberalization of telecommunications infrastructures ⁽⁷⁾, call for the liberalization of telecommunications services and infrastructures by 1 January 1998 (with transitional periods for certain

Member States); whereas this is supported by the European Parliament resolution of 20 April 1993 on the Commission's 1992 review of the situation in the telecommunications sector ⁽⁸⁾, and the European Parliament resolution of 19 May 1995 on the Green Paper on the liberalization of telecommunications infrastructures and cable television networks (Part II) ⁽⁹⁾;

(3) Whereas the Council resolution of 22 July 1993 considered as a major goal for the Community's telecommunications policy the application throughout the Community and, where necessary, the adaptation, in the light of further liberalization, of open network provision principles in respect of the entities covered and of such issues as universal service, interconnection and access charges as well as the consequent questions connected with licensing conditions; whereas the Council resolution of 18 September 1995 on the implementation of the future regulatory framework for telecommunications ⁽¹⁰⁾ called on the Commission, in accordance with the timetable set out in the Council resolutions of 22 July 1993 and 22 December 1994, to present to the European Parliament and the Council before 1 January 1996 all legislative provisions intended to establish the European regulatory framework for telecommunications accompanying the full liberalization of this sector, in particular concerning the adaptation of open network provision measures to the future competitive environment;

(4) Whereas the European Parliament resolution of 6 May 1994 on the Commission communication accompanied by the proposal for a Council resolution on universal service principles in the telecommunications sector ⁽¹¹⁾ emphasizes the central importance of universal service principles; whereas the Council resolution of 7 February 1994 on universal service principles in the telecommunications sector ⁽¹²⁾ provides a basic definition of universal service and calls upon the Member States to establish and maintain an appropriate regulatory framework in order to ensure universal service throughout their territories; whereas, as was recognized by the Council in that resolution, the concept of universal service

⁽¹⁾ OJ C 62, 1. 3. 1996, p. 3 and

OJ C 291, 4. 10. 1996, p. 18.

⁽²⁾ OJ C 204, 15. 7. 1996, p. 14.

⁽³⁾ Opinion of the European Parliament of 22 May 1996 (OJ C 166, 10. 6. 1996, p. 87), Council common position of 12 September 1996 (OJ C 315, 24. 10. 1996, p. 41) and Decision of the European Parliament of 11 December 1996 (OJ C 20, 20. 1. 1997, p. 55). Decision of the European Parliament of 16 July 1997. Council Decision of 22 July 1997.

⁽⁴⁾ OJ L 192, 24. 7. 1990, p. 1.

⁽⁵⁾ OJ L 165, 19. 6. 1992, p. 27. Directive as amended by Commission Decision 94/439/EC (OJ L 181, 15. 7. 1994, p. 40).

⁽⁶⁾ OJ C 213, 6. 8. 1993, p. 1.

⁽⁷⁾ OJ C 379, 31. 12. 1994, p. 4.

⁽⁸⁾ OJ C 150, 31. 5. 1993, p. 39.

⁽⁹⁾ OJ C 151, 19. 6. 1995, p. 479.

⁽¹⁰⁾ OJ C 258, 3. 10. 1995, p. 1.

⁽¹¹⁾ OJ C 205, 25. 7. 1994, p. 551.

⁽¹²⁾ OJ C 48, 16. 2. 1994, p. 1.

must evolve to keep pace with advances in technology, market development and changes in user demand; whereas universal service in telecommunications will have a role to play in strengthening social and economic cohesion, in particular in remote, peripheral, landlocked and rural areas and islands of the Community; whereas, where justified, the net cost of universal service obligations may be shared by market players in accordance with Community law;

- (5) Whereas the basic principles concerning access to and the use of public telecommunications networks and services, set out within the open network provision framework, must be adapted to ensure Europe-wide services in a liberalized environment, in order to benefit users and organizations providing public telecommunications networks and/or services; whereas a voluntary approach based on common technical standards and specifications, with consultations undertaken where necessary to satisfy user needs, is appropriate in a liberalized environment; whereas, nevertheless, the provision of universal service and the availability of a minimum set of services must be guaranteed to all users in the Community in accordance with the Community measures applicable; whereas a general framework for interconnection to public telecommunications networks and public telecommunications services is needed in order to provide end-to-end interoperability of services for Community users;
- (6) Whereas open network provision conditions must not restrict the use of or access to public telecommunications networks or publicly available telecommunications services except on grounds of essential requirements or the exercise of special and exclusive rights retained by Member States in accordance with Community law;
- (7) Whereas the provisions of this Directive do not prevent a Member State from taking measures justified on grounds set out in Articles 36 and 56 of the Treaty, and in particular on grounds of public security, public policy and public morality;
- (8) Whereas a *modus vivendi*⁽¹⁾ 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;
- (9) Whereas in accordance with the principle of the separation of regulatory and operational functions, Member States should guarantee the independence of the national regulatory authority or authorities with a view to ensuring the impartiality of their decisions,

and ensure that the national regulatory authority or authorities of each Member State will play a keyrole in the implementation of the regulatory framework set out in relevant Community legislation; whereas this requirement of independence is without prejudice to the institutional autonomy and constitutional obligations of the Member States, or to the principle of neutrality with regard to the rules in Member States governing the system of property ownership in accordance with Article 222 of the Treaty; whereas the national regulatory authorities should be in possession of all the resources necessary, in terms of staffing, expertise, and financial means, for the performance of their function;

- (10) Whereas numbering and the more general concepts of addressing and naming play an important role; whereas adherence to a harmonized approach for numbering/addressing and, where applicable, naming will contribute to Europe-wide end-to-end communications for users and the interoperability of services; whereas in addition to numbering it may be appropriate to apply the principles of objectivity, transparency, non-discrimination and proportionality in the allocation of names and addresses; whereas Commission Directive 96/19/EC of 13 March 1996 amending Directive 90/388/EEC with regard to the implementation of full competition in telecommunications markets⁽²⁾ provides for adequate numbers to be available for all telecommunications services, and for numbers to be allocated in an objective, transparent, non-discriminatory and proportionate manner;
- (11) Whereas in order to guarantee the provision of leased lines throughout the Community, Member States should ensure that at every point in their territories users have access to a minimum set of leased lines from at least one organization; whereas organizations with obligations to provide leased lines should be designated by Member States; whereas Member States must notify the Commission of the organizations subject to this Directive, the leased line types within the minimum set which they are required to provide, and the geographical area in which this requirement applies; whereas, within a specific geographical area, all the leased line types provided by a notified organization are subject to the general provisions of this Directive;
- (12) Whereas the market power of an organization depends on a number of factors, including its share of the relevant product or service market in the relevant geographical market, its turnover relative to the size of the market, its ability to influence market conditions, its control of the means of access to

⁽¹⁾ OJ C 102, 4. 4. 1996, p. 1.

⁽²⁾ OJ L 74, 22. 3. 1996, p. 13.

end-users, its access to financial resources and its experience in providing products and services in the market; whereas determining which organizations have significant market power should be a function of national regulatory authorities, taking into account the situation on the relevant market;

down in Article 4 of that Directive; whereas all the priority measures identified in Annex III thereto have been adopted;

(13) Whereas the concept of leased-lines services will evolve with new technological advances and market demand, allowing users more flexible use of the leased-line bandwidth;

(19) Whereas in order to enable the Commission to carry out the monitoring task assigned to it by the Treaty, changes in national regulatory authority or authorities and the organizations affected must be swiftly communicated to the Commission;

(14) Whereas, in order to achieve more efficient communications within the Community, it is important that Member States encourage the provision of an additional harmonized set of higher-order leased lines, taking into account market demand and progress with standardization;

(20) Whereas, in accordance with the principles of subsidiarity and proportionality as stated in Article 3b of the Treaty, the objective of adapting Directives 90/387/EEC and 92/44/EEC to a competitive environment in telecommunications cannot be sufficiently achieved by the Member States and can therefore be better achieved by the Community;

(15) Whereas until an effective competitive environment is achieved, there is a need for the regulatory supervision of tariffs for leased lines with a view to ensuring cost orientation and transparency in accordance with the principle of proportionality; whereas it is appropriate to allow the requirements for cost orientation and transparency in specific markets to be set aside where no organization has significant market power or where effective competition ensures that tariffs for leased lines are reasonable;

(21) Whereas the functioning of Directives 90/387/EEC and 92/44/EEC should be reviewed no later than 31 December 1999; whereas that review should take account of the increasing effectiveness of competition in telecommunications markets;

(16) Whereas common technical regulations (CTRs) adopted under Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity⁽¹⁾, and Council Directive 93/97/EEC of 29 October 1993 supplementing Directive 91/263/EEC in respect of satellite earth station equipment⁽²⁾ define the conditions for the connection of terminal equipment to leased lines;

(22) Whereas, when bringing forward proposals for any further measures in pursuit of the aims of this Directive, consideration should be given to a single consolidated text incorporating all relevant European Parliament and Council Directives implementing the ONP provisions so as to improve the transparency of Community legislation;

(17) Whereas certain amendments to existing open network provision measures are appropriate in order to ensure their consistency with new technical developments and with other regulatory measures that will form part of the overall regulatory framework for telecommunications;

(23) Whereas pursuant to Articles 52 and 59 of the Treaty, the regulatory regime in the field of telecommunications should be compatible and consistent with the principles of freedom of establishment and freedom to provide services and should take into account the need to facilitate the introduction of new services as well as the widespread application of technological improvements,

HAVE ADOPTED THIS DIRECTIVE:

(18) Whereas all the areas identified in Annex I to Directive 90/387/EEC as possible areas for the application of open network provision conditions have been addressed in analysis reports subject to public consultation, in accordance with the procedure laid

Article 1

Amendment of Directive 90/387/EEC

Directive 90/387/EEC is hereby amended as follows:

1. Article 1 shall be amended as follows:

(a) paragraph 2 shall be replaced by the following:

'2. The purpose of the conditions prescribed in paragraph 1 shall be to facilitate the provision of public telecommunications networks and/or public telecommunications services, within and between Member States, and in particular the

⁽¹⁾ OJ L 128, 23. 5. 1991, p. 1. Directive as last amended by Directive 93/68/EEC (OJ L 220, 30. 8. 1993, p. 1).

⁽²⁾ OJ L 290, 24. 11. 1993, p. 1.

provision of services by companies, firms or natural persons established in a Member State other than that of the company, firm or natural person for whom the services are intended;'

(b) the following paragraph shall be added:

'3. Open network provision conditions shall aim at:

- ensuring the availability of a minimum set of services,
- securing access and interconnection to public telecommunications networks and public telecommunications services,
- encouraging the provision of harmonized telecommunications services to the benefit of users, in particular by identifying and promoting by voluntary means harmonized technical interfaces for open and efficient access and interconnection, and associated standards and/or specifications and
- guaranteeing the provision of universal service in telecommunications, taking account of any future evolution,

throughout the Community.'

2. Article 2 shall be replaced by the following:

'Article 2

For the purposes of this Directive:

1. 'users' shall mean individuals, including consumers, or organizations using or requesting publicly available telecommunications services;
2. 'telecommunications network' shall mean transmission systems and, where applicable, switching equipment and other resources which permit the conveyance of signals between defined termination points by wire, by radio, by optical or by other electromagnetic means;

'public telecommunications network' shall mean a telecommunications network used, wholly or in part, for the provision of publicly available telecommunications services;
3. 'telecommunications services' shall mean services the provision of which consists wholly or partly in the transmission and routing of signals on telecommunications networks, with the exception of radio and television broadcasting;
4. 'universal service' shall mean a defined minimum set of services of specified quality which is available to all users regardless of their geographical location and, in the light of specific national conditions, at an affordable price;

5. 'network termination point' shall mean the physical point at which a user is provided with access to a public telecommunications network. The locations of network termination points shall be defined by the national regulatory authority and shall represent a boundary, for regulatory purposes, of the public telecommunications network;

6. 'essential requirements' shall mean the non-economic reasons in the public interest which may cause a Member State to impose conditions on the establishment and/or operation of telecommunications networks or the provision of telecommunications services. Those reasons shall be the security of network operations, the maintenance of network integrity and, where justified, the interoperability of services, data protection, the protection of the environment and town and country planning objectives as well as the effective use of the frequency spectrum and the avoidance of harmful interference between radio-based telecommunications systems and other space-based or terrestrial technical systems. Data protection may include protection of personal data, the confidentiality of information transmitted or stored and the protection of privacy;

7. 'interconnection' shall mean the physical and logical linking of telecommunications networks used by the same or a different organization in order to allow the users of one organization to communicate with users of the same or another organization or to access services provided by another organizations. Services may be provided by the parties involved or other parties who have access to the network;

8. 'open network provision conditions' shall mean the conditions, harmonized in accordance with this Directive, which govern open and efficient access to public telecommunications networks and, where applicable, public telecommunications services and the efficient use of those networks and services.

Without prejudice to their application on a case-by-case basis, open network provision conditions may include harmonized conditions with regard to:

- technical interfaces, including the definition and implementation of network termination points, where required,
- usage conditions,
- tariff principles and
- access to frequencies and numbers/addresses/names, where required in accordance with the reference framework of the Annex;

9. "technical specifications", "standards" and "terminal equipment" shall have the same meanings as in Article 1 of Directive 91/263/EEC (*).

(*) OJ L 128, 23. 5. 1991, p. 1.;

3. Article 3 shall be amended as follows:

- (a) paragraphs 2 and 3 shall be replaced by the following:

'2. Open network provision conditions shall not restrict access to public telecommunications networks or public telecommunications services, except on grounds of essential requirements within the framework of Community law. In addition, the conditions generally applicable to the connection of terminal equipment to the network shall apply.

3. Open network provision conditions may not allow for any additional restrictions on the use of the public telecommunications networks and/or public telecommunications services, except those which are compatible with Community law.;

- (b) paragraph 4 shall be deleted;

- (c) paragraph 5 shall be replaced by the following:

'5. Without prejudice to the specific Directives adopted in the field of open network provision and in so far as the application of the essential requirements referred to in paragraph 2 may cause Member States to limit access to public telecommunications networks or services, the rules for uniform application of the essential requirements, in particular concerning the interoperability of services and the protection of data, shall be determined, where appropriate, by the Commission, in accordance with the procedure laid down in Article 10.;

4. Article 4 shall be deleted;

5. Article 5 shall be replaced by the following:

Article 5

1. References to standards and/or specifications drawn up as a basis for harmonized technical interfaces and/or service features for open network provision shall be published in the *Official Journal of the European Communities* as suitable for the requirement of open and efficient access, interconnection and interoperability in order to encourage the provision of harmonized telecommunications services to the benefit of users throughout the Community.

Where necessary, the Commission may, in consultation with the committee referred to in Article 9, request standards to be drawn up by European standardization bodies.

2. Member States shall encourage the use of the standards and/or specifications to which reference is made in the *Official Journal of the European Communities*, in accordance with paragraph 1, for the provision of technical interfaces and/or network functions.

As long as such standards and/or specifications are not adopted, Member States shall encourage:

- standards and/or specifications adopted by European standardization bodies such as the European Telecommunications Standards Institute (ETSI) or the joint European standards institution, the European Committee for Standardization (CEN)/European Committee for Electrotechnical Standardization (Cenelec),

or, in the absence of such standards and/or specifications,

- international standards or recommendations adopted by the International Telecommunications Union (ITU), the International Organization for Standardization (ISO) or the International Electrotechnical Committee (IEC),

or, in the absence of such standards and/or specifications,

- national standards and/or specifications.

3. If the implementation of the standards and/or specifications referred to in paragraph 1 appears to be inadequate to ensure the interoperability of transfrontier services in one or more Member States, the implementation of such standards and/or specifications may be made compulsory under the procedure laid down in Article 10, to the extent strictly necessary to ensure such interoperability and to improve freedom of choice for users, subject to Articles 85 and 86 of the Treaty.

Before the implementation of the standards and/or specifications is made compulsory in accordance with the first subparagraph, the Commission shall, by publishing a notice to that effect in the *Official Journal of the European Communities*, invite public comment by all parties concerned.

4. Where a Member State or the Commission considers that the harmonized standards and/or specifications referred to in paragraph 1 do not correspond to the objective of open and efficient access, interconnection and interoperability, in particular the basic principles and the essential requirements referred to in Article 3, it shall be decided whether or not it is necessary to withdraw references to those standards and/or specifications from the *Official Journal of the European Communities* in accordance with the procedure laid down in Article 10.

5. The Commission shall inform the Member States of any such decision and publish information on the withdrawal of those standards and/or specifications in the *Official Journal of the European Communities*.;

6. the following Article shall be inserted:

Article 5a

1. Where the tasks assigned to the national regulatory authority in Community legislation are undertaken by more than one body, Member States shall ensure that the tasks to be undertaken by each body are made public.

2. In order to guarantee the independence of national regulatory authorities:

- national regulatory authorities shall be legally distinct from and functionally independent of all organizations providing telecommunications networks, equipment or services,
- Member States that retain ownership or a significant degree of control of organizations providing telecommunications networks and/or services shall ensure effective structural separation of the regulatory function from activities associated with ownership or control.

3. Member States shall ensure that suitable mechanisms exist at national level under which a party affected by a decision of the national regulatory authority has a right of appeal to a body independent of the parties involved.

4. Member States may take steps to ensure that national regulatory authorities are able to obtain from organizations providing telecommunications networks and/or services all the information necessary for them to apply Community legislation.;

7. Articles 6 and 7 shall be deleted;

8. Article 8 shall be replaced by the following:

Article 8

The Commission shall examine and report to the European Parliament and to the Council on the functioning of this Directive, on the first occasion no later than 31 December 1999. The report shall be based *inter alia* on the information supplied by the Member States to the Commission and to the committee referred to in Articles 9 and 10. Where necessary, the report shall examine what provisions of this Directive should be adapted in the light of the developments in the market. Further measures may be proposed in the report in pursuit of the aims of this Directive. The Commission shall also investigate in the report the added value of the setting up of a European Regulatory Authority to carry out those tasks which would prove to be better undertaken at Community level.;

9. in the second paragraph of Article 9 (1), 'telecommunications organizations' shall be replaced by 'organizations providing public telecommunications networks and/or publicly available telecommunications services.;

10. Annexes I and III shall be deleted;

11. Annex II shall be replaced by Annex I to this Directive.

Article 2

Amendment of Directive 92/44/EEC

Directive 92/44/EEC is hereby amended as follows:

1. 'telecommunications organizations' shall be replaced by 'organizations notified in accordance with Article 11 (1) (a)' throughout;

2. the following paragraphs shall be added to Article 1:

'Member States shall ensure that at every point in their territory at least one organization is subject to the provisions of this Directive.

Member States shall ensure that obligations arising out of this Directive are not imposed on organizations without significant market power in the relevant leased-lines market, unless there are no organizations with significant market power in the relevant leased-lines market in a given Member State.;

3. Article 2 shall be replaced by the following:

Article 2

Definitions

1. The definitions given in Directive 90/387/EEC, as amended by Directive 97/51/EC (*), shall apply, where relevant, to this Directive.

2. In addition, for the purposes of this Directive,

— "leased lines" shall mean the telecommunications facilities which provide for transparent transmission capacity between network termination points and which do not include on-demand switching (switching functions which the user can control as part of the leased line provision),

— "Open Network Provision Committee" shall mean the committee referred to in Articles 9 and 10 of Directive 90/387/EEC,

— "national regulatory authority" shall mean the body referred to in Article 5a of Directive 90/387/EEC.

3. For the purposes of this Directive, an organization shall be presumed to have significant market power when its share of the relevant leased-lines market in a Member State is 25 % or more. The relevant leased-lines market shall be assessed on the basis of the type(s) of leased line offered in a particular geographical area. The geographical area may cover the whole or part of the territory of a Member State.

National regulatory authorities may determine that an organization with a market share that is less than 25 % of the relevant leased-lines market has significant market power. They may also determine that an organization with a market share that is 25 % or more of the relevant leased-lines market does not have significant market power.

In either case, the determination shall take into account the organization's ability to influence the leased-lines market conditions, its turnover relative to the size of the market, its access to financial resources and its experience in providing products and services in the market.

(*) OJ L 295, 29. 10. 1991, p. 23.;

4. Article 3 shall be amended as follows:

- (a) the second sentence of paragraph 1 shall be replaced by the following:

'Changes in existing offerings and information on new offerings shall be published as soon as possible. The national regulatory authority may lay down a suitable period of notice.'

- (b) paragraph 3 shall be deleted;

5. The first subparagraph of the second indent in Article 4 shall be replaced by the following:

'— the typical delivery period, which is the period, counted from the date when the user has made a firm request for a leased line, in which 95 % of all leased lines of the same type have been put through to the customers;'

6. Article 6 shall be amended as follows:

- (a) paragraph 1 shall be replaced by the following:

'1. Member States shall ensure that when access to and use of leased lines is restricted in accordance with Community law those restrictions are imposed by the national regulatory authorities through regulatory means.

No technical restrictions shall be introduced or maintained for the interconnection of leased lines among each other or for the interconnection of leased lines and public telecommunications networks.'

- (b) the second subparagraph of paragraph 3 (a) shall be replaced by the following:

'An emergency situation in this context shall mean an exceptional case of *force majeure*, such as extreme weather, earthquakes, flood, lightning or fire.'

- (c) the first subparagraph of paragraph 4 and footnote 1 shall be replaced by the following:

'Access conditions relating to terminal equipment shall be considered to be fulfilled when the terminal equipment complies with the approval conditions laid down for its connection to the network-termination point of the type of leased line concerned in accordance with Directive 91/263/EEC (*) or 93/97/EEC (**).

(*) OJ L 128, 23. 5. 1991, p. 1.

(**) OJ L 290, 24. 11. 1993, p. 1.'

7. Article 7 shall be amended as follows:

- (a) the following paragraph shall be inserted:

'2a. Member States shall encourage provision of the additional types of leased lines specified in

Annex III, taking into account market demand and progress with standardization';

- (b) paragraph 3 shall be replaced by the following:

'3. The amendments necessary to adapt Annexes II and III to new technical developments and to changes in market demand, including the possible deletion of certain types of leased lines from the Annexes, shall be adopted by the Commission under the procedure provided for in Article 10 of Directive 90/387/EEC, taking into account the state of development of national networks.'

8. Article 8 (2) shall be replaced by the following:

'2. The national regulatory authority shall ensure that the organizations notified in accordance with Article 11 (1) (a) adhere to the principle of non-discrimination when providing leased lines. Those organizations shall apply similar conditions in similar circumstances to organizations providing similar services, and shall provide leased lines to others under the same conditions and of the same quality as they provide for their own services, or those of their subsidiaries or partners, where applicable.'

9. Article 9 shall be deleted;

10. Article 10 shall be amended as follows:

- (a) paragraph 1 (a) shall be replaced by the following:

'(a) tariffs for leased lines shall be independent of the type of application which the users of the leased lines implement, without prejudice to the principle of non-discrimination set out in Article 8 (2);'

- (b) paragraph 2 (b) (iii) shall be replaced by the following:

'(iii) when neither direct nor indirect measures of cost allocation can be found, the cost category shall be allocated on the basis of a general allocator computed by using the ratio of all expenses directly assigned or allocated to leased lines, on the one hand, to those allocated to other services, on the other hand.'

- (c) the following paragraph shall be added:

'4. The national regulatory authority shall not apply the requirements of paragraph 1 where an organization does not have significant market power in respect of a specific leased-lines offering in a specific geographical area.

The national regulatory authority may decide not to apply the requirements of paragraph 1 in a specific geographical area where it is satisfied that there is effective competition in the relevant leased-lines market as evidenced by tariffs that already comply with those requirements.'

11. Article 11 shall be amended as follows:

(a) paragraph 1 shall be replaced by the following:

'1. Member States shall notify the Commission of their national regulatory authority or authorities responsible for carrying out the tasks specified in this Directive.

They shall promptly notify the Commission of any changes in their national regulatory authorities.'

(b) the following paragraph shall be inserted:

'1a. National regulatory authorities shall notify the Commission of the names of those organizations providing leased lines subject to requirements pursuant to this Directive. That notification shall, where appropriate, include the types of leased lines that each organization is required to provide in each geographical area in order to comply with Article 1 and shall include any cases where, pursuant to Article 10 (4), Article 10 (1) is not applied.'

(c) the second subparagraph of paragraph 2 shall be replaced by the following:

'The national regulatory authority shall keep available and submit to the Commission on request the data on all cases in which access to or use of leased lines has been restricted, as well as details of the measures taken, including the reasons why they were taken.'

12. Article 14 shall be replaced by the following:

Article 14

Report

The Commission shall examine and report to the European Parliament and to the Council on the functioning of this Directive, on the first occasion no later than 31 December 1999. The report shall be based *inter alia* on the information supplied by the Member States to the Commission and to the Open Network Provision Committee. The report shall include an assessment of the need for continuation of this Directive, taking account of developments towards a fully competitive environment. Where necessary, the report shall examine what provisions of this Directive should be adapted in the light of the developments in the market, and further measures may be proposed in the report in pursuit of the aims of this Directive.'

13. Annex I shall be amended as follows:

(a) footnote 1 shall be replaced by the following:

'OJ L 109, 26. 4. 1983, p. 8. Directive as last amended by Directive 94/10/EC of the European

Parliament and of the Council (OJ L 100, 19. 4. 1994, p. 30).'

(b) in Section D, points 1, 2, 3, 5 and 6 shall be deleted;

(c) Section E shall be replaced by the following:

'E. Conditions for the attachment of terminal equipment

The information on the attachment conditions must include a complete overview of the requirements with which terminal equipment to be attached to the relevant leased line must comply in accordance with Directive 91/263/EEC or 93/97/EEC.'

14 Annex II to this Directive shall be added as Annex III.

Article 3

Transposition

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 31 December 1997. They shall immediately inform the Commission thereof.

When the Member States adopt these provisions, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

2. The Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 4

Entry into force

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 5

Addressees

This Directive is addressed to the Member States.

Done at Brussels, 6 October 1997.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

J. POOS

ANNEX I

ANNEX

REFERENCE FRAMEWORK FOR THE APPLICATION OF ONP CONDITIONS

The application of open network provision conditions as defined in Article 2 (8) should be in accordance with the following reference framework, taking into account the relevant rules of the Treaty:

1. Harmonized technical interfaces and/or network functions

When open network provision conditions are drawn up the following scheme should be taken into account for the definition of specifications for technical interfaces and/or network functions:

- for existing services and networks, existing interface specifications should be adopted,
- for entirely new services or the improvement of existing services, existing interface specifications should also be adopted, as far as feasible. When existing interfaces are not suitable, enhancements and/or new interface specifications will have to be specified,
- for networks that are still to be introduced but for which the standardization programme has already commenced, open network provision requirements falling within the terms of Article 3 should be taken into account when new interface and network functions specifications are developed.

Open network provision proposals must, whenever possible, be in line with the ongoing work in the European standardization bodies, in particular the ETSI, and must also take into account work in international standardization organizations, such as the ITU-T.

2. Harmonized supply and usage conditions

Supply and usage conditions identify conditions of access and of provision of services, as far as required.

(a) supply conditions concern conditions under which a service is offered to users. They may include:

- typical delivery period,
- typical repair time,
- quality of service, in particular availability and quality of transmission,
- maintenance and network management;

(b) usage conditions concern conditions which apply to users, such as:

- conditions for network access,
- conditions for shared use,
- conditions regarding protection of personal data and confidentiality of communications, where required.

3. Harmonized tariff principles

Tariff principles must be consistent with the principles started in Article 3 (1).

Those principles imply, in particular, that:

- tariffs must be based on objective criteria and, until such time as competition becomes effective in keeping down prices for users, must in principle be cost oriented, on the understanding that the fixing of the actual tariff level will continue to be the province of national legislation and is not the subject of open network provisions conditions. Where an organization no longer has significant market power in the relevant market, the requirement for cost orientation may be set aside by the competent national regulatory authority. One of the aims should be the definition of efficient tariff principles throughout the Community while ensuring a general service for all,
- tariffs must be transparent and must be properly published,
- in order to leave users a choice between the individual service elements and where technology so permits, tariffs must be sufficiently unbundled in accordance with the competition rules of the Treaty. In particular, additional features introduced to provide certain specific extra services must, as a general rule, be charged independently of the inclusive features and transportation as such,
- tariffs must be non-discriminatory and guarantee equality of treatment, except for restrictions which are compatible with Community law.

Any charge for access to network resources or services must comply with the principles set out above and with the competition rules of the Treaty and must also take into account the principle of fair sharing in the global cost of the resources used, the need for a reasonable level of return on investment and, where appropriate, the financing of universal service in accordance with the interconnection Directive (*).

There may be different tariffs, in particular to take account of excess traffic during peak periods and lack of traffic during off-peak periods, provided that the tariff differentials are commercially justifiable and do not conflict with the above principles.

4. Harmonized approach to numbering/addressing/naming

Numbering/addressing and in some instances naming provide for the selection of the destination or destinations, or for the selection of a service, of a service provider or a network operator.

Adherence to a harmonized approach for numbering/addressing and, where applicable, naming is therefore essential to guarantee Europe-wide end-to-end interconnection of users and the interoperability of services. Furthermore, the allocation of numbers/addresses/names should be fair, proportionate and consistent with the requirements for equal access.

To achieve that, it is necessary:

- to ensure the provision, according to harmonized principles, of adequate ranges of numbers and addresses, prefixes and short codes and, where applicable, of adequate naming, for all public telecommunications services,
- to ensure the coordination of national positions in international organizations and fora where decisions are taken on numbering/addressing/naming, taking into account possible future developments in numbering/addressing/naming at European level,
- to ensure that the relevant national telecommunications numbering/addressing/naming plans are under the supervision of the national regulatory authority, in order to guarantee independence from organizations providing public telecommunications networks or publicly available telecommunications services,
- to ensure the effective implementation of number portability in order to remove any obstacles for users in choosing their suppliers,
- to ensure that the procedures for allocating individual numbers/addresses/names, prefixes and short codes and/or addressing/numbering ranges are transparent, equitable and timely and that the allocation is carried out in an objective, transparent and non-discriminatory manner, taking into account the principle of proportionality,
- to give national regulatory authorities the possibility of laying down conditions for the use in numbering/addressing plans of certain prefixes or certain short codes, in particular where these are used for services of general public interest (e.g. directory services or emergency services), or to ensure equal access.

5. Access to frequencies

Member States must ensure that frequencies are made available for telecommunications services in accordance with Community law. Access to frequencies granted by means of licences or other authorizations must comply with the Council resolution of 19 November 1992 on the implementation in the Community of the European Radiocommunications Committee Decisions (**).

(*) Directive 97/33/EC of the European Parliament and of the Council of 30 June 1997 on interconnection in telecommunications with regard to ensuring universal service and interoperability through application of the principles of open network provision (ONP) (OJ L 199, 26. 7. 1997, p. 32).

(**) OJ C 318, 4. 12. 1992, p. 1.

ANNEX II

ANNEX III

DEFINITION OF LEASED LINES THE PROVISION OF WHICH IS TO BE ENCOURAGED
IN ACCORDANCE WITH ARTICLE 7 (2) (a)

Leased line type	Technical characteristics	
	Interface presentation specifications	Connection characteristics and performance specifications
34 368 kbit/s digital structured	ETS 300 686 (*)	ETS 300 687 (*)
34 368 kbit/s digital unstructured	ETS 300 686 (*)	ETS 300 687 (*)
139 264 kbit/s digital structured	ETS 300 686 (*)	ETS 300 688 (*)
139 264 kbit/s digital unstructured	ETS 300 686 (*)	ETS 300 688 (*)
155 Mbit/s digital (STM-1)(**)	based on ITU-T G.708	based on ITU-T G.708

(*) These standards are still under development in ETSI.

(**) ETSI has been requested to carry out further work on standards for SDH VC-based leased digital bandwidth.'

Commission statement

The Commission states that, in verifying the full and timely transposition of Community telecommunications Directives into national law, it will take particular care to ensure that the arrangements put in place by the Member States in relation to the costing and financing of universal service do not limit access to the relevant markets.

COUNCIL DIRECTIVE 97/61/EC

of 20 October 1997

amending the Annex to Directive 91/492/EEC laying down the health conditions
for the production and placing on the market of live bivalve molluscs

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

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⁾, and in particular Article 11 thereof,

The Annex to Directive 91/492/EEC is hereby amended as follows:

Having regard to the proposal from the Commission,

1. point 6 of Chapter II shall be replaced by the following:

Whereas Chapter V of the Annex to Directive 91/492/EEC sets the acceptable limit values for two types of marine toxin that constitute a danger to public health;

‘6. A registration document for the identification of batches of live bivalve molluscs during transport from the production area to a dispatch centre, purification centre, relaying area or processing plant must be issued by the competent authority upon request by the gatherer. For each batch, the gatherer must complete legibly and indelibly the relevant sections of the registration document which must contain the following information:

Whereas there is scientific evidence that a new marine toxin ‘Amnesic Shellfish Poisoning’ (ASP) that could endanger consumer health has appeared in the areas where bivalve molluscs are produced;

— the gatherer’s identity and address,

Whereas the public health requirements concerning live bivalve molluscs in Chapter V of the Annex to Directive 91/492/EEC must be adjusted to take account of this new marine toxin;

— the date of harvesting,

Whereas an acceptable limit value must be set for this new marine toxin, in order to protect public health;

— the location of the production area described in as precise detail as is practicable or by a code number,

Whereas experience has shown that the registration document for the identification of the batches of molluscs provided for in point 6 of Chapter II of the Annex to Directive 91/492/EEC should contain information concerning the health status of the area of origin and any purification or relaying operations that have been carried out on the molluscs;

— the health status of the production area as referred to in Chapter I,

Whereas it must be possible to trace the origin of bivalve molluscs placed on the market; whereas to do this it should be possible to link the information shown on the registration document with each batch placed on the market in a register kept by the dispatch centre;

— the shellfish species and quantity indicated in as precise detail as is practicable,

Whereas a standard registration document would be more easily understood by operators and inspection services regardless of the language in which it is drawn up; whereas such standard document should be introduced by the Commission,

— the approval number and place of destination for wrapping, relaying, purification or processing.

The registration document must be dated and signed by the gatherer.

The registration documents must be numbered regularly and in sequence. The competent authority must keep a register indicating numbers of registration documents together with the names of the persons collecting live bivalve molluscs to whom the documents were issued. The registration document for each batch of live bivalve molluscs must be date-stamped upon delivery of a batch to a dispatch centre, purification centre, relaying area or processing plant and must be kept by operators of such centres, areas or plants for at least twelve months. In addition, the gatherer is also obliged to keep it for the same period.

⁽¹⁾ OJ L 268, 24. 9. 1991, p. 1. Directive as amended by the 1994 Act of Accession.

However, if gathering is carried out by the same staff operating the dispatch centre, purification centre, relaying area or processing plant of destination, the registration document may be replaced by a permanent transport authorization granted by the competent authority. A standard registration document, containing a reference to the various requirements which are to be included in it and which are mentioned in Chapters II, III and IV of this Annex, will be introduced by the Commission in accordance with the procedure laid down in Article 12 of the Directive.;

2. point 9 of Chapter III shall be replaced by the following:

'9. after harvesting from the relaying area, batches must, during transport from the relaying area to the approved dispatch centre, purification centre or processing plant, be accompanied by a registration document, a specimen of which will be drawn up by the Commission in accordance with the procedure laid down in Article 12 of the Directive, setting out, in addition to the information specified in point 6 of Chapter II of this Annex, *inter alia* the location and approval number of the relaying area and the duration of relaying, together with any other information needed to identify and trace the product.

However, the above shall not be required where the same staff operate both in the relaying area and in the dispatch centre, purification centre or processing plant.;

3. the second subparagraph of point 13 of section III of Chapter IV shall be replaced by the following:

'Purification centres dispatching batches of live bivalve molluscs to dispatch centres must provide a registration document, a specimen of which will be drawn up by the Commission in accordance with the procedure laid down in Article 12 of the Directive, setting out, in addition to the information specified in point 6 of Chapter II of this Annex, *inter alia* the approval number and address of the purification plant and the duration of purification, the dates of entering and leaving the purification centre, together with any other information needed to identify and trace the product.;

4. point 4 of section IV of Chapter IV shall be replaced by the following:

'4. Dispatch centres must keep the following at the disposal of the competent authority:

- the results of microbiological tests on live bivalve molluscs from an approved production area or relaying area or from a purification plant,

- the dates and quantities of live bivalve molluscs delivered to the dispatch centre, together with the corresponding registration documents,
- dispatch details including the names and addresses of consignees, the dates and quantities of live bivalve molluscs dispatched, together with the corresponding entry registration document number(s).

These data must be classified chronologically and preserved for a period to be laid down by the competent authority, but not less than twelve months.;

5. The following point shall be inserted in Chapter V:

'7a. The total Amnesic Shellfish Poison (ASP) content in the edible parts of molluscs (the entire body or any part edible separately) must not exceed 20 micrograms of domoic acid per gramme using the HPLC method.'

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 July 1998. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Luxembourg, 20 October 1997.

For the Council

The President

F. BODEN

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 October 1997

concerning the importation of live animals, fresh meat and meat products from the Federal Republic of Yugoslavia and Greenland and amending Council Decision 79/542/EEC

(Text with EEA relevance)

(97/736/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries⁽¹⁾, as last amended by Directive 96/91/EC⁽²⁾, and in particular Article 3 thereof,

Whereas Council Decision 79/542/EEC⁽³⁾, as last amended by Commission Decision 97/160/EC⁽⁴⁾, draws up a list of third countries from which the Member States authorize imports of bovine animals, swine, *equidae*, sheep and goats, fresh meat and meat products;

Whereas, following a Community veterinary mission, it appears that the Federal Republic of Yugoslavia is covered by sufficiently well-structured and organized veterinary services; whereas a residue plan has been submitted and agreed by Member States;

Whereas vaccination against classical swine fever is carried out in the Federal Republic of Yugoslavia; whereas classical swine fever breaks out from time to time; whereas therefore imports of swine from that country should not be authorized;

Whereas the Federal Republic of Yugoslavia should be added to the list of third countries from which Member

States authorize imports of bovine animals, *equidae*, sheep and goats, fresh meat and meat products;

Whereas Greenland should be added to the list of third countries from which Member States authorize imports of sheep and goats;

Whereas Decision 79/542/EEC should be amended accordingly;

Whereas the specific animal health conditions and veterinary certification for importation of bovine animals, swine, *equidae*, sheep and goats, fresh meat and meat products will be laid down in other decisions according to the animal health situation of the third country concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize imports from the Federal Republic of Yugoslavia of:

- (a) live animals, except swine;
- (b) fresh meat from the bovine, ovine, caprine and porcine species and solipeds; and
- (c) meat products.

2. Member States shall authorize imports from Greenland of animals of the ovine and caprine species.

3. The imports mentioned in paragraphs 1 and 2 shall fulfil the relevant animal and animal health requirements.

⁽¹⁾ OJ L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ L 13, 16. 1. 1997, p. 26.

⁽³⁾ OJ L 146, 14. 6. 1979, p. 15.

⁽⁴⁾ OJ L 62, 4. 3. 1997, p. 39.

Article 2

Part I of the Annex to Decision 79/542/EEC is amended as follows:

- 1) The following line is inserted in accordance with the alphabetic order of the ISO code:

‘FY	Federal Republic of Yugoslavia	x x x x x x x x x o x (‘)			XR	’
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- 2) The line

‘GL	Greenland	x x o x x x o o o x (‘)			XR	’
-----	-----------	---	--	--	----	---

is replaced by:

‘GL	Greenland	x x o x x x o x o x (‘)			XR	’
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Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 14 October 1997

concerning the animal health conditions and veterinary certification for imports of fresh meat and meat products from the Federal Republic of Yugoslavia and amending Decisions 81/547/EEC and 97/222/EC

(Text with EEA relevance)

(97/737/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, and fresh meat or meat products from third countries⁽¹⁾, as last amended by Directive 96/91/EC⁽²⁾, and in particular Articles 14, 16, 21 (a) and 22 thereof,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (1) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC⁽³⁾, as last amended by Directive 96/90/EC⁽⁴⁾ and, in particular point (c) of Article 10 (2), read in conjunction with Annex I (Chapter 10) thereof,

Whereas following the partition of Yugoslavia, it is necessary to lay down specific animal health conditions and veterinary certification for imports of fresh meat from the Federal Republic of Yugoslavia and to amend existing legislation accordingly; whereas it is necessary to lay down similar requirements for imports of fresh meat from the former Yugoslav Republic of Macedonia by amending Commission Decision 81/547/EEC⁽⁵⁾, as last amended by Decision 92/453/EEC⁽⁶⁾;

Whereas, following a Community veterinary mission, it appears that the animal health situation in the Federal Republic of Yugoslavia compares favourably with that in Community countries particularly as regards disease transmissible through meat;

Whereas, in addition, the responsible veterinary authorities of the Federal Republic of Yugoslavia have confirmed that that country has, for at least 12 months,

been free from rinderpest, African swine fever, swine vesicular disease, and contagious porcine paralysis (Teschen disease);

Whereas vaccinations against the above disease have not taken place for at least 12 months; whereas vaccination against classical swine fever is carried out in the Federal Republic of Yugoslavia; whereas classical swine fever breaks out there from time to time; whereas, therefore, imports of fresh meat of the porcine species from this country should not be authorized except for uses other than human consumption;

Whereas outbreaks of foot-and-mouth disease have occurred in 1996 in part of the territory, the region of Kosovo and Metohija, but no vaccination was carried out; whereas therefore imports of fresh meat of bovine, ovine and caprine species from this region should not be authorized for the time being;

Whereas the responsible authorities of the Federal Republic of Yugoslavia have undertaken to notify the Commission and the Member States within 24 hours by fax, telex or telegram of the confirmation of the occurrence of any of the abovementioned diseases or an alteration in the vaccination policy against them;

Whereas animal health conditions and veterinary certification must be adapted according to the animal health conditions of the non-member country concerned;

Whereas other health conditions must be established for meat not intended for human consumption in accordance with the provisions of Directive 92/118/EEC and Commission Decision 89/18/EEC⁽⁷⁾, which deals with the importation of fresh meat for purposes other than human consumption;

Whereas the importation of glands and organs authorized by the country of destination is subject to the provisions of Directive 92/118/EEC;

Whereas Commission Decision 97/222/EC⁽⁸⁾, which lays down the list of third countries authorized to use the specimen animal health certificates in respect of meat products imported from third countries, should therefore be amended accordingly;

⁽¹⁾ OJ L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ L 13, 16. 1. 1997, p. 26.

⁽³⁾ OJ L 62, 15. 3. 1993, p. 49.

⁽⁴⁾ OJ L 13, 16. 1. 1997, p. 24.

⁽⁵⁾ OJ L 206, 27. 7. 1981, p. 15.

⁽⁶⁾ OJ L 250, 29. 8. 1992, p. 46.

⁽⁷⁾ OJ L 8, 11. 1. 1989, p. 17.

⁽⁸⁾ OJ L 89, 4. 4. 1997, p. 39.

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize the importation of the following categories of fresh meat from the Federal Republic of Yugoslavia except the region of Kosovo and Metohija:

- (a) fresh meat of domestic animals of the bovine, ovine or caprine species, conforming to the guarantees laid down in the animal health certificate in accordance with Annex A, which must accompany the consignment;
- (b) fresh meat of domestic solipeds, conforming to the guarantees laid down in the animal health certificate in accordance with Annex B, which must accompany the consignment.

2. Member States shall authorize the importation of fresh pigmeat from the Federal Republic of Yugoslavia except the region of Kosovo and Metohija for purposes other than human consumption. Member States shall ensure that such imports meet the conditions of Decision 89/18/EEC and Directive 92/118/EEC and conform to the guarantees laid down in the animal health certificate in accordance with Annex C, which must accompany each consignment.

After arriving in the territory of the Community and during manufacture, the raw material shall be sterilized in hermetically sealed containers in such a way as to achieve a minimum F^0 value of 3; a veterinary check shall be made to ensure that the finished product has actually achieved that value.

Article 2

In Decision 81/547/EEC the words 'Yugoslav Republics of Serbia, Montenegro and Macedonia' and 'Yugoslavia' are replaced throughout the text by the words 'Former Yugoslav Republic of Macedonia'.

Article 3

Decision 97/222/EC is amended as follows:

1. In Part I of the Annex, the following lines are inserted in accordance with the alphabetic order of the ISO code:

'FY	Federal Republic of Yugoslavia	FY 1	97/1	The Federal Republic of Yugoslavia excluding the region of Kosovo and Metohija;
-----	--------------------------------	------	------	---

FY	Federal Republic of Yugoslavia	FY 2	97/1	The region of Kosovo and Metohija'.
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2. In Part II of the Annex, the following lines are inserted in accordance with the alphabetic order of the ISO code:

'FY	Federal Republic of Yugoslavia — FY 1	A	A	D	A	D	A	A	D	—	A	—	—
-----	---------------------------------------	---	---	---	---	---	---	---	---	---	---	---	---

FY	Federal Republic of Yugoslavia — FY 2	C	C	C	A	D	A	C	C	—	A	—	—
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Article 4

This Decision shall apply from 1 November 1997.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

ANIMAL HEALTH CERTIFICATE

for fresh meat⁽¹⁾ of domestic animals of the bovine, ovine and caprine species, intended for consignment to the European Community

Note to the importer: This certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection point.

Country of destination:

Reference number of the public health certificate⁽²⁾:

Exporting country: Federal Republic of Yugoslavia⁽³⁾

Ministry:

Department:

Reference:

I. Identification of meat

Meat of:
(Animal species)

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s)⁽²⁾:
.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s)⁽²⁾:
.....

Address(es) and veterinary approval number(s) of the approved cold store(s)⁽²⁾:
.....

III. Destination of meat

The meat will be sent from:
(place of loading)

to:
(country and place of destination)

by the following means of transport⁽⁴⁾:

Name and address of consignor:
.....

Name and address of consignee:
.....

⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic animals of the bovine, ovine and caprine species which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

⁽³⁾ Excluding the region of Kosovo and Metohija.

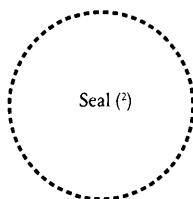
⁽⁴⁾ For railway wagons or lorries, the registration number should be given, for bulk containers the number of the container, and the number of the seal of the container.

IV. Attestation of health

I, the undersigned official veterinarian, certify that:

- (1) the Federal Republic of Yugoslavia⁽¹⁾ has been free for 12 months from rinderpest and foot-and-mouth disease;
- (2) the fresh meat described above is obtained from:
 - animals which have remained in the territory of the Federal Republic of Yugoslavia⁽¹⁾, for at least three months before being slaughtered or since birth in the case of animals less than three months old,
 - animals which come from holdings in which there has been no outbreak of foot-and-mouth disease in the previous 30 days, and around which within a radius of 10 km there has been no case of foot-and-mouth disease for 30 days,
 - animals which have been transported from their holdings of origin to the approved slaughterhouse concerned without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, that the latter has been cleaned and disinfected before loading,
 - animals which have passed the ante-mortem health inspection referred to in Council Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and have showed no evidence of foot-and-mouth disease,
 - in the case of fresh meat from sheep and goats, animals which have not come from a holding which for health reasons is subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks;
- (3) the fresh meat described above is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the Community has been authorized only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian.

Done at on
(place) (date)



.....
(signature of the official veterinarian)⁽²⁾

.....
(name in capital letters, qualification and title)⁽²⁾

⁽¹⁾ Excluding the region of Kosovo and Metohija.

⁽²⁾ The signature and the seal must be in a colour different to that of the printing.

ANNEX B

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ of domestic solipeds intended for consignment to the European Community

Note to the importer: This certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection point.

Country of destination:

Reference number of the public health certificate ⁽²⁾:

Exporting country: Federal Republic of Yugoslavia

Ministry:

Department:

Reference:

I. Identification of meat

Meat of domestic solipeds

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s) ⁽²⁾:

.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s) ⁽²⁾:

.....

Address(es) and veterinary approval number(s) of the approved cold store(s) ⁽²⁾:

.....

III. Destination of meat

The meat will be sent from:

(place of loading)

to:

(country and place of destination)

by the following means of transport ⁽³⁾:

Name and address of consignor:

.....

Name and address of consignee:

.....

⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic solipeds which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

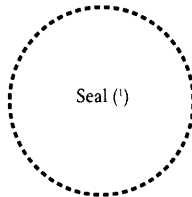
⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

⁽³⁾ For railway wagons or lorries, the registration number should be given, for bulk containers the number of the container and the number of the seal of the container.

IV. Attestation of health

I, the undersigned official veterinarian, certify that the fresh meat described above is obtained from animals which have remained in the territory of the Federal Republic of Yugoslavia for at least three months before being slaughtered or since birth in the case of animals less than three months old.

Done at , on
(place) (date)



.....
(signature of the official veterinarian) (1)

.....
(name in capital letters, qualification and title) (1)

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

ANNEX C

ANIMAL HEALTH CERTIFICATE

for fresh meat of domestic animals of the porcine species intended for purposes other than human consumption as referred to in Article 1 (2) of Commission Decision 97/737/EC and intended for consignment to the European Community

Note to the importer: This certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection point.

Country of destination:

Reference number of the public health certificate ⁽¹⁾:

Exporting country: Federal Republic of Yugoslavia ⁽²⁾

Ministry:

Department:

Reference:

I. Identification of meat

Meat of domestic animals of the porcine species

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s) ⁽¹⁾:

.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s) ⁽¹⁾:

.....

Address(es) and veterinary approval number(s) of the approved cold store(s) ⁽¹⁾:

.....

III. Destination of meat

The meat will be sent from:

(place of loading)

to:

(country and place of destination)

by the following means of transport ⁽¹⁾:

Name and address of consignor:

.....

Name and address of consignee:

.....

⁽¹⁾ Optional.

⁽²⁾ Excluding the region of Kosovo and Metohija.

⁽³⁾ For railway wagons or lorries, the registration number should be given, for bulk containers the number of the container and the number of the seal of the container.

IV. Attestation of health

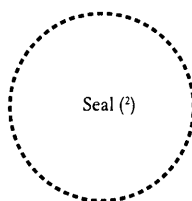
I, the undersigned official veterinarian, certify that:

(1) the fresh pigmeat described above is obtained from:

- animals which have remained in the territory of the Federal Republic of Yugoslavia ⁽¹⁾, for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- animals which come from holdings in which there has been no outbreak of foot-and-mouth or swine vesicular disease in the previous 30 days or swine fever in the previous 40 days, and around which within a radius of 10 km there has been no case of foot-and-mouth disease for 30 days,
- animals which have been transported from their holdings of origin to the approved slaughterhouse concerned without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, that the latter has been cleaned and disinfected before loading,
- animals which have passed the ante-mortem health inspection referred to in Council Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and have showed no evidence of foot-and-mouth disease,
- animals which have not come from a holding which for health reasons is subject to prohibition as a result of an outbreak of porcine brucellosis during the previous six weeks;

(2) the fresh meat described above is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the Community has been authorized only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian.

Done at on
(place) (date)



.....
(signature of the official veterinarian) ⁽²⁾

.....
(name in capital letters, qualification and title) ⁽²⁾

⁽¹⁾ Excluding the region of Kosovo and Metohija.

⁽²⁾ The signature and the seal must be in a colour different to that of the printing.