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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 39/2001
of 10 January 2001
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:

- (1) 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.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 11 January 2001.

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

Done at Brussels, 10 January 2001.

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 10 January 2001 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	104,1
	204	39,9
	624	172,0
	999	105,3
0707 00 05	052	111,6
	628	148,7
	999	130,1
0709 10 00	220	162,6
	999	162,6
0709 90 70	052	93,3
	204	45,1
	999	69,2
0805 10 10, 0805 10 30, 0805 10 50	052	42,4
	204	51,4
	220	41,1
	388	27,4
	999	40,6
0805 20 10	052	67,5
	204	74,9
	624	63,6
	999	68,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	83,8
	204	79,1
	624	80,9
	999	81,3
0805 30 10	052	66,7
	220	60,1
	600	65,2
	999	64,0
0808 10 20, 0808 10 50, 0808 10 90	060	37,4
	400	92,2
	404	88,9
	720	86,1
	728	73,8
0808 20 50	999	75,7
	052	184,2
	400	90,0
	999	137,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 40/2001**of 10 January 2001****fixing the maximum export refund for white sugar for the 22nd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1531/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1531/2000 of 13 July 2000 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1531/2000 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community

and world markets in sugar, for the partial invitation to tender in question.

- (3) Following an examination of the tenders submitted in response to the 22nd partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the 22nd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1531/2000 the maximum amount of the export refund is fixed at 43,360 EUR/100 kg.

Article 2

This Regulation shall enter into force on 11 January 2001.

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

Done at Brussels, 10 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 175, 14.7.2000, p. 69.

COMMISSION REGULATION (EC) No 41/2001**of 10 January 2001****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation 1527/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽³⁾, and in particular Articles 1(2) and 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽⁴⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 January 2001.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 10 January 2001.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,35	—	0
1703 90 00 ⁽¹⁾	9,89	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 42/2001
of 10 January 2001
fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular point (a) of the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 2038/1999 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 19 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality; the latter is defined in Article 1 of Council Regulation (EC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽³⁾, as amended by Regulation (EC) No 3290/94 ⁽⁴⁾; furthermore, this refund should be fixed in accordance with Article 19(4) of Regulation (EC) No 2038/1999; candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995

laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽⁵⁾; the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination.
- (5) In special cases, the amount of the refund may be fixed by other legal instruments.
- (6) The refund must be fixed every two weeks; whereas it may be altered in the intervening period.
- (7) It follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 January 2001.

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

Done at Brussels, 10 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 89, 10.4.1968, p. 3.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 105.

⁽⁵⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

to the Commission Regulation of 10 January 2001 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	37,34 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	32,16 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	37,34 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	32,16 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4059
1701 99 10 9100	A00	EUR/100 kg	40,59
1701 99 10 9910	A00	EUR/100 kg	40,34
1701 99 10 9950	A00	EUR/100 kg	40,34
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4059

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Regulation (EC) No 2038/1999.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26.9.1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21.11.1985, p. 14).

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

COMMISSION REGULATION (EC) No 43/2001**of 10 January 2001****determining the world market price for unginned cotton and the rate for the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

ments to reflect differences in product quality and the nature of offers and quotations. These adjustments are specified in Article 2 of Regulation (EEC) No 1201/89.

Having regard to the Treaty establishing the European Community,

(3) Application of the above rules gives the world market price for unginned cotton indicated hereunder.

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95 ⁽¹⁾,

(4) The second subparagraph of Article 5(3a) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is based on the revised production estimate for unginned cotton plus at least 7,5 %. Commission Regulation (EC) No 2714/2000 ⁽⁶⁾ fixes the revised production estimate for the 2000/2001 marketing year, and the relevant percentage increase. The application of this method results in the fixing of the advance payment rate for each Member State at the levels set out below,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 ⁽²⁾ laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as last amended by Regulation (EC) No 1419/98 ⁽³⁾, and in particular Articles 3, 4 and 5 thereof,

Whereas:

HAS ADOPTED THIS REGULATION:

(1) Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1(2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton ⁽⁴⁾, as last amended by Regulation (EC) No 1624/1999 ⁽⁵⁾. If it cannot be determined in this way it is to be based on the last price determined.

(2) Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend. To this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade. These rules for determination of the world market price for ginned cotton provide for adjust-

Article 1

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at 36,907 EUR/100 kg.

2. The advance payment of the aid referred to in Article 5(3a), second subparagraph, of Regulation (EC) No 1554/95 is fixed at:

- 54,830 EUR/100 kg in Spain,
- 30,381 EUR/100 kg in Greece,
- 69,393 EUR/100 kg in other Member States.

Article 2

This Regulation shall enter into force on 11 January 2001.

⁽¹⁾ OJ L 148, 30.6.1995, p. 45.

⁽²⁾ OJ L 148, 30.6.1995, p. 48.

⁽³⁾ OJ L 190, 4.7.1998, p. 4.

⁽⁴⁾ OJ L 123, 4.5.1989, p. 23.

⁽⁵⁾ OJ L 192, 24.7.1999, p. 39.

⁽⁶⁾ OJ L 313, 13.12.2000, p. 7.

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

Done at Brussels, 10 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 December 2000

adopting the plan allocating to the Member States resources to be charged to the 2001 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community

(notified under document number C(2000) 3985)

(2001/23/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organisations for distribution to the most deprived persons in the Community ⁽¹⁾ as amended by Regulation (EC) No 2535/95 ⁽²⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽³⁾, and in particular Article 3(2) thereof,

Whereas:

(1) Commission Regulation (EEC) No 3149/92 ⁽⁴⁾, as last amended by Regulation (EC) No 2760/1999 ⁽⁵⁾, lays down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community. In accordance with Article 2 of the above Regulation, to implement the scheme for the supply of such food to the most deprived section of the population the Commission must adopt a plan to be financed from resources available in the 2001 budget year. This plan should indicate in particular the quantity of products by type that may be withdrawn from intervention stocks for distribution in each Member State and

the financial resources made available to implement the plan in each Member State. It should also indicate the level of appropriations to be reserved to cover costs of intra-Community transport of intervention products as referred to in Article 7 of Regulation (EEC) No 3149/92.

- (2) The Member States involved in the plan have supplied the information required in accordance with Article 1 of Regulation (EEC) No 3149/92.
- (3) For the purposes of resource allocation, account must be taken of experience and of the degree to which the Member States used the resources allocated to them in previous years.
- (4) The intra-Community transfers necessary to bring the plan to fruition should also be authorised under the conditions provided for in Article 7 of Regulation (EEC) No 3149/92.
- (5) To implement the plan, the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 should be the date on which the financial year for administration of stocks in public storage starts.
- (6) To respect the plan's purpose, distribution of the products should be staggered throughout the year.
- (7) In accordance with Article 2(2) of Regulation (EEC) No 3149/92 the Commission sought the advice of the major organisations familiar with the problems of the most deprived persons in the Community when drawing up the plan.

⁽¹⁾ OJ L 352, 15.12.1987, p. 1.

⁽²⁾ OJ L 260, 31.10.1995, p. 3.

⁽³⁾ OJ L 349, 24.12.1998, p. 1.

⁽⁴⁾ OJ L 313, 30.10.1992, p. 50.

⁽⁵⁾ OJ L 331, 23.12.1999, p. 55.

- (8) The measures provided for in this Decision are in accordance with the opinions of all the relevant committees,

HAS ADOPTED THIS DECISION:

Article 1

For the 2001 financial year, foodstuffs for distribution to the most deprived persons in the Community under Regulation (EEC) No 3730/87 shall be supplied in accordance with the annual distribution plan set out in Annex I.

Article 2

The intra-Community transfer operations listed in Annex II are hereby authorised.

Article 3

To implement the annual plan, the date of the operative event referred to in Article 3 of Regulation (EC) No 2799/98 shall be 1 October 2000.

Article 4

Where the quantity of products distributed exceeds 500 tonnes, participating Member States shall insert suitable provisions in the invitations to tender to ensure that the quantities listed in table (b) of Annex I are the subject of several distribution operations during the course of the annual plan so as to take account of the capacity of the charitable institutions.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 21 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Annual distribution plan for 2001

(a) Financial resources made available to implement the plan in each Member State:

(euro)

Member State	Allocation
Belgium	2 285 000
Greece	13 383 000
Spain	55 096 000
France	39 232 000
Ireland	207 000
Italy	56 568 000
Luxembourg	48 000
Portugal	24 876 000
Finland	3 305 000
Total	195 000 000

(b) Quantity of each type of product to be withdrawn from Community intervention stocks for distribution in each Member State subject to the maximum amounts shown under (a):

(tonnes)

Member State	Product			
	Cereals	Rice (paddy rice)	Olive oil (*)	Butter
Belgium	3 500	500		500
Greece	25 000	10 000	4 000	
Spain	65 000	30 000	7 000	7 400
France	17 530	2 700		10 551
Ireland				60
Italy	75 000	30 000	5 000	8 500
Portugal	10 000	7 500	3 000	4 600
Finland	13 670			500
Total	209 700	80 700	19 000	32 111

(*) If necessary, refer to the standards for virgin lampante olive oil.

(c) Allocation for Luxembourg with a view to purchases on the Community market of:

- powdered milk: EUR 34 400,
- cereals: EUR 6 800,
- rice: EUR 6 800.

ANNEX II

Intra-Community transfers authorised under the plan for 2001

Product	Quantity (tonnes)	Holder	Consignee
1. Cereals	74 392	ONIC	AIMA
2. Cereals	25 000	ONIC	Ministry of Agriculture, Greece
3. Cereals	10 000	ONIC	INGA
4. Rice	500	Ente Risi	Ministry of Agriculture, Belgium
5. Rice	7 500	FEGA	INGA
6. Butter	10 551	Ministry of Agriculture, Ireland	Ministry of Agriculture, France
7. Butter	4 900	FEGA	AIMA
8. Butter	4 600	Ministry of Agriculture, Ireland	INGA
9. Olive oil	5 000	FEGA	AIMA
10. Olive oil	3 000	FEGA	INGA
11. Olive oil	3 000	FEGA	Ministry of Agriculture, Greece

COMMISSION DECISION

of 27 December 2000

amending Decision 2000/504/EC establishing transitional measures with regard to testing for bovine tuberculosis within the framework of Council Directive 64/432/EEC

(notified under document number C(2000) 4141)

(Text with EEA relevance)

(2001/24/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 2000/20/EC ⁽²⁾, and in particular Article 16(3) thereof,

Whereas:

- (1) Commission Decision 2000/504/EC ⁽³⁾ established transitional measures with regard to testing for bovine tuberculosis within the framework of Directive 64/432/EEC.
- (2) Certain Member States are not officially free from bovine tuberculosis and brucellosis and have not yet accomplished the installation of a surveillance network or this network is not yet approved in accordance with the procedure referred to in Article 17 of Directive 64/432/EEC.
- (3) As of 1 January 2001 the provisions of Article 6(2)(e) of Directive 64/432/EEC are no longer applicable. It appears appropriate to allow under certain conditions until the surveillance network is approved or officially-free status achieved and in any case for a transitional period ending 1 May 2002 at the latest, derogation from the requirements for the testing of individual bovine animals for tuberculosis and brucellosis intended for dispatch from certain Member States.
- (4) For the purpose of legal clarity it appears appropriate to combine in one single Decision all transitional measures adopted in accordance with the provisions in Article 16(3) of Directive 64/432/EEC. Decision 2000/504/EC must therefore be amended accordingly.
- (5) 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 2000/504/EC is amended as follows:

1. The title of the Decision is replaced by the following:

'Commission Decision 2000/504/EC of 25 July 2000 establishing transitional measures within the framework of Council Directive 64/432/EEC'.

2. A new Article 3 is inserted as follows:

'Article 3

By way of derogation from Article 6(2)(a) and (b) of Directive 64/432/EEC, Member States may license the introduction onto their territory of bovine animals aged less than 30 months for meat production which have not been subject to the tests required in Article 6(2)(a) and (b) referred to above, under the following conditions.

1. These animals

- come from the Member States listed in the Annex,
- come from herds which are officially tuberculosis-free and officially brucellosis-free,
- are accompanied by an animal health certificate in accordance with Annex F of Directive 64/432/EEC, Model 1, in which in particular paragraph 7 in Section A is duly completed.

2. The competent authorities of the Member State of dispatch have made the necessary arrangements to ensure that the animals comply with the requirements of Article 4(1) of Directive 64/432/EEC.

3. The Member State or region of dispatch is of at least the same health status with regard to bovine tuberculosis and bovine brucellosis as the Member State or region of destination.

4. The competent authorities of the Member State of destination take all necessary measures to keep the animals referred to in point 1 under their supervision until these animals are slaughtered. This supervision shall include at least regular inspection of the herds of destination and testing for bovine tuberculosis and sampling for laboratory testing for bovine brucellosis of the animals in accordance with the provisions of respectively Annex A(I) and (II) to Directive 64/432/EEC.

5. The competent authorities of the Member State of destination take all necessary measures to prevent effectively any contamination of indigenous herds.'

3. Articles 3 and 4 become respectively Articles 4 and 5.

⁽¹⁾ OJ 121, 29.7.1964, p. 1977/64.

⁽²⁾ OJ L 163, 4.7.2000, p. 35.

⁽³⁾ OJ L 201, 9.8.2000, p. 6.

4. The words 'Article 1 of' are deleted in the heading of the Annex.
5. The words 'Belgium' and 'Spain' are added to the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 December 2000.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION
of 27 December 2000
prohibiting the use of certain animal by-products in animal feed

(notified under document number C(2000) 4143)

(Text with EEA relevance)

(2001/25/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

feeding of mammalian derived protein ⁽⁶⁾, as last amended by Decision 1999/129/EC ⁽⁷⁾.

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:

- (1) Council Directive 90/667/EC of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin and amending Directive 90/425/EEC ⁽³⁾, established the principle that all animal waste, regardless of its source, may be used for the production of feed material following appropriate treatment.
- (2) According to Commission Decision 98/272/EC of 23 April 1998 on epidemic-surveillance for transmissible spongiform encephalopathies (and amending Decision 94/474/EC ⁽⁴⁾), as amended by Decision 2000/374/EC ⁽⁵⁾, animals which are slaughtered or have died with TSE shall be destroyed.
- (3) After feed containing processed ruminant waste contaminated by the infective agent was identified as the primary source of bovine spongiform encephalopathy (BSE), a Community wide ban on feeding protein derived from mammalian tissues to ruminants was established in July 1994 by Commission Decision 94/381/EC of 27 June 1994 concerning certain protection measures with regard to bovine spongiform encephalopathy and the

- (4) Council Decision 1999/534/EC of 19 July 1999 on measures applying to the processing of certain animal waste to protect against TSE and amending Commission Decision 97/735/EC ⁽⁸⁾ establishes that, from 1 April 1997, all mammalian animal waste must be processed in accordance with the minimum parameters of 133 °C, 20 minutes, 3 bar, which are regarded as being the most effective for the inactivation of the agents of scrapie and BSE.

- (5) Commission Decision 2000/418/EC regulating the use of material presenting risks as regards transmissible spongiform encephalopathies and amending Decision 94/474/EC ⁽⁹⁾ establishes that, from 1 October 2000, specified risk material must be removed from all parts of the food and feed chain. In the case of cattle, sheep and goats that have died, either the specified risk materials must be removed or the whole carcass must be destroyed.
- (6) The Scientific Steering Committee has adopted a number of opinions related to the safety of animal by-products, including animal feed. The main conclusion of those scientific opinions is that animal by-products derived from animals not fit for human consumption following health inspection should not enter the feed chain.
- (7) Based on those scientific opinions, on 19 October 2000, the Commission adopted a proposal for a Regulation of the European Parliament and of the Council laying down the health rules concerning animal by-products not intended for human consumption ⁽¹⁰⁾. The key issue of this proposal is the prohibition of recycling certain animal by-products into the feed chain, namely dead animals and condemned animal material. The only raw material allowed to be used for the production of animal feed would then be material derived from animals declared fit for human consumption.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 363, 27.12.1990, p. 51.

⁽⁴⁾ OJ L 122, 24.4.1998, p. 59.

⁽⁵⁾ OJ L 135, 8.6.2000, p. 27.

⁽⁶⁾ OJ L 172, 7.7.1994, p. 23.

⁽⁷⁾ OJ L 41, 16.2.1999, p. 14.

⁽⁸⁾ OJ L 204, 4.8.1999, p. 37.

⁽⁹⁾ OJ L 158, 30.6.2000, p. 76.

⁽¹⁰⁾ COM (2000)574 final.

- (8) On 16 November 2000, the European Parliament adopted a Resolution on BSE and safety of animal feedingstuffs, calling for an immediate ban of feeding animal meal to all farmed animals, unless the implementation of the above existing Community legislation is guaranteed by Member States and as long as the exclusion of animals who have died from the animal feed chain as proposed by the Commission has not come into force.
- (9) Recent Community inspections have identified weaknesses in relation to the implementation of existing Community legislation on the control of TSE. It is therefore appropriate to immediately prohibit the recycling into the feed chain of certain animal by-products. In the case of large animal disease outbreaks, special arrangements may be adopted.
- (10) In the light of recent developments in the BSE situation in the Community, on 21 November 2000, the Council invited the Commission to exclude dead animals from feed for farm animals.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of this Decision, the following definitions shall apply:

farmed animals: any animal which is kept, fattened or bred for the production of food;

pet animals: animals belonging to species normally nourished and kept, but not consumed, by man for purposes other than farming;

experimental animals: animals defined by Article 2 of Council Directive 86/609/EEC ⁽¹⁾;

feed: feed of animal origin for farmed animals, including processed animal proteins as defined by Article 2(e) of Council Directive 92/118/EEC ⁽²⁾ as last amended by Commission

Decision 1999/724/EC ⁽³⁾, rendered fats, fish oil, gelatine and hydrolysed proteins and dicalcium phosphate.

Article 2

Member States shall ensure that the following animal waste is not used for the production of feed for farmed animals:

- (a) all bovine animals, pigs, goats, sheep, solipeds, poultry, farmed fish and all other animals kept for agricultural production which have died on the farm but were not slaughtered for human consumption, including stillborn and unborn animals;
- (b) the following dead animals:
 - (i) pet animals,
 - (ii) zoo animals,
 - (iii) circus animals,
 - (iv) experimental animals,
 - (v) wild animals designated by the competent authority;
- (c) animals which are killed on the farm for disease control measures;
- (d) without prejudice to instances of emergency slaughtering for reasons of welfare, farm animals which have died in transit.

Article 3

This Decision shall apply at the latest by 1 March 2001.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 27 December 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 358, 18.12.1986, p. 1.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 290, 12.11.1999, p. 32.

COMMISSION DECISION**of 27 December 2000****amending for the fourth time Decision 1999/467/EC establishing the officially tuberculosis-free status of bovine herds of certain Member States or regions of Member States***(notified under document number C(2000) 4144)***(Text with EEA relevance)**

(2001/26/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 2000/20/EC ⁽²⁾, and in particular Annex AI(4) thereto,

Whereas:

- (1) Commission Decision 1999/467/EC of 15 July 1999 establishing the officially tuberculosis-free status of bovine herds of certain Member States or regions of Member States and repealing Decision 97/76/EC ⁽³⁾, as last amended by Decision 2000/694/EC ⁽⁴⁾, granted this status to certain Member States and regions thereof.
- (2) The competent authorities of France submitted to the Commission documentation demonstrating compliance with all of the conditions provided for in Annex A(I)(4) to Directive 64/432/EEC, and in particular that, calculated at 31 December of each year, more than 99,9 % of the bovine herds in France have been officially free from bovine tuberculosis for the past six consecutive years and that recording in a database established in December 1999 allows tracing of bovine animals which are identified in accordance with Community legislation.

- (3) It appears therefore appropriate to declare France officially tuberculosis-free in accordance with the provisions of the above Directive.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 1999/467/EC is replaced by the Annex to the present Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 December 2000.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 121, 29.7.1964, p. 1977/64.⁽²⁾ OJ L 163, 4.7.2000, p. 35.⁽³⁾ OJ L 181, 16.7.1999, p. 36.⁽⁴⁾ OJ L 286, 11.11.2000, p. 41.

ANNEX

'ANNEX I

Member States declared officially free of bovine tuberculosis:

Denmark

Germany

France

Luxembourg

Netherlands

Austria

Finland

Sweden'

COMMISSION DECISION
of 27 December 2000
amending Decision 92/160/EEC with regard to imports of equidae from Brazil

(notified under document number C(2000) 4145)

(Text with EEA relevance)

(2001/27/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 13(2) thereof,

Whereas:

- (1) In accordance with Community legislation Member States are authorised to import equidae from third countries or in the case of official regionalisation from parts of the territory of a third country which have been free from glanders for the past six months prior to export.
- (2) Commission Decision 92/160/EEC⁽²⁾, as last amended by Decision 2000/508/EC⁽³⁾, establishes the regionalisation of certain third countries for imports of equidae.
- (3) Decision 92/160/EEC was amended with regard to imports into the Community of equidae from Brazil by Decision 2000/163/EC⁽⁴⁾ and 2000/508/EC due to reports of glanders in local equidae in the States Pernambuco and Alagoas and Sergipe and Ceará respectively.
- (4) Brazil reported new clinical cases of glanders in indigenous working horses in certain districts of the States Maranhão and Piauí in the north-east of the country. In 11 States mainly in the north-east of the country a

serological survey is being carried out to assess the disease situation.

- (5) It is therefore appropriate to adapt the regionalisation to the disease situation in the country concerned, taking into account the survey currently being carried out.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The words 'Maranhão', 'Piauí', 'Rio Grande do Norte', 'Paraíba', 'Bahia' and 'Tocantins' are deleted from the list of States of Brazil in the Annex to Decision 92/160/EEC.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 December 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 42.

⁽²⁾ OJ L 71, 18.3.1992, p. 27.

⁽³⁾ OJ L 204, 11.8.2000, p. 44.

⁽⁴⁾ OJ L 51, 24.2.2000, p. 46.

COMMISSION DECISION
of 27 December 2000
amending Decision 1999/465/EC establishing the officially enzootic-bovine-leukosis-free status of
bovine herds of certain Member States or regions of Member States

(notified under document number C(2000) 4146)

(Text with EEA relevance)

(2001/28/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 2000/20/EC ⁽²⁾, and in particular Annex DI(E) thereof,

Whereas:

- (1) Commission Decision 1999/465/EC of 13 July 1999 establishing the officially enzootic-bovine-leukosis-free status of bovine herds of certain Member States or regions of Member States ⁽³⁾ granted this status to certain Member States and regions thereof.
- (2) The competent authorities of Sweden submitted to the Commission documentation demonstrating compliance with all of the conditions provided for in Annex DI(E) of Directive 64/432/EEC.
- (3) It appears therefore appropriate to consider Sweden officially enzootic-bovine-leukosis-free in accordance with

the provisions of the above Directive, and to amend Decision 1999/465/EC accordingly.

- (4) 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 1999/465/EC is amended by adding the word 'Sweden' to the list of Member States in Annex I.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 December 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 121, 29.7.1964, p. 1977/64.

⁽²⁾ OJ L 163, 4.7.2000, p. 35.

⁽³⁾ OJ L 181, 16.7.1999, p. 32.

COMMISSION DECISION
of 27 December 2000
concerning a specific financial contribution by the Community relating to the surveillance
programme of campylobacter in broilers presented by Sweden

(notified under document number C(2000) 4154)

(Only the Swedish text is authentic)

(2001/29/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽²⁾ and, in particular, Article 19 and Article 20 thereof,

Whereas:

- (1) The protection of human health against diseases and infections directly or indirectly transmissible from animals to man (zoonoses) is of paramount importance.
- (2) The Community is currently in the process of reviewing its policy on the control and prevention of zoonoses.
- (3) In this framework, the Scientific Committee on Veterinary Measures relating to Public Health was requested to express an opinion on the basis of zoonosis control policies, where special attention should be paid to the assessment of risks related to zoonotic diseases causing major concern to public health.
- (4) In its conclusions of the opinion of 12 April 2000, the Scientific Committee on Veterinary Measures relating to Public Health identified salmonella and campylobacter as the most important food-borne zoonosis currently, if referring to the number of reported human cases.
- (5) It is recognised that a number of gaps exist in the knowledge of the epidemiology of campylobacter as a food-borne zoonosis and the opinion indicated in particular that the efficiency of establishment of strict hygiene barriers at poultry farm level should be documented and the efficiency of procedures to lower the prevalence of campylobacter at farm level needs further scrutiny.
- (6) A surveillance programme for broilers operated by the Swedish poultrymeat industry association started in 1991. The surveillance programme, which included sampling of slaughter groups at the abattoir and voluntary measures in farms, showed some success in reducing the prevalence of campylobacter in the slaughter groups of broilers.

- (7) The Swedish authorities presented on 31 May 2000 a national surveillance programme of campylobacter in broilers, and a revised programme on 13 October 2000, to estimate the baseline prevalence both in primary production and in the food chain and to progressively reinforce implementation of hygienic measures in farms with a view to lower the prevalence at farm level and subsequently along the food chain.
- (8) The programme can provide technical and scientific information potentially valuable for the development of Community veterinary legislation.
- (9) In the light of the importance of campylobacter as a zoonosis, it is appropriate to provide financial assistance to cover certain costs incurred by Sweden.
- (10) The financial assistance provided shall be up to a maximum of EUR 120 000 for the period to 31 December 2001.
- (11) Pursuant to Article 3, paragraph 2, of Regulation (EC) No 1258/1999, veterinary and plant health measures undertaken in accordance with Community rules shall be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. For financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (12) A financial contribution from the Community shall be granted in so far as the actions provided for are effectively carried out and provided that the authorities furnish all the necessary information within the time limits provided for.
- (13) 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. The surveillance programme for campylobacter in broilers presented by Sweden is hereby approved for a period of six months starting from 1 July 2001.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 160, 26.6.1999, p. 103.

2. The financial assistance from the Community for the programme referred to in paragraph 1 shall be 50 % of the costs (VAT excluded) incurred by Sweden for laboratory testing, up to SEK 161 per test and up to a maximum of EUR 120 000.

Article 2

The financial assistance referred to under Article 1(2) shall be granted to Sweden subject to:

- (a) bringing into force by 1 July 2001 the laws, regulations and administrative provisions for implementing the programme;
- (b) forwarding a report to the Commission every three months on the progress of the programme and the costs incurred. The report shall conform to the model as set out in the Annex;

- (c) forwarding a final report by 31 March 2002 at the latest on the technical execution of the programme accompanied by justifying evidence as to the costs incurred and the results attained during the period 1 July to 31 December 2001;
 - (d) implementing the programme effectively;
- and provided that Community veterinary legislation has been respected.

Article 3

This Decision is addressed to the Kingdom of Sweden.

It shall apply from 1 January 2001.

Done at Brussels, 27 December 2000.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Technical and financial information related to implementation of a surveillance programme for campylobacter in broilers, Sweden**Section A. Technical report on control**

Reporting period from to

1. Examination carried out at diagnostic laboratories

	Number of slaughter-groups sampled	Number of swab samples	Number of neck skin samples	Total number of samples
Bacteriology for campylobacter				

2. Follow-up of sampling

Number of follow-up communications to producers

Number of follow-up farm visits

3. Description of epidemiological situation (results and analysis of results from sampling, visits to farms)

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4. Name and address of reporting authority

.....

.....

Section B. Statement on costs incurred for control ⁽¹⁾

Reporting period from to

Reference number of Commission Decision providing financial assistance

.....

Costs incurred related to functions at/by:	Costs incurred during the reporting period (national currency)
Bacteriology for campylobacter	

⁽¹⁾ When presenting the final report referred to in Article 2(c), for each item a listing of all expenditures shall be provided together with a copy of supporting documents.