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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 338/1999
of 15 February 1999
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 1498/98 ⁽²⁾, and in particular Article 4 (1) 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 16 February 1999.

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

Done at Brussels, 15 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

ANNEX

to the Commission Regulation of 15 February 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	88,6
	204	49,7
	212	104,0
	624	198,1
	999	110,1
0707 00 05	052	118,3
	068	187,4
	999	152,8
0709 10 00	220	132,9
	999	132,9
0709 90 70	052	136,0
	204	202,3
	999	169,2
0805 10 10, 0805 10 30, 0805 10 50	052	36,2
	204	39,7
	212	42,6
	220	27,5
	600	48,1
	624	54,5
	999	41,4
0805 20 10	204	74,3
	999	74,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	56,4
	204	64,7
	464	96,1
	600	95,7
	624	83,4
	999	79,3
	999	79,3
0805 30 10	052	49,2
	600	72,2
	999	60,7
0808 10 20, 0808 10 50, 0808 10 90	039	76,4
	060	45,7
	400	81,7
	404	67,2
	528	113,1
	706	107,2
	720	84,9
	728	89,1
	999	83,2
	999	83,2
0808 20 50	052	132,7
	388	106,7
	400	80,7
	512	68,0
	528	79,9
	624	55,8
	999	87,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22. 11. 1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 339/1999
of 15 February 1999
on the supply of vegetable oil as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24(1)(b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated vegetable oil to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out for a given lot, provision should be made for tenderers to be able to mobilise either rape-seed oil or sunflower oil; whereas the contract for the supply of each such lot is

to be awarded to the tenderer submitting the lowest tender,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The supply shall cover the mobilisation of vegetable oil produced in the Community. Mobilisation may not involve a product manufactured and/or packaged under inward processing arrangements.

Tenders shall cover either rape-seed oil or sunflower oil. Tenders shall be rejected unless they specify the type of oil to which they relate.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 15 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOT A

1. **Actions No:** 116/98 (A1); 117/98 (A2)
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma
tel.: (39 6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A1: Somalia; A2: Angola
5. **Product to be mobilised:** vegetable oil: refined rape-seed oil or refined sunflower oil
6. **Total quantity (tonnes net):** 1 559
7. **Number of lots:** 1 in 2 parts (A1: 559 tonnes; A2: 1 000 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (III.A(1)(a) or (b))
9. **Packaging** ⁽⁷⁾: see OJ C 267, 13.9.1996, p. 1 (10.4.A, B and C(2))
10. **Labelling or marking** ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (III.A(3))
 - Language to be used for the markings: A1; English; A2: Portuguese
 - Supplementary markings: —
11. **Method of mobilisation of the product:** mobilisation of refined vegetable oil produced in the Community.
Mobilisation may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 2.3.1999
 - second deadline: 19.4 to 9.5.1999
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 2.3.1999
 - second deadline: 16.3.1999
20. **Amount of tendering guarantee:** EUR 15 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾:
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/
Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund:** —

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32 2) 295 14 65).
Torben Vestergaard (tel. (32 2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— health certificate.
- (⁵) Notwithstanding OJ C 114 of 29.4.1991, point III.A(3)(c) is replaced by the following: 'the words "European Community"'.
- (⁶) Tenders shall be rejected unless they specify the type of oil to which they relate.
- (⁷) A1: The gross weight of the containers shall not exceed 22 tonnes.
-

COMMISSION REGULATION (EC) No 340/1999
of 15 February 1999
on the supply of cereals as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24(1)(b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾; whereas it is necessary to specify

the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 15 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOT A

1. **Action No:** 115/98
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma
tel.: (39-6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Somalia
5. **Product to be mobilised:** maize
6. **Total quantity (tonnes net):** 7 500
7. **Number of lots:** 1
8. **Characteristics and quality of the product** ⁽³⁾ ⁽³⁾: see OJ C 114, 29.4.1991, p. 1 (IIA(1)(d))
9. **Packaging:** see OJ C 267, 13.9.1996, p. 1 (1.0.A(1)(c), (2)(c) and B(2))
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (IIA(3))
 - Language to be used for the markings: English
 - Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment — fob stowed and trimmed
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
 - (b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 22.3 to 11.4.1999
 - second deadline: 5 to 25.4.1999
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 2.3.1999
 - second deadline: 16.3.1999
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾:
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/
Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 26.2.1999, fixed by Commission Regulation (EC) No 218/1999
(OJ L 23, 30.1.1999, p. 16)

Notes:

- (¹) Supplementary information: André Debongnie (tel.: (32 2) 295 14 65),
Torben Vestergaard (tel.: (32 2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation.
The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax: (32 2) 296 20 05).
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate.
- (⁶) Notwithstanding OJ C 114 of 29 April 1991, point II.A(3)(c) is replaced by the following: 'the words "European Community"'.

COMMISSION REGULATION (EC) No 341/1999
of 15 February 1999
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, as last amended by Regulation (EC) No 2519/98⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question; however, that duty may not exceed the rate of duty in the Common Customs Tariff;

Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 February 1999.

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

Done at Brussels, 15 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ L 315, 25. 11. 1998, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	55,56	45,56
	medium quality ⁽¹⁾	65,56	55,56
1001 90 91	Common wheat seed	47,53	37,53
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	47,53	37,53
	medium quality	81,20	71,20
	low quality	101,33	91,33
1002 00 00	Rye	95,63	85,63
1003 00 10	Barley, seed	95,63	85,63
1003 00 90	Barley, other ⁽²⁾	95,63	85,63
1005 10 90	Maize seed other than hybrid	101,27	91,27
1005 90 00	Maize other than seed ⁽³⁾	101,27	91,27
1007 00 90	Grain sorghum other than hybrids for sowing	95,63	85,63

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

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

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

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

ANNEX II

Factors for calculating duties

(period from 01 February 1999 to 12 February 1999)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/tonne)	114,91	98,25	86,51	75,60	134,10 (**)	124,10 (**)	94,04 (**)
Gulf premium (EUR/tonne)	27,22	10,21	1,83	12,79	—	—	—
Great Lakes premium (EUR/tonne)	—	—	—	—	—	—	—

(*) A discount of EUR 10 per tonne (Article 4(1) of Regulation (EC) No 1249/96).

(**) Fob Gulf.

2. Freight/cost: Gulf of Mexico — Rotterdam: EUR 11,28 per tonne; Great Lakes — Rotterdam: EUR 21,89 per tonne.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: EUR 0,00 per tonne (HRW2)
EUR 0,00 per tonne (SRW2).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 January 1999

repealing Decision 98/339/EC concerning certain protective measures relating to classical swine fever in Spain

(notified under document number C(1999) 153)

(Text with EEA relevance)

(1999/128/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10(4) thereof,

Whereas a number of outbreaks of classical swine fever have occurred in Spain;

Whereas Spain has taken measures within the framework 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 the Act of Accession of Austria, Finland and Sweden;

Whereas as a result of disease situation it was necessary to adopt Commission Decision 97/285/EC⁽⁴⁾ concerning certain protection measures relating to classical swine

fever in Spain, to amend it by Decisions 97/446/EC⁽⁵⁾, 98/93/EC⁽⁶⁾ and 98/271/EC⁽⁷⁾, to repeal it by Decision 98/339/EC⁽⁸⁾, and to amend Decision 98/339/EC by Decision 98/411/EC⁽⁹⁾, Decision 98/555/EC⁽¹⁰⁾ and Decision 98/720/EC⁽¹¹⁾;

Whereas Spain has adopted the national serosurveillance programme for classical swine fever approved with Commission Decision 98/176/EC of 18 February 1998⁽¹²⁾;

Whereas owing to favourable evolution of classical swine fever in the Province of Sevilla it is necessary to repeal adopted measures concerning the movement of pigs and the trade of boar semen from some areas of Spain;

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

Decision 98/339/EC is hereby repealed.

⁽¹⁾ OJ L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ L 47, 21. 2. 1980, p. 11.

⁽⁴⁾ OJ L 114, 1. 5. 1997, p. 47.

⁽⁵⁾ OJ L 190, 19. 7. 1997, p. 48.

⁽⁶⁾ OJ L 18, 23. 1. 1998, p. 35.

⁽⁷⁾ OJ L 120, 23. 4. 1998, p. 23.

⁽⁸⁾ OJ L 148, 19. 5. 1998, p. 43.

⁽⁹⁾ OJ L 188, 2. 7. 1998, p. 40.

⁽¹⁰⁾ OJ L 266, 1. 10. 1998, p. 84.

⁽¹¹⁾ OJ L 342, 17. 12. 1998, p. 30.

⁽¹²⁾ OJ L 65, 5. 3. 1998, p. 26.

Article 2

The Member States shall amend the measures they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 28 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 29 January 1999

amending for the second time Decision 94/381/EC concerning certain protection measures with regard to bovine spongiform encephalopathy and the feeding of mammalian derived protein

(notified under document number C(1999) 198)

(Text with EEA relevance)

(1999/129/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10(4) thereof,

Whereas Commission Decision 94/381/EC ⁽³⁾ concerning certain protection measures with regard to bovine spongiform encephalopathy and the feeding of mammalian derived protein as amended by Decision 95/60/EC ⁽⁴⁾, prohibits the feeding of protein derived from all mammalian species to ruminants; whereas certain animal products and by-products may be exempted from this prohibition;

Whereas the Scientific Steering Committee adopted a report and scientific opinion on the safety of hydrolysed proteins produced from bovine hides on 22 and 23 October 1998; whereas this opinion addresses the questions of under which conditions of sourcing of the material and/or of type of material used and/or production process can hydrolysed proteins, produced from bovine hides destined for animal consumption, be considered free of BSE infectivity; whereas the Scientific Steering Committee in the above opinions strongly recommends that hydrolysed proteins manufacturers implement and respect hazard analysis and critical control points procedures;

Whereas the Commission has adopted Decision 97/534/EC ⁽⁵⁾ as last amended by Council Decision 98/745/EC ⁽⁶⁾ on the prohibition of the use of material presenting

risks as regards transmissible spongiform encephalopathies;

Whereas the Commission has adopted Decision 98/272/EC ⁽⁷⁾ on epidemio-surveillance for transmissible spongiform encephalopathies and amending Decision 94/474/EC; whereas this Decision lays down measures to be applied in case of animals suspected of having a transmissible spongiform encephalopathy (TSE);

Whereas the adoption of this proposal is without prejudice to the adoption of rules for the organisation of the prevention and control of transmissible spongiform encephalopathies;

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

Article 1(3), third indent of Decision 94/381/EC is replaced by the following:

‘— hydrolysed proteins with a molecular weight below 10 000 daltons which have been:

(i) derived from hides and skins obtained from animals which have been slaughtered in a slaughterhouse and have undergone an *ante mortem* inspection by an official veterinarian in accordance with Chapter VI of Annex I to Directive 64/433/EEC and passed fit, as a result of such inspection, for slaughter for the purpose of that Directive,

and

(ii) produced by a production process which involves appropriate measures to minimise

⁽¹⁾ OJ L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ L 172, 7. 7. 1994, p. 23.

⁽⁴⁾ OJ L 55, 11. 3. 1995, p. 43.

⁽⁵⁾ OJ L 216, 8. 8. 1997, p. 95.

⁽⁶⁾ OJ L 358, 31. 12. 1998, p. 113.

⁽⁷⁾ OJ L 122, 24. 4. 1998, p. 59.

contamination of hides and skins, preparation of the hides and skins by brining, liming and intensive washing followed by exposure of the material to a pH of > 11 for > 3 hours at temperature $> 80^{\circ}\text{C}$ and followed by heat treatment of $> 140^{\circ}\text{C}$ for 30 minutes at $> 3,6$ bar or a by an equivalent production process approved by the Commission after consultation of the appropriate Scientific Committee,

and

- (iii) come from establishments which carry out an own checks programme (HACCP).'

Article 2

Member States shall adopt the measures necessary to comply with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission
