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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1824/2002**of 8 October 2002****amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Council opened, by virtue of Regulation (EC) No 2505/96 ⁽¹⁾, Community tariff quotas for certain agricultural and industrial products. Community demand for the products in question should be met under the most favourable conditions. Community tariff quotas should therefore be opened at zero rates of duty for appropriate volumes from 1 July 2002, while avoiding any disturbance to the markets for these products.

- (2) Regulation (EC) No 2505/96 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The tariff quotas listed in the Annex to this Regulation shall be added to Annex I to Regulation (EC) No 2505/96.

Article 2

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

It shall take effect on 1 July 2002.

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

Done at Luxembourg, 8 October 2002.

For the Council
The President
T. PEDERSEN

⁽¹⁾ OJ L 345, 31.12.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 1578/2002 (OJ L 236, 4.9.2002, p. 3).

ANNEX

Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2610	ex 2925 20 00	20	(Chloromethylene) dimethyl-ammonium chloride	25 tonnes	0	1.7. to 31.12.2002
09.2976	ex 8407 90 10	10	Four-stroke petrol engines of a cylinder capacity not exceeding 250 cc, for use in the manufacture of lawnmowers of subheading 8433 11 ⁽⁴⁾	650 000 units	0	1.7.2002 to 30.6.2003

⁽⁴⁾ Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

COMMISSION REGULATION (EC) No 1825/2002
of 14 October 2002
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 15 October 2002.

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

Done at Brussels, 14 October 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 14 October 2002 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	50,3
	096	36,4
	999	43,3
0707 00 05	052	103,8
	999	103,8
0709 90 70	052	89,5
	999	89,5
0805 50 10	052	63,1
	388	61,4
	524	61,6
	528	47,9
	999	58,5
0806 10 10	052	106,8
	064	135,5
	400	213,7
	999	152,0
0808 10 20, 0808 10 50, 0808 10 90	096	38,5
	388	85,1
	400	58,6
	512	88,6
	800	192,2
	804	91,5
0808 20 50	999	92,4
	052	86,1
	720	40,1
	999	63,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 1826/2002
of 14 October 2002**

**fixing the minimum selling prices for beef put up for sale under the second invitation to tender
referred to in Regulation (EC) No 1654/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽²⁾, and in particular Article 28(2) thereof,

Whereas:

- (1) Tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 1654/2002 ⁽³⁾.
- (2) Pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices for beef for the second invitation to tender held in accordance with Regulation (EC) No 1654/2002 for which the time limit for the submission of tenders was 7 October 2002 are as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 October 2002.

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

Done at Brussels, 14 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 250, 18.9.2002, p. 3.

⁽⁴⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁵⁾ OJ L 248, 14.10.1995, p. 39.

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

Estado miembro	Productos	Precio mínimo Expresado en euros por tonelada
Medlemsstat	Produkter	Mindstepriser i EUR/t
Mitgliedstaat	Erzeugnisse	Mindestpreise Ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα	Ελάχιστες πωλήσεις εκφραζόμενες σε ευρώ ανά τόνο
Member State	Products	Minimum prices Expressed in EUR per tonne
État membre	Produits	Prix minimaux exprimés en euros par tonne
Stato membro	Prodotti	Prezzi minimi Espressi in euro per tonnellata
Lidstaat	Producten	Minimumprijzen Uitgedrukt in euro per ton
Estado-Membro	Produtos	Preço mínimo Expresso em euros por tonelada
Jäsenvaltio	Tuotteet	Vähimmäishinnat euroina tonnia kohden ilmaistuna
Medlemsstat	Produkter	Minimipriser i euro per ton

**Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande
avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

ITALIA	— Quarti posteriori	1 350
DEUTSCHLAND	— Hinterviertel	1 350
ESPAÑA	— Cuartos traseros	1 350
ÖSTERREICH	— Hinterviertel	1 401
FRANCE	— Quartiers arrières	—
DANMARK	— Bagfjerdingen	—

COMMISSION REGULATION (EC) No 1827/2002**of 14 October 2002****fixing the minimum selling prices for beef put up for sale under the invitation to tender referred to in Regulation (EC) No 1761/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽²⁾, and in particular Article 28(2) thereof,

Whereas:

- (1) Tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 1761/2002 ⁽³⁾.
- (2) Pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices for beef for the invitation to tender held in accordance with Regulation (EC) No 1761/2002 for which the time limit for the submission of tenders was 8 October 2002 are as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 October 2002.

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

Done at Brussels, 14 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 250, 18.9.2002, p. 6.

⁽⁴⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁵⁾ OJ L 248, 14.10.1995, p. 39.

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

Estado miembro	Productos	Precio mínimo Expresado en euros por tonelada
Medlemsstat	Produkter	Mindstepriser i EUR/t
Mitgliedstaat	Erzeugnisse	Mindestpreise Ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα	Ελάχιστες πωλήσεις εκφραζόμενες σε ευρώ ανά τόνο
Member State	Products	Minimum prices Expressed in EUR per tonne
État membre	Produits	Prix minimaux exprimés en euros par tonne
Stato membro	Prodotti	Prezzi minimi Espressi in euro per tonnellata
Lidstaat	Producten	Minimumprijzen Uitgedrukt in euro per ton
Estado-Membro	Produtos	Preço mínimo Expresso em euros por tonelada
Jäsenvaltio	Tuotteet	Vähimmäishinnat euroina tonnia kohden ilmaistuna
Medlemsstat	Produkter	Minimipriser i euro per ton

**Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande
avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

DEUTSCHLAND	— Vorderviertel	—
DANMARK	— Forfjerding	—
ITALIA	— Quarti anteriori	650
FRANCE	— Quartiers avant	—
ÖSTERREICH	— Vorderviertel	—
NEDERLAND	— Voorvoeten	—
ESPAÑA	— Cuartos delanteros	—

COMMISSION REGULATION (EC) No 1828/2002
of 14 October 2002
prohibiting fishing for cod by vessels flying the flag of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, lays down quotas for cod for 2002.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of cod in the waters of ICES division I, II (Norwegian waters) by vessels flying the flag of Portugal

or registered in Portugal have exhausted the quota allocated for 2002. Portugal has prohibited fishing for this stock from 2 September 2002. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division I and II (Norwegian waters) by vessels flying the flag of Portugal or registered in Portugal are hereby deemed to have exhausted the quota allocated to Portugal for 2002.

Fishing for cod in the waters of ICES division I and II (Norwegian waters) by vessels flying the flag of Portugal or registered in Portugal is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 2 September 2002.

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

Done at Brussels, 14 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 347, 31.12.2001, p. 1.

COMMISSION REGULATION (EC) No 1829/2002
of 14 October 2002
amending the Annex to Regulation (EC) No 1107/96 with regard to the name 'Feta'
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and food-stuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 2796/2000 ⁽²⁾, and in particular Article 17 thereof,

Whereas:

- (1) Under Article 17(1) of Regulation (EEC) No 2081/92, on 21 January 1994 the Greek authorities sent the Commission an application for the registration of the name 'Feta' for a cheese.
- (2) The name 'Feta' was registered as a protected designation of origin under Commission Regulation (EC) No 1107/96 of 12 June 1996 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 ⁽³⁾, as last amended by Commission Regulation (EC) No 546/2002 ⁽⁴⁾.
- (3) The Kingdom of Denmark, the Federal Republic of Germany and the French Republic subsequently brought an action for that registration to be annulled under Article 230 of the Treaty.
- (4) In its judgment of 16 March 1999 on Joined Cases C-289/96, C-293/96 and C-299/96, the Court of Justice partly annulled Regulation (EC) No 1107/96 in so far as it registered the name 'Feta' as a protected designation of origin. The Court considered that the Commission 'did not take due account of all the factors which the third indent of Article 3(1) of the basic Regulation required it to take into consideration', emphasising in particular that the Commission had paid insufficient attention to the actual situation in the Member States.
- (5) Commission Regulation (EC) No 1070/1999 amending the Annex to Regulation (EC) No 1107/96 ⁽⁵⁾ accordingly deleted the name 'Feta' from the said Annex and from the register of protected designations of origin and geographical indications.
- (6) Next, on 15 October 1999, the Commission sent each of the Member States a detailed questionnaire intended to provide an exhaustive updated picture of the situation in all the Member States with regard to the production and consumption of 'Feta' and the knowledge of the term professed by Community consumers.
- (7) With regard to the production of 'Feta' cheese, the Member States were asked to describe the situation as regards the following factors: the existence of national rules or specific codified practices, the conditions in which production was commenced (in particular the objectives sought, whether the initiative was private or public, the markets and the consumer profile targeted), the quantities produced each year, the final destination of the product, and the exact names of the relevant trademarks used.
- (8) With regard to the consumption of 'Feta' cheese, the Member States were asked to describe the situation as regards the following factors: the existence of rules on the marketing of this cheese, the quantities consumed each year, the geographic origin of the cheese consumed, and the specific labels present on the market.
- (9) With regard to consumer knowledge of the name 'Feta', the Member States were asked to describe the situation as regards the following factors: definitions of this term, in particular in general works such as dictionaries and encyclopaedias, relevant demographic studies or surveys, and any other additional information.
- (10) The Commission summarised the information received overall and by Member State, and the Member States subsequently made a number of corrections and amendments.
- (11) The information shows that in 12 Member States the production of 'Feta' cheese is not governed by specific rules laying down precise definitions of quality, production methods or, where applicable, geographical areas of production. In Greece, production practices for 'Feta' cheese have been codified in increasingly specific terms since 1935, and the definition of the geographical area of production, traditionally based on consistent and equitable practices, was protected in 1988. Legislation on the quality specifications to be complied with in producing 'Feta' cheese has existed in Denmark since 1963 and was in force in the Netherlands between 1981 and 1998. It should also be noted that the term 'Feta' appears in Community rules on export refunds for milk and milk products and the combined customs nomenclature. These rules relate to customs matters alone and seek neither to interpret consumer opinion nor regulate industrial property rights, nor do they have any bearing on the name under which the cheese concerned is actually marketed, which depends exclusively on considerations related to consumer expectations in the various countries of destination concerned.

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 324, 21.12.2000, p. 26.

⁽³⁾ OJ L 148, 21.6.1996, p. 1.

⁽⁴⁾ OJ L 86, 3.4.2002, p. 7.

⁽⁵⁾ OJ L 130, 26.5.1999, p. 18.

- (12) Production of 'Feta' cheese, as defined in the combined customs nomenclature, is non-existent in Luxembourg and Portugal. It is, or has been, statistically and economically marginal or sporadic in nine other Member States: Italy, Belgium, Finland, Austria, Ireland, Sweden, the United Kingdom, the Netherlands and Spain.
- (13) However, production of 'Feta' cheese has been found to be substantial in four Member States. Greece has been producing 'Feta' cheese since ancient times, almost exclusively for the Greek market. Official statistics going back to 1931 indicate an output of 25 000 tonnes, and production has now reached around 115 000 tonnes a year. In Greece, cheese bearing the designation 'Feta' is made exclusively from ewe's milk or from a mixture of ewe's and goat's milk.
- (14) Denmark has been producing 'Feta' cheese since the 1930s, almost exclusively for export. No data are available before 1967, when 133 tonnes was produced. Output exceeded 1 000 tonnes in 1971 and, when the Community began granting export refunds on exports of 'Feta' cheese in 1975, output increased tremendously, from 9 868 tonnes in 1975 to a peak of 110 932 tonnes in 1989. Since 1995, output has fallen steadily, and amounted to only 27 640 tonnes in 1998, largely due to a fall in demand from third countries and the gradual reduction in export refunds for this type of cheese. Danish production is almost exclusively made from cow's milk.
- (15) France began producing 'Feta' cheese in 1931. No data are available before 1980, when 875 tonnes was produced. From 1988 to 1998 output varied between 7 960 tonnes and 19 964 tonnes. Originally manufactured to meet demand from France's Armenian and Greek communities, 'Feta' cheese is now produced for export, with 77,5 % of output on average going to the other Member States and the rest of the world. The French production is based on the utilisation, principally, of ewe's milk, and to a lesser extent, cow's milk.
- (16) Germany has been producing 'Feta' cheese since 1972 (when production of 78 tonnes was recorded). In 1977 production exceeded the 5 000 tonnes mark, just topped 15 000 tonnes in 1980 and reached 24 000 tonnes in 1985, since when it has oscillated between 19 757 and 39 201 tonnes. Originally, the only market was the Balkan immigrant communities within Germany, but exports gradually developed to Middle Eastern countries and the Balkans (mainly owing to export refunds) and to other Member States. German production almost exclusively uses cow's milk.
- (17) It should be pointed out that the above figures, which are based on data provided by the Member States on their own output, should be treated as purely indicative since the absence of a specific legislative framework in almost all the Member States, along with the very general definition of the term 'Feta' in the combined customs nomenclature, sometimes leads to rather approximate estimates, and cross-comparisons of responses produce statistically divergent data. Indeed, many Member States find it difficult to distinguish between domestic output and re-exports, which may unduly inflate the figures.
- (18) As regards Member States' legislation on the consumption of 'Feta' cheese, as a general rule only the Community and national provisions relating to cheeses in general apply to marketing, presentation and labelling. Only Greece and Denmark have specific detailed legislation on these aspects, while Austria confines the name 'Feta' to Greek products, by virtue of its 1971 bilateral agreement with Greece.
- (19) As regards the volume of consumption of 'Feta' in the Community, analysis of the replies given by the Member States shows that a broad estimate calculated by adding the quantities of 'Feta' cheese produced and imported, and subtracting the quantities exported, has proved inadequate in some cases and has even produced anomalous results in others: since it is impossible to take account of existing stocks, quantities re-exported and other factors, the calculation has resulted in theoretically negative consumption in some Member States. Furthermore, 'Feta' cheese as defined in the combined customs nomenclature is not systematically marketed under that name, either because of legal restrictions reserving the use of the term to products that meet certain more specific requirements, or for commercial reasons which tend to prefer distinct names which are recognised by the consumers for whom the cheese is intended. Despite the relative uncertainty caused by this state of affairs, the replies sent by the Member States suggest that when Greece joined the European Community it accounted for some 92 % of Community consumption of 'Feta'. While consumption has gradually increased in the other Member States since then, Greece still accounts for about 73 % of Community consumption of 'Feta'. A breakdown of consumption in each Member State shows that annual consumption of 'Feta' cheese per person in Spain, Luxembourg, Portugal, Italy and the Netherlands is no more than 0,010 kg, or 0,08 % of Community consumption. In Ireland, the United Kingdom, Austria, France, Sweden, Belgium and Finland, annual consumption of 'Feta' cheese per person varies between 0,040 kg and 0,150 kg, or between 0,32 % and 1,22 % of Community consumption. It is 0,290 kg (2,36 %) in Germany and 0,700 kg (5,0 %) in Denmark, as compared to 10,500 kg (85,64 %) in Greece.

- (20) According to the information sent by the Member States, those cheeses actually bearing the name 'Feta' on Community territory generally make explicit or implicit reference to Greek territory, culture or tradition, even when produced in Member States other than Greece, by adding text or drawings with a marked Greek connotation. The link between the name 'Feta' and Greece is thus deliberately suggested and sought as part of a sales strategy that capitalises on the reputation of the original product, and this creates a real risk of consumer confusion. Labels for 'Feta' cheese not originating in Greece but actually marketed in the Community under that name without making any direct or indirect allusion to Greece are in the minority and the quantities of cheese actually marketed in this way account for a very small proportion of the Community market.
- (21) General reference works such as dictionaries and encyclopaedias, and specialised publications sent in by the Member States, show that the term 'Feta' does not appear in Italian- and Portuguese-language works, while all Greek-, Spanish- and Dutch-language publications refer exclusively to a Greek cheese made from ewe's and goat's milk. Swedish works refer to a cheese of Greek origin made from ewe's and goat's milk, which is now also produced in other Member States from cow's milk, Denmark and Sweden being mentioned in particular. In Danish-language works, reference is made predominantly to a Greek cheese made from ewe's and goat's milk, but also to a cheese made in Denmark and the Balkans, and even without any specific geographical reference. Finnish works refer solely to a Greek cheese or cheese of Greek origin made from ewe's milk or from ewe's milk and goat's milk, with the exception of one work which states no geographical origin. German works refer to a cheese produced in Greece and most of the countries of south-east Europe, and in overseas countries. Fourteen out of the 17 French-language works forwarded refer to a Greek cheese made from ewe's milk and/or goat's milk, while one work refers to a cheese produced in Greece and in the Balkans, one to a cheese of Greek origin widely imitated in Europe, and one to a Greek cheese made from ewe's milk and goat's milk, the production of which has spread to other countries in the same region, and more recently to the rest of Europe and to North America, using cow's milk. Of the English-language works, four refer to a cheese made with ewe's milk, especially in Greece, four others refer to a Greek cheese made from ewe's milk or goat's milk, one refers to a cheese originating in Greece and the Middle East, traditionally made from ewe's milk or goat's milk, but now sometimes also made with cow's milk, two works refer to 'Feta' as a cheese originating in Greece, made from ewe's or goat's milk, now produced in other countries, though still most often as an ingredient in Greek dishes, one work refers to production of 'Feta' in New Zealand, Bulgaria, Yugoslavia, Cyprus, Denmark and Greece, the country of origin, one work refers to a cheese made in Greece and in the Balkans, another refers to a Greek cheese made from ewe's or goat's milk, but made from cow's milk in the United States, and four works suggest that a cheese made by the ancient Greeks was the direct forerunner of the 'Feta' cheese made in Greece today. In all languages, the way the definition of 'Feta' cheese has evolved over time has not diminished the association and identification with Greece.
- (22) All the information forwarded by the Member States was also forwarded to the Scientific Committee, hereinafter referred to as 'the Committee', which issued a unanimous opinion on the matter on 24 April 2001.
- (23) The Committee began by stating that '[...] a designation of origin or geographical indication can be considered as having become the common name of a product only when there is in the relevant territory no significant part of the public concerned that still considers the indication as a geographical indication [...]; as regards the territory where the transformation must have occurred, the situation in the European Community as a whole must be considered, given the Community-wide scope of the Regulation and the consideration of the European Community as comprising a single market. Therefore, it is not possible to consider exclusively or primarily the situation in individual Member States in isolation. Article 3 of the Regulation provides for consideration of the Member State of origin, the Member States of consumption and the other Member States, including pertinent Community and national legislation. [...] As regards the public concerned, the assessment will depend on the kind of product and the public to which that product is addressed. In the present case, the product being a cheese for consumption primarily by the final consumer (but also by commercial purchasers, such as restaurants, food factories, etc.), the general public is relevant. Therefore, it is with regard to the general public that the designation or indication in question must have lost its original geographical meaning. In determining what the general public perception is, both "direct" measurements are relevant, such as opinion polls and other surveys, and "indirect" measurements, such as the level of production and consumption, the kind and nature of labelling employed, the kind and nature of advertising employed with regard to such products, use in dictionaries, etc.'
- (24) Turning to the production of 'Feta' cheese, the Committee noted that production in Greece represents 60 % of total Community production of this cheese, and 90 % of Community production from ewe's and goat's milk; 'Feta' cheese produced from cow's milk represents 34 % of total Community production, and is largely destined for third countries.

- (25) As regards consumption, the Committee stressed that 73 % of consumption of 'Feta' cheese actually takes place in Greece, where annual consumption is 10,5 kg per person, as against 1,76 kg in the rest of the EU. Although the Committee conceded that 'Feta' consumption is certainly much higher than this in Denmark and Germany, it is still 15 times and 36 times lower than in Greece, respectively. According to the Committee, 'Feta' consumption as a proportion of total per capita consumption of cheese is also significant: in Greece in particular 10,5 kg of 'Feta' is consumed per person per year out of an annual consumption of 14 kg of cheese; in Denmark that ratio is 0,7 kg of 'Feta' to 15 kg of cheese; in France, 0,13 kg of 'Feta' to 20 kg of cheese; in Germany, 0,29 kg of 'Feta' to 19 kg of cheese.
- (26) The Committee noted incidentally that 'a significant proportion of production outside Greece is exported to non-member countries and has no influence on the situation of the designation "Feta" in the single market' and that 'the absence of production and consumption in a number of Member States does not affect the generic or non-generic nature of the designation'.
- (27) Turning to the analysis of the relevant national and Community legislation, the Committee observed that 12 Member States do not have specific legislation and the general Community and national rules on cheeses apply to 'Feta'. It noted that Greece has had rules on 'Feta' since 1935 and Denmark since 1963, and that Austria reserves the designation 'Feta' for the Greek product under a bilateral agreement of 1971.
- (28) As regards the methods for marketing 'Feta' cheese in the Community, the Committee noted that the consumer is offered 'two products, with differing compositions and organoleptic characteristics, under the same designation'. The Committee pointed out that labels for 'Feta' cheese not originating in Greece make direct or indirect references to Greece, implying that the term 'Feta' is not used as a 'common name, without any geographical significance, synonymous with white cheese (of ewe's or cow's milk) in brine [...]'; according to the Committee, 'Feta' is 'generally present(ed) as being of Greek origin [...]'.
- (29) The Committee 'concludes unanimously that the designation "Feta" is non-generic, in particular for the following reasons.
- (30) Production and consumption of "Feta" are heavily concentrated in Greece. The products produced in other Member States (Germany, Denmark and France), possibly bearing the name "Feta", are primarily produced from cow's milk, using different technology, and are exported in large quantities to non-member countries. It cannot therefore be concluded that the designation "Feta" is generic, since the original Greek product is dominant on the Community market. It should also be noted that in those Member States that are not significant producers and consumers, the designation "Feta" could not be said to have become generic since the word is not used as a common name. In consumers' perception the name "Feta" always evokes a Greek origin and therefore is not something which has become a common name and hence generic in the Community.
- (31) With regard to the relevant national and Community legislation, the Scientific Committee notes that in the majority of Member States there is no specific legislation or rules for the product concerned. Only Greece and Denmark have specific legislation. The Danish legislation permitting the production of a product called "Danish Feta" differs significantly from the Greek legislation with regard to technical matters (use of ultrafiltered cow's rather than ewe's and goat's milk and the use of additives until 1994). In addition, Denmark has provided no proof that the designation "Feta" had become a common name that could be used with the name of the producing country ("Danish Feta") at the time when that Member State permitted its use (1963). Similarly, no proof of its generic nature has been provided for the subsequent period.
- (32) The fact that the designation "Feta" is used in the common customs nomenclature or in Community legislation on export refunds has no influence on the perception, knowledge and protection in the single market of the designation concerned, since that legislation is not relevant in this context.'
- (33) The Commission has taken note of the advisory opinion of the Scientific Committee. It takes the view that the exhaustive overall analysis of the legal, historical, cultural, political, social, economic, scientific and technical information notified by the Member States or resulting from investigations undertaken or sponsored by the Commission leads to the conclusion that in particular none of the criteria required under Article 3 of Regulation (EEC) No 2081/92 to show that a name is generic have been met, and that consequently the name 'Feta' has not become 'the name of an agricultural product or a foodstuff which, although it relates to the place or the region where this product or foodstuff was originally produced or marketed, has become the common name of an agricultural product or a foodstuff.
- (34) Since the term 'Feta' has not been established as generic, the Commission has verified, in accordance with Article 17(2) of Regulation (EEC) No 2081/92, that the application by the Greek authorities for the name 'Feta' to be registered as a protected designation of origin complies with Articles 2 and 4 thereof.

- (35) The name 'Feta' is a traditional non-geographical name within the meaning of Article 2(3) of Regulation (EEC) No 2081/92. The terms 'region' and 'place' mentioned in that provision may be interpreted only from a geomorphological and non-administrative viewpoint, in so far as the natural and human factors inherent in a given product are likely to transcend administrative borders. Under the above Article 2(3), however, the geographical area inherent in a designation may not cover an entire country. In the case of the name 'Feta', it has therefore been noted that the defined geographical area referred to in the second indent of Article 2(2)(a) of Regulation (EEC) No 2081/92 covers only the territory of mainland Greece and the department of Lesbos; all other islands and archipelagos are excluded because the necessary natural and/or human factors do not apply there. Moreover, the administrative definition of the geographical area has been refined and developed, since the product specification submitted by the Greek authorities contains mandatory cumulative requirements: in particular, the area of origin of the raw material has been substantially limited since the milk used to produce 'Feta' cheese must come from ewes and goats of local breeds reared traditionally, whose feed must be based on the flora present in the pastures of eligible regions.
- (36) The geographical area covered by the administrative definition and meeting the requirements of the product specification is sufficiently uniform to meet the requirements of Articles 2(2)(a) and 4(2)(f) of Regulation (EEC) No 2081/92. Extensive grazing and transhumance, central to the method of keeping the ewes and goats used to provide the raw material for making 'Feta' cheese, are the result of an ancestral tradition allowing adaptation to climate changes and their impact on the available vegetation. This has led to the development of small native breeds of sheep and goats which are extremely tough and resistant, fitted for survival in an environment that offers little food in quantitative terms but, in terms of quality, is endowed with an extremely diversified flora, thus giving the finished product its own specific aroma and flavour. The interplay between the above natural factors and the specific human factors, in particular the traditional production method, which requires straining without pressure, has thus given 'Feta' cheese its remarkable international reputation.
- (37) Since the product specification submitted by the Greek authorities includes all the information required under Article 4 of Regulation (EEC) No 2081/92, and the formal analysis of that specification has not revealed any obvious error of assessment, the name 'Feta' should be registered as a protected designation of origin.
- (38) Regulation (EC) No 1107/96 should therefore be amended accordingly.
- (39) The Committee, provided for in Article 15 of Regulation (EEC) No 2081/92, has not delivered an opinion within the time limit set by its Chairman. According to the fourth paragraph of Article 15 of Regulation (EEC) No 2081/92, the Commission has transmitted the proposal to the Council. Since the Council has not acted within the three-month time limit provided for in the fifth paragraph of Article 15 of the same Regulation (EEC) No 2081/92, the proposed measures are to be adopted by the Commission,
- HAS ADOPTED THIS REGULATION:
- Article 1*
1. The name 'Φέτα' (Feta) shall be included in the register of protected designations of origin and geographical indications provided for in Article 6(3) of Regulation (EEC) No 2081/92 as a protected designation of origin (PDO).
 2. The name 'Φέτα' shall be added to part A of the Annex to Regulation (EC) No 1107/96 under the heading 'Cheeses', 'Greece'.
- 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, 14 October 2002.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1830/2002

of 14 October 2002

amending Regulation (EC) No 2342/1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽¹⁾, and in particular Article 9 thereof,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽²⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽³⁾, and in particular Articles 4(8), 6(7), 11(5), 13(5) and 20 thereof,

Whereas:

- (1) For the suckler cow premium, Article 29a of Commission Regulation (EC) No 2342/1999 of 28 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes ⁽⁴⁾, as last amended by Regulation (EC) No 169/2002 ⁽⁵⁾, lays down a rule for the rounding off of the number of animals for the purposes of calculating the minimum and maximum number of heifers expressed as a percentage. Article 17(3) of that Regulation also lays down the number of heifers that may benefit from that premium where a premium application covers two to five animals after adjustment to the individual ceiling. The coexistence of the two rules raises problems in application and produces differences in the way premium applications are dealt with. In order to ensure the application of a single rounding-off rule while retaining the rule that is most favourable to producers, Article 17(3) of the Regulation should be deleted.
- (2) Article 41 of Regulation (EC) No 2342/1999 lays down certain rules relating to the payment of advances. Due to exceptionally unfavourable weather conditions, producers in some Member States have been unable to harvest enough fodder of sufficiently high quality to feed their livestock throughout the winter. In order to allow producers to meet the additional financial charges resulting from the need to buy additional fodder, an increase in the amount of the advance for the special premium, the suckler cow premium, the slaughter premium and the additional payments should be authorised.
- (3) The second paragraph of Article 42 of Regulation (EC) No 2342/1999 lays down special rules as regards the

allocation year for animals subject to the special premium scheme where that premium has been granted in accordance with one of the options provided for in Article 8 of that Regulation. Under the above Article 8, Member States which decide to grant the special premium at the time of slaughter are to provide that the premium is also to be granted when eligible animals are being dispatched to another Member State or being exported to a third country. The second paragraph of Article 42 contains no reference to these cases. Determining the allocation year does not raise any difficulties where animals are dispatched to another Member State as the aid application is submitted before the animal leaves the territory of the Member State concerned under the third subparagraph of Article 8(6) of that Regulation. However, where animals are exported to third countries, as the aid application may also be submitted after the animals leave Community customs territory, the scope of the second paragraph of Article 42 must be clarified.

- (4) Under Article 43 of Regulation (EC) No 2342/1999 the conversion into national currency of premium amounts and of the extensification payment is to be carried out in accordance with the average, calculated *pro rata temporis*, of the exchange rates applicable in the month of December preceding the allocation year determined in accordance with Article 42. It should be made clear that the exchange rate is fixed annually by the Commission, as in the case of the other common market organisations.
- (5) Taking into account the difficulties encountered, the provision of this Regulation relating to the advance on premiums and on the additional payments should enter into force immediately. Moreover, in order to give producers and the competent authorities in the Member States time to adapt to the new rule, provision should be made for the deferred application of the rule relating to the rounding-off of the number of heifers. As regards the annual fixing of the exchange rate, its application should be made to coincide with the start of the next calendar year. Finally, in order to take into account the situation of exports carried out during the current year, the provision relating to the allocation year should apply retroactively.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

⁽¹⁾ OJ L 349, 24.12.1998, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 21.

⁽³⁾ OJ L 315, 1.12.2001, p. 29.

⁽⁴⁾ OJ L 281, 4.11.1999, p. 30.

⁽⁵⁾ OJ L 30, 31.1.2002, p. 21.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2342/1999 is hereby amended as follows:

1. Article 17(3) is deleted;
2. the last subparagraph of Article 41(1) is replaced by:
'However, as regards the calendar years 2000, 2001 and 2002, the advance on the special premium, the suckler cow premium, the slaughter premium and the additional payments may be paid at a rate of up to 80 % of the amount of those premiums or of those payments;'
3. the second paragraph of Article 42 is replaced by the following:
'However, if the special premium is granted in accordance with one of the options provided for in Article 8:
 - where the animal was slaughtered or exported no later than 31 December, and

— where the premium application for that animal is submitted after that date,

the amount of the premium applicable shall be that in force on 31 December of the year in which slaughter or export took place.'

4. the following sentence is added to Article 43:

'the average exchange rate shall be fixed by the Commission during the preceding month.'

Article 2

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

It shall apply from the date of its entry into force.

However:

- points 1 and 4 of Article 1 shall apply from 1 January 2003,
- point 3 of Article 1 shall apply from 1 January 2002.

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

Done at Brussels, 14 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 1831/2002
of 14 October 2002**

fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5(2)(a) thereof,

Whereas:

Pursuant to Article 2(2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the

Gaza Strip ⁽³⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁴⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 15 October 2002.

It shall apply from 16 to 29 October 2002.

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

Done at Brussels, 14 October 2002.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 14 October 2002 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 16 to 29 October 2002

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	16,62	10,69	28,49	13,69
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	—	—	8,50	8,76
Morocco	10,24	9,48	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 2/2002 OF THE EU-LITHUANIA ASSOCIATION COUNCIL

of 24 July 2002

amending, through the setting-up of a Joint Consultative Committee, Decision No 1/98 adopting the rules of procedure of the Association Council

(2002/795/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an Association between the European Communities and their Member States, on the one part, and the Republic of Lithuania, on the other part ⁽¹⁾, and in particular Article 116 thereof,

Whereas:

- (1) Dialogue and cooperation between economic and social interest groups in the European Community and the Republic of Lithuania can make a major contribution to the development of their relations.
- (2) It seems appropriate that such cooperation be organised between the members of the Economic and Social Committee of the European Communities and the representatives of Lithuania's economic and social interest groups, by the setting up of a Joint Consultative Committee.
- (3) This means that the rules of procedure of the Association Council, adopted by its Decision No 1/98 ⁽²⁾, have to be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

The following Articles shall be added to the rules of procedure of the Association Council:

'Article 15

Joint Consultative Committee

A Joint Consultative Committee is hereby established with the task of helping the Association Council with a view to promoting dialogue and cooperation between the economic and social interest groups in the European Community and

the Republic of Lithuania. Such dialogue and cooperation shall encompass all economic and social aspects of relations between the European Community and the Republic of Lithuania, as they arise in the context of implementation of the Europe Agreement. The Joint Consultative Committee shall express its views on questions arising in these areas.

Article 16

The Joint Consultative Committee shall comprise six representatives of the Economic and Social Committee of the European Communities and six representatives of Lithuanian economic and social interest groups.

The Joint Consultative Committee shall carry out its tasks on the basis of consultation by the Association Council or, as regards the promotion of dialogue between the economic and social interest groups, on its own initiative.

Members shall be chosen to ensure that the Joint Consultative Committee is as faithful a reflection as possible of the various economic and social interest groups in both the European Community and the Republic of Lithuania.

The Joint Consultative Committee shall be co-chaired by a member of the Economic and Social Committee of the European Communities and a Lithuanian member.

The Joint Consultative Committee shall adopt its Rules of Procedure.

Article 17

The Economic and Social Committee of the European Communities, on the one hand, and the Lithuanian economic and social interest groups, on the other hand, shall each defray the expenses they incur by reason of their participation in the meetings of the Joint Consultative Committee and of its working groups with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

⁽¹⁾ OJ L 51, 20.2.1998, p. 3.

⁽²⁾ OJ L 73, 12.3.1998, p. 24.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents shall be borne by the Economic and Social Committee, with the exception of expenditure in connection with interpreting or translation into or from Lithuanian, which shall be borne by Lithuanian economic and social interest groups.

Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.'

Article 2

This Decision shall enter into force on the first day of the second month following the date of its adoption.

Done at Brussels, 24 July 2002.

For the Association Council

The President

P. S. MØLLER

COMMISSION

COMMISSION DECISION

of 14 October 2002

amending Decision 2002/607/EC concerning protection measures relating to avian influenza in Chile

(notified under document number C(2002) 3724)

(Text with EEA relevance)

(2002/796/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular Article 22(6) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽²⁾, as last amended by Directive 96/43/EC ⁽³⁾, and in particular Article 18(7) thereof,

Whereas:

(1) Due to outbreaks of highly pathogenic avian influenza in Region V of Chile and in order to harmonise the Member States' acceptance of 'floating consignments' on their way to Europe, Commission Decision 2002/607/EC concerning protection measures relating to avian influenza in Chile ⁽⁴⁾ was adopted on 23 July 2002.

(2) The importation of live poultry and hatching eggs thereof, live ratites and hatching eggs thereof and fresh meat of poultry, ratites, wild and farmed feathered game and poultrymeat products and meat preparations consisting of or containing meat of the aforementioned species was temporarily suspended until 1 January 2003.

(3) Since the first two outbreaks, which were confirmed on 2 July 2002, no further outbreaks have occurred.

(4) According to Article 22(1) of Council Directive 90/539/EEC ⁽⁵⁾ and Article 10(1) of Council Directive 91/494/EEC ⁽⁶⁾ the Community can only import live poultry and fresh poultrymeat from countries which are free from avian influenza and Newcastle disease.

(5) Following an outbreak of one of the abovementioned diseases a third country can regain its disease-free status six months later provided that stamping out with no emergency vaccination has been applied.

(6) However, if the veterinary authorities of the third country concerned can guarantee that the disease problems were confined to a circumscribed area, with borders which can be well controlled as regards movements of animals and animal products and that other additional measures like a serological screening have been performed, the country may be regionalised so that the restrictions on exportation can be limited to a defined area around the disease affected area.

(7) The Chilean veterinary services have carried out a nationwide serological survey in August 2002 to detect possible further spread of the disease, which has given favourable results.

(8) No further outbreaks have been detected since the first notification and the serological survey is very favourable, therefore it appears that the disease has been successfully eradicated.

(9) It is therefore appropriate to provide for a temporary regionalisation of Chile by authorising exports of poultry and poultry products from Chile to the European Union from those areas which had not been affected by the disease.

⁽¹⁾ OJ L 24, 31.1.1998, p. 9.

⁽²⁾ OJ L 268, 24.9.1991, p. 56.

⁽³⁾ OJ L 162, 1.7.1996, p. 1.

⁽⁴⁾ OJ L 195, 24.7.2002, p. 86.

⁽⁵⁾ OJ L 303, 31.10.1990, p. 6.

⁽⁶⁾ OJ L 268, 24.9.1991, p. 35.

- (10) Furthermore, the Chilean authorities guarantee that all poultry destined for slaughter for the European market originate from holdings outside the area under restrictions and have undergone serological testing for avian influenza on a random basis with negative results prior to slaughter.
- (11) Decision 2002/607/EC must therefore be amended accordingly.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

1. In Article 1 of Decision 2002/607/EC, after the words 'from the territory of Chile', the following words shall be inserted: 'as described in the Annex'. The text of Article 1 shall become paragraph 1 of Article 1.

2. The following text shall be added as paragraph 2 of Article 1:

'In the veterinary certificates accompanying consignments originating and/or coming from areas outside the area as described in the Annex the following words as appropriate to the species shall be included:

"Live poultry/hatching eggs of poultry/live ratites/hatching eggs of ratites/fresh poultry meat/fresh ratite meat/fresh meat of

wild game birds/fresh meat of farmed game birds/poultrymeat product/poultrymeat preparation (*) in accordance with Decision 2002/607/EC"

(*) Delete as appropriate.'

3. The Annex to this Decision shall be added as an Annex to Decision 2002/607/EC.

Article 2

The Member States shall amend the measures they apply to imports so as to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

Article 3

This Decision shall apply from 18 October 2002.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX

In Region V the area as described in the Chilean Resolution No 341 of 21 June 2002 as amended by Resolution No 448 of 16 August 2002.

COMMISSION DECISION
of 14 October 2002
amending Decision 97/467/EC as regards Greenland for farmed game meat

(notified under document number C(2002) 3751)

(Text with EEA relevance)

(2002/797/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs⁽¹⁾, as last amended by Decision 2001/4/EC⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Provisional lists of establishments producing rabbit meat and farmed game meat have been drawn up by Commission Decision 97/467/EC of 7 July 1997 drawing up provisional lists of third country establishments from which the Member States authorise imports of rabbit meat and farmed game meat⁽³⁾, as last amended by Decision 2002/614/EC⁽⁴⁾.
- (2) Greenland has sent a list of establishments producing farmed game meat which have been certified by the competent authority as being in accordance with Community rules.
- (3) A provisional list of establishments producing farmed game meat can thus be drawn up for Greenland.

(4) Decision 97/467/EC should therefore be amended accordingly.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The text in the Annex to this Decision is added to Annex I to Decision 97/467/EC.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2002.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 243, 11.10.1995, p. 17.

⁽²⁾ OJ L 2, 5.1.2001, p. 21.

⁽³⁾ OJ L 199, 26.7.1997, p. 57.

⁽⁴⁾ OJ L 196, 25.7.2002, p. 58.

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

País: Groenlandia — Land: Grønland — Land: Grönland — Κράτος: Γροιλανδία — Country: Greenland — Pays: Groenland — Paese: Groenlandia — Land: Groenland — País: Gronelândia — Maa: Grönlanti — Land: Grönland

1	2	3	4	5	6
100	NEQI A/S	Narsaq		SH, CP, CS	b
4445	Isortoq Reindeer Station	Qaqortoq		SH, CP, CS	b

SH: Matadero — slagteri — Schlachthof — σφαγείο — slaughterhouse — abattoir — macello — slachthuis — Matadouro — teurastamo — Slakteri

CS: Almacén frigorífico — køle-/frysehus — Kühllager — ψυκτικός χώρος αποθήκευσης — cold store — entreposage — deposito frigorifero — koelhuis — Armazém frigorífico — kylmävarasto — Kyl- eller fryshus

CP: Sala de despiece — opskæringsvirksomheder — Zerlegungsbetrieb — εργαστήριο τεμαχισμού — cutting plant — découpe — sala di sezionamento — uitsnijderij — Sala de corte — leikkaamo — Styckningsanläggning

b: Biungulados — klovbærende dyr — Paarhufer — δίχηλα — biungulates — biongulés — biungulati — tweehoevigen — Biungulados — sorkkaeläimet — Klövdjur

COMMISSION DECISION

of 14 October 2002

on the list of programmes for the monitoring of TSE qualifying for a financial contribution from the Community in 2003*(notified under document number C(2002) 3878)*

(2002/798/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 Decision 2001/572/EC ⁽²⁾, and in particular Article 24(5) thereof,

Whereas:

- (1) According to Article 3(2) of Council Regulation (EC) No 1258/1999 ⁽³⁾, programmes for the monitoring and eradication of animal diseases shall be financed under the Guarantee Section of the EAGGF; for financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (2) Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽⁴⁾, as last amended by Regulation (EC) No 1494/2002 ⁽⁵⁾, sets out rules for monitoring transmissible spongiform encephalopathies (TSEs) in bovine, ovine and caprine animals.
- (3) In drawing up the list of programmes for the monitoring of TSE qualifying for a financial contribution from the Community for 2003, and the proposed maximum amount of the contribution for each programme, both the interest of each programme for the Community and the volume of available appropriations must be taken into account.
- (4) The Member States have supplied the Commission with the information enabling it to assess the interest for the Community of providing a financial contribution to the programmes for 2003.
- (5) The programmes on the list set out in this Decision will have to be approved individually at a later date.
- (6) The Commission has examined each of the programmes submitted by the Member States from both the veterinary and the financial point of view.

- (7) Certain programmes for 2003 were submitted to the Commission after the limit of 1 June, this being the date specified in Decision 90/424/EEC. In view of the importance of these measures for the protection of public and animal health, as well as the relatively recent introduction of these monitoring programmes compared with the traditional disease eradication programmes, and the obligatory application of these programmes in all Member States, these programmes should be approved. It is understood that all future applications must respect the established time limits.
- (8) It is therefore appropriate to adopt the list of programmes qualifying for a financial contribution from the Community and to set the maximum amount of those contributions.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

1. The programmes for the monitoring of TSE (BSE and scrapie) listed in the Annex hereto shall qualify for a financial contribution from the Community in 2003.
2. For each programme as referred to in paragraph 1, the proposed maximum amount of the Community financial contribution shall be as set out in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2002.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 23.7.2001, p. 16.

⁽³⁾ OJ L 160, 26.6.1999, p. 103.

⁽⁴⁾ OJ L 147, 31.5.2001, p. 1.

⁽⁵⁾ OJ L 225, 22.8.2002, p. 3.

ANNEX

List of programmes for the monitoring of TSE

Maximum amount of the Community financial contribution

Disease	Member State	Rate-purchase of test kits	Maximum amount (in EUR)
TSE	Belgium	100 %	4 719 000
	Denmark	100 %	2 977 000
	Germany	100 %	20 723 000
	Greece	100 %	975 000
	Spain	100 %	5 984 000
	France	100 %	30 554 000
	Ireland	100 %	9 577 000
	Italy	100 %	6 952 000
	Luxembourg	100 %	198 000
	Netherlands	100 %	6 312 000
	Austria	100 %	2 455 000
	Portugal	100 %	1 059 000
	Finland	100 %	1 402 000
	Sweden	100 %	440 000
Total			94 327 000

COMMISSION DECISION

of 14 October 2002

on the list of programmes for the eradication and monitoring of animal diseases and on the list of programmes of checks aimed at the prevention of zoonoses qualifying for a financial contribution from the Community in 2003

*(notified under document number C(2002) 3879)**(2002/799/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 Decision 2001/572/EC ⁽²⁾, and in particular Article 24(5) and Article 32 thereof,

Whereas:

- (1) According to Article 3(2) of Council Regulation (EC) No 1258/1999 ⁽³⁾, programmes for the monitoring and eradication of animal diseases shall be financed under the Guarantee Section of the EAGGF; for financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (2) In drawing up the list of programmes for the eradication and monitoring of animal diseases qualifying for a financial contribution from the Community for 2003, and the proposed rate and amount of the contribution for each programme, both the interest of each programme for the Community and the volume of available appropriations must be taken into account.
- (3) In drawing up the list of programmes of checks aimed at the prevention of zoonoses qualifying for a financial contribution from the Community for 2003, and the proposed rate and amount of the contribution for each programme, both the interest of each programme for the Community and the volume of available appropriations must be taken into account.
- (4) The Commission has examined each of the programmes submitted by the Member States from both the veterinary and the financial point of view.
- (5) The programmes on the list set out in this Decision will have to be approved individually at a later date.

- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

1. The programmes for the eradication and monitoring of animal diseases listed in Annex I hereto shall qualify for a financial contribution from the Community in 2003.
2. For each programme as referred to in paragraph 1, the proposed rate and amount of the Community financial contribution shall be as set out in Annex I.

Article 2

1. The programmes of checks aimed at the prevention of zoonoses listed in Annex II hereto shall qualify for a financial contribution from the Community in 2003.
2. For each programme as referred to in paragraph 1, the proposed rate and amount of the Community financial contribution shall be as set out in Annex II.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2002.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 28.7.2001, p. 16.

⁽³⁾ OJ L 160, 26.6.1999, p. 103.

ANNEX I

List of programmes for the eradication and monitoring of animal diseases

Proposed rate and amount of the Community financial contribution

Disease	Member State	Rate	Proposed amount (EUR)
African / classical swine fever	Italy (Sardinia)	50 %	225 000
Aujeszky's disease	Belgium	50 %	500 000
	Ireland	50 %	50 000
	Spain	50 %	100 000
	Portugal	50 %	100 000
Bluetongue	Spain	50 %	150 000
	France	50 %	200 000
	Italy	50 %	600 000
Bovine brucellosis	Greece	50 %	150 000
	Spain	50 %	2 800 000
	France	50 %	225 000
	Ireland	50 %	5 000 000
	Italy	50 %	750 000
	Portugal	50 %	1 500 000
Bovine tuberculosis	Greece	50 %	100 000
	Spain	50 %	5 000 000
	Ireland	50 %	1 800 000
	Italy	50 %	800 000
	Portugal	50 %	150 000
Classical swine fever	Belgium	50 %	100 000
	Germany	50 %	1 000 000
	Luxembourg	50 %	80 000
Enzootic bovine leucosis	Italy	50 %	50 000
	Portugal	50 %	400 000
Ovine and caprine brucellosis (<i>B melitensis</i>)	Greece	50 %	600 000
	Spain	50 %	6 000 000
	France	50 %	250 000
	Italy	50 %	1 800 000
	Portugal	50 %	1 800 000
Poseidom ⁽¹⁾	France	50 %	250 000
Rabies	Belgium	50 %	50 000
	Germany	50 %	950 000
	France	50 %	130 000
	Luxembourg	50 %	70 000
	Austria	50 %	175 000
	Finland	50 %	35 000
Swine vesicular disease Classical swine fever	Italy	50 %	400 000

Disease	Member State	Rate	Proposed amount (EUR)
Scrapie	Spain	50 %	150 000
	Germany	50 %	140 000
	Greece	50 %	320 000
	France	50 %	800 000
	Italy	50 %	300 000
	Netherlands	50 %	600 000
	Austria	50 %	35 000
	Sweden	50 %	5 000
Total			36 690 000

(¹) Heartwater, babesiosis and anaplasmosis transmitted by vector insects in the French overseas departments.

ANNEX II

List of programmes of checks aimed at the prevention of zoonoses

Proposed rate and amount of the Community financial contribution

Zoonosis	Member State	Rate	Proposed amount (EUR)
Salmonella	Denmark	50 %	150 000
	France	50 %	700 000
	Ireland	50 %	5 000
	Netherlands	50 %	300 000
	Austria	50 %	5 000
Total			1 160 000