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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 77/2003
of 17 January 2003
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 1947/2002 ⁽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 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 17 January 2003 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	71,2
	204	49,1
	212	104,8
	999	75,0
0707 00 05	052	112,1
	220	166,2
	628	139,2
	999	139,2
0709 10 00	220	60,5
	999	60,5
0709 90 70	052	78,3
	204	101,7
	999	90,0
0805 10 10, 0805 10 30, 0805 10 50	052	48,4
	204	51,2
	212	55,2
	220	44,5
	600	73,2
	999	54,5
0805 20 10	204	85,3
	999	85,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	64,5
	204	65,0
	220	83,4
	464	142,2
	600	41,0
	624	77,8
	999	79,0
0805 50 10	052	63,6
	220	80,7
	600	78,9
	999	74,4
0808 10 20, 0808 10 50, 0808 10 90	060	42,4
	066	35,6
	400	102,0
	404	88,0
	720	114,6
	999	76,5
0808 20 50	388	136,8
	400	118,7
	528	82,9
	720	50,5
	999	97,2

⁽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 78/2003**of 17 January 2003****applying a reduction coefficient to refund certificates for goods not covered by Annex I to the Treaty, as provided for by Article 8(5) of Regulation (EC) No 1520/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2580/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 1052/2002 ⁽⁴⁾, and in particular Article 8(5),

Whereas:

- (1) The total amount of applications for refund certificates valid from 1 February 2003 exceeds the maximum referred to in Article 8(4) of Regulation (EC) No 1520/2000.

- (2) A reduction coefficient shall be calculated on the basis of Article 8(3) and (4) of Regulation (EC) No 1520/2000. Such coefficient should therefore be applied to amounts requested in the form of refund certificates valid from 1 February 2003 as established in Article 8(6) of Regulation (EC) No 1520/2000,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts for applications of refund certificates valid from 1 February 2003 are subject to a reduction coefficient of 0,74.

Article 2

This Regulation shall enter into force on 21 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 160, 18.6.2002, p. 16.

COMMISSION REGULATION (EC) No 79/2003**of 17 January 2003****amending Regulation (EC) No 1422/95 laying down detailed implementing rules for the import of molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 24(4) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 ⁽³⁾ lays down that representative prices on the world market, on the basis of which the additional duties on imports of molasses are fixed, are normally fixed every week in accordance with the procedure laid down in Article 42(2) of Regulation (EC) No 1260/2001.
- (2) The current system involves fixing representative prices and additional duties every week, even when the amounts are unchanged or vary only slightly. In order to simplify and clarify the fixing of representative prices and additional duties, provision should be made for representative prices and additional duties to be fixed every two weeks and for their amendment by the Commission during this period subject to certain precise conditions.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

Article 1

In Article 1 of Regulation (EC) No 1422/95, paragraphs 1 and 2 are replaced by the following:

‘1. The additional duties referred to in Article 24(1) of Regulation (EC) No 1260/2001 shall be applied to molasses falling within CN codes 1703 10 00 and 1703 90 00.

2. For the purposes of this Regulation, representative prices for molasses on the world market or on the Community import market as referred to in Article 24(3) of Regulation (EC) No 1260/2001 shall mean the cif prices for those products established and fixed by the Commission in accordance with Regulation (EEC) No 785/68.

Those prices shall be fixed every two weeks in accordance with the procedure laid down in Article 42(2) of Regulation (EC) No 1260/2001. The Commission may amend them during that two-week period every Thursday where the information available to it indicates a change in the representative prices previously fixed of at least EUR 0,5 per 100 kilograms. Member States shall send the Commission by Wednesday of each week the information referred to in Article 3 of Regulation (EEC) No 785/68 at their disposal.’

Article 2

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

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

COMMISSION REGULATION (EC) No 80/2003**of 17 January 2003****amending Regulation (EC) No 175/2001 as regards certain mixtures of certain varieties of walnuts in shell, officially defined by the producing country**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1881/2002 ⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 175/2001 of 26 January 2001 laying down the marketing standard for walnuts in shell ⁽³⁾ allows, across all quality classes, walnuts of several varieties to be mixed in the same package, providing the mixture is officially defined by the producing country.
- (2) The French authorities have informed the Commission that they have officially defined several mixtures of varieties, called 'Noix de Grenoble' and 'Noix du Périgord', applicable to both fresh and dry walnuts. The United States authorities have informed the Commission that they have defined a mixture of varieties called 'California walnuts', applicable to dry nuts.

- (3) Notwithstanding the existence of other mixtures of walnut varieties officially defined elsewhere, the characteristics of these mixtures should be detailed in Regulation (EC) No 175/2001, in order to avoid any discrepancies in its interpretation and application.

- (4) Regulation (EC) No 175/2001 should be amended to this effect.

- (5) The Management Committee for fresh Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 175/2001 shall be amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 285, 23.10.2002, p. 13.

⁽³⁾ OJ L 26, 27.1.2001, p. 24.

ANNEX

The Annex to Regulation (EC) No 175/2001 shall be amended as follows:

1. In Title II (Provisions concerning quality), point B (Classification) shall be amended as follows:

a) in point (i), the first subparagraph shall be replaced with the following text:

‘Walnuts in shell in this class must be of superior quality. They must have the characteristics of the variety or of the mixture of certain varieties officially defined by the producing country (*) and specified in the marking.

(*) A non-exhaustive list of mixtures of certain varieties, officially defined by the producing country, is given in Appendix III.’

b) in point (ii), the first subparagraph shall be replaced with the following text:

‘Walnuts in shell in this class must be of good quality. They must be characteristic of the variety, of a commercial type or of a mixture of certain varieties officially defined by the producing country (*) and specified in the marking.

(*) A non-exhaustive list of mixtures of certain varieties, officially defined by the producing country, is given in Appendix III.’

2. The following text shall be added:

‘Appendix III

NON-EXHAUSTIVE LIST OF MIXTURES OF CERTAIN VARIETIES, OFFICIALLY DEFINED BY THE PRODUCING COUNTRY, WITHIN THE MEANING OF POINTS II.B(i) and II.B(ii) OF THE ANNEX

1. “Noix de Grenoble”

— for dry and fresh walnuts, a mixture of the following varieties: Franquette, Mayette, Parisienne;

2. “Noix du Périgord”

— for dry walnuts, a mixture of the following varieties: Marbot, Franquette, Corne;

— for fresh walnuts, a mixture of the following varieties: Marbot, Franquette;

3. “California walnuts”

— for dry walnuts, a mixture of the following varieties: Amigo, Adams, Ashley, Payne, Eureka, Hartley, Serr, Chandler, Chico, Gustine, Lompoc, Midland, Pedro, Pioneer, Sunland, Tehama, Tulare, Vina, Poe, Carmello, Cascade, Concha, Ehrhardt, Franquette, Howe, Howard, Idaho, Marchetti, Mayette, Meylan, Placentia, Sharkey, Sinensis, Trinta, Waterloo, Westside.’

COMMISSION REGULATION (EC) No 81/2003**of 17 January 2003****fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 111th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price

or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 111th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 17 January 2003 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 111th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter ≥ 82 %		85	81	85	81
	Butter < 82 %		83	79	—	79
	Concentrated butter		105	101	105	101
	Cream		—	—	36	34
Processing security	Butter		94	—	94	—
	Concentrated butter		116	—	116	—
	Cream		—	—	40	—

COMMISSION REGULATION (EC) No 82/2003**of 17 January 2003****fixing the maximum purchasing price for butter for the 64th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 64th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 14 January 2003, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

COMMISSION REGULATION (EC) No 83/2003**of 17 January 2003****fixing the minimum selling price for skimmed-milk powder for the 30th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder ⁽³⁾, as last amended by Regulation (EC) No 2238/2002 ⁽⁴⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.
- (2) According to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award. The amount of the processing security shall also be fixed

taking account of the difference between the market price of skimmed-milk powder and the minimum selling price.

- (3) In the light of the tenders received, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 30th individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 14 January 2003, the minimum selling price and the processing security are fixed as follows:

- | | |
|--------------------------|--------------------|
| — minimum selling price: | EUR 201,60/100 kg, |
| — processing security: | EUR 52,00/100 kg. |

Article 2

This Regulation shall enter into force on 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 340, 31.12.1999, p. 3.

⁽⁴⁾ OJ L 341, 17.12.2002, p. 11.

COMMISSION REGULATION (EC) No 84/2003**of 17 January 2003****fixing the maximum aid for concentrated butter for the 283rd special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 283rd special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 105/100 kg, |
| — end-use security: | EUR 116/100 kg. |

Article 2

This Regulation shall enter into force on 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 85/2003
of 17 January 2003
on the issue of licences for the import of garlic in the quarter from 1 March to 31 May 2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 47/2003 ⁽²⁾,

Having regard to Commission Regulation (EC) No 565/2002 of 2 April 2002 establishing the method for managing the tariff quotas and introducing a system of certificates of origin for garlic imported from third countries ⁽³⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) The quantities for which licence applications have been lodged by traditional importers and by new importers on 13 and 14 January 2003, under Article 5(2) of Regulation (EC) No 565/2002 exceed the quantities available for products originating in China, Argentina and in all third countries other than China and Argentina.
- (2) It is now necessary to establish the extent to which the licence applications sent to the Commission on 16 January 2003 can be met and to fix, for each category of importer and product origin, the dates until which the issue of certificates must be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences lodged under Article 3(1) of Regulation (EC) No 565/2002 on 13 and 14 January 2003 and sent to the Commission on 16 January 2003, shall be met at a percentage rate of the quantities applied for as set out in Annex I hereto.

Article 2

For each category of importer and the origin involved, applications for import licences under Article 3(1) of Regulation (EC) No 565/2002 relating to the quarter from 1 March to 31 May 2003 and lodged after 14 January 2003 but before the date in Annex II hereto, shall be rejected.

Article 3

This Regulation shall enter into force on 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 7, 11.1.2003, p. 64.

⁽³⁾ OJ L 86, 3.4.2002, p. 11.

ANNEX I

Origin of the products	Percentage allocations		
	China	Third countries other than China or Argentina	Argentina
— traditional importers (Article 2(c) of Regulation (EC) No 565/2002)	17,139 %	100 %	100 %
— new importers (Article 2(e) of Regulation (EC) No 565/2002)	0,744 %	4,005 %	10,505 %

X: No quota for this origin for the quarter in question.

—: No application for a licence has been sent to the Commission.

ANNEX II

Origin of the products	Dates		
	China	Third countries other than China or Argentina	Argentina
— traditional importers (Article 2(c) of Regulation (EC) No 565/2002)	31.5.2003	—	—
— new importers (Article 2(e) of Regulation (EC) No 565/2002)	31.5.2003	7.4.2003	7.4.2003

COMMISSION REGULATION (EC) No 86/2003**of 17 January 2003****fixing the maximum export refund on wholly milled long grain B rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1898/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1898/2002 ⁽³⁾.(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1898/2002 is hereby fixed on the basis of the tenders submitted from 13 to 16 January 2003 at 265,00 EUR/t.

Article 2

This Regulation shall enter into force on 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 287, 25.10.2002, p. 11.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 87/2003**of 17 January 2003****fixing the maximum export refund on wholly milled round grain rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1896/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1896/2002 ⁽³⁾.(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1896/2002 is hereby fixed on the basis of the tenders submitted from 13 to 16 January 2003 at 153,00 EUR/t.

Article 2

This Regulation shall enter into force on 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 287, 25.10.2002, p. 5.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 88/2003**of 17 January 2003****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1897/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1897/2002 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

- (3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1897/2002 is hereby fixed on the basis of the tenders submitted from 13 to 16 January 2003 at 157,00 EUR/t.

Article 2

This Regulation shall enter into force on 18 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 287, 25.10.2002, p. 8.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 89/2003**of 17 January 2003****laying down to what extent applications for issue of export licences submitted during January 2003 for beef products which may benefit from special import treatment in a third country may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef sector and repealing Regulation (EEC) No 2377/80 ⁽¹⁾, as last amended by Regulation (EC) No 2492/2001 ⁽²⁾, and in particular Article 12(8) thereof,

No applications for export licences were lodged for the beef referred to in Regulation (EEC) No 2973/79 for the first quarter of 2003.

Whereas:

Article 2(1) Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79 ⁽³⁾, as last amended by Regulation (EEC) No 3434/87 ⁽⁴⁾.

Applications for licences in respect of the meat referred to in Article 1 may be lodged in accordance with Article 12 of Regulation (EC) No 1445/95 during the first 10 days of the second quarter of 2003 the total quantity available being 2 500 t.

(2) Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the first quarter of 2003. No applications were submitted for export licences for beef,

Article 3

This Regulation shall enter into force on 21 January 2003.

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

Done at Brussels, 17 January 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General⁽¹⁾ OJ L 143, 27.6.1995, p. 35.⁽²⁾ OJ L 337, 20.12.2001, p. 18.⁽³⁾ OJ L 336, 29.12.1979, p. 44.⁽⁴⁾ OJ L 327, 18.11.1987, p. 7.

COMMISSION REGULATION (EC) No 90/2003**of 17 January 2003****on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽³⁾, as last amended by Regulation (EC) No 1452/2001 ⁽⁴⁾,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 1706/98 ⁽¹⁾, and in particular Article 5 thereof,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to Commission Regulation (EC) No 1918/98 of 9 September 1998 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 1706/98 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and repealing Regulation (EC) No 589/96 ⁽²⁾, and in particular Article 4 thereof,

The following Member States shall issue on 21 January 2003 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

Germany:

- 0,5 tonnes originating in Botswana,
- 150 tonnes originating in Namibia.

United Kingdom:

- 550 tonnes originating in Namibia,
- 75 tonnes originating in Swaziland.

Whereas:

(1) Article 1 of Regulation (EC) No 1918/98 provides for the possibility of issuing import licences for beef and veal products. However, imports must take place within the limits of the quantities specified for each of these exporting non-member countries.

Article 2

(2) The applications for import licences submitted between 1 and 10 January 2003, expressed in terms of boned meat, in accordance with Regulation (EC) No 1918/98, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States. It is therefore possible to issue import licences in respect of the quantities applied for.

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 1918/98, during the first 10 days of February 2003 for the following quantities of boned beef and veal:

Botswana:	18 915,5 tonnes,
Kenya:	142 tonnes,
Madagascar:	7 579 tonnes,
Swaziland:	3 288 tonnes,
Zimbabwe:	9 100 tonnes,
Namibia:	12 300 tonnes.

(3) The quantities in respect of which licences may be applied for from 1 February 2003 should be fixed within the scope of the total quantity of 52 100 tonnes.

Article 3

(4) This Regulation is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine,

This Regulation shall enter into force on 21 January 2003.

⁽¹⁾ OJ L 348, 21.12.2002, p. 5.

⁽²⁾ OJ L 250, 10.9.1998, p. 16.

⁽³⁾ OJ L 302, 31.12.1972, p. 28.

⁽⁴⁾ OJ L 198, 21.7.2001, p. 11.

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

Done at Brussels, 17 January 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 10 December 2002

appointing a full member of the Committee of the Regions

(2003/38/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the Council Decision of 22 January 2002 ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions,

Whereas a seat as a full member of the Committee of the Regions has become vacant following the resignation of Mr Kurt SCHELTER, notified to the Council on 26 November 2002,

Having regard to the proposal from the German Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Ms Barbara RICHTSTEIN is hereby appointed a full member of the Committee of the Regions in place of Mr Kurt SCHELTER for the remainder of his term of office, which runs until 25 January 2006.

Done at Brussels, 10 December 2002.

For the Council

The President

P. S. MØLLER

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 10 December 2002
appointing a full member of the Committee of the Regions

(2003/39/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the Council Decision of 22 January 2002 ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions,

Whereas a seat as a full member of the Committee of the Regions has become vacant following the resignation of Mr J.W. van der SLUYS, notified to the Council on 22 August 2002,

Having regard to the proposal from the Netherlands Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Bas VERKERK is hereby appointed a full member of the Committee of the Regions in place of Mr J.W. van der SLUYS for the remainder of his term of office, which runs until 25 January 2006.

Done at Brussels, 10 December 2002.

For the Council

The President

P. S. MØLLER

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 10 December 2002
appointing an alternate member of the Committee of the Regions

(2003/40/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the Council Decision of 22 January 2002 ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions,

Whereas the seat of an alternate member of the Committee of the Regions has become vacant following the resignation of Mr Bas VERKERK, of which the Council was notified on 12 November 2002,

Having regard to the proposal from the Netherlands Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr J.W. van der SLUYS is hereby appointed an alternate member of the Committee of the Regions in place of Mr Bas VERKERK for the remainder of his term of office, which expires on 25 January 2006.

Done at Brussels, 10 December 2002.

For the Council

The President

P. S. MØLLER

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 19 December 2002
appointing a full Member of the Committee of the Regions

(2003/41/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the Council Decision of 22 January 2002 appointing the Members and alternate Members of the Committee of the Regions ⁽¹⁾,

Whereas a seat as a full Member of the Committee of the Regions has become vacant following the resignation of Mr Sean O'NEACHTAIN, notified to the Council on 22 July 2002,

Having regard to the proposal from the Irish Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Josie CONNEELY is hereby appointed a full Member of the Committee of the Regions in place of Mr Sean O'NEACHTAIN for the remainder of his term of office, which runs until 25 January 2006.

Done at Brussels, 19 December 2002.

For the Council

The President

L. ESPERSEN

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COMMISSION

COMMISSION DECISION

of 10 January 2003

amending Council Directive 92/118/EEC as regards requirements for collagen

(notified under document number C(2002) 5557)

(Text with EEA relevance)

(2003/42/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

production and marketing of meat products and certain other products of animal origin ⁽³⁾, as last amended by Directive 97/76/EC ⁽⁴⁾, and in Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs ⁽⁵⁾, are relevant for the preparation of collagen.

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽¹⁾, as last amended by Directive 2002/33/EC of the European Parliament and of the Council ⁽²⁾, and in particular the second paragraph of Article 15 thereof,

(3) Article 2.3.13.7 of the International Animal Health Code (2001) issued by the International Office of Epizootics on BSE recommends that if gelatine and collagen are prepared exclusively from hides and skins, veterinary administrations should authorise their import and transit through their territories without restriction, regardless of the status of the exporting countries.

Whereas:

(1) Specific public health conditions for the preparation of collagen intended for human consumption should be laid down. Provided that these conditions are the same for collagen intended for human consumption and collagen not intended for human consumption, and provided that hygiene conditions are also the same, it should be possible to produce and/or store both types of collagen in the same establishment.

(4) Under 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 ⁽⁶⁾, as last amended by Commission Regulation (EC) No 1494/2002 ⁽⁷⁾, hides and skins within the meaning of Directive 92/118/EEC, derived from healthy ruminants and collagen derived from such hides and skins are not subject to restrictions on placing on the market.

(2) The authorisation and registration, inspection and hygiene conditions for the establishments preparing collagen should be set. Certain health conditions contained in Council Directive 77/99/EEC of 21 December 1976 on health problems affecting the

(5) The Scientific Steering Committee adopted an opinion on the safety of collagen on 10 and 11 May 2001, addressing the question of the safety in relation to transmissible spongiform encephalopathies (hereinafter TSE) of collagen produced from ruminant hides.

⁽¹⁾ OJ L 62, 15.3.1993, p. 49.

⁽²⁾ OJ L 315, 19.11.2002, p. 14.

⁽³⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁴⁾ OJ L 10, 16.1.1998, p. 25.

⁽⁵⁾ OJ L 175, 19.7.1993, p. 1.

⁽⁶⁾ OJ L 147, 31.5.2001, p. 1.

⁽⁷⁾ OJ L 225, 22.8.2002, p. 3.

- (6) The raw material used for the production of collagen consists mainly of bovine connective tissue of hides and tendons, calf skins, sheep skins and pig skins. To ensure the safety of the raw material, it must derive from animals that pass ante and post-mortem inspections as fit for human consumption. Such material must also be collected, transported, stored and handled in the most hygienic ways possible.
- (7) To guarantee traceability of the raw material, collection centres and tanneries, which intend to supply the raw material, should be authorised and registered. A model commercial document should also be prescribed to accompany the raw material during transportation and at time of delivery to the collection centres, tanneries and collagen processing plants.
- (8) It is appropriate to amend the current commercial document for raw material destined for the production of gelatine for human consumption, to take into account particulars in relation to control procedures in certain Member States.
- (9) The standards for the finished product should be fixed to ensure that it is not contaminated with substances or micro-organisms presenting a risk to consumer health. Pending a scientific evaluation of such standards, it is appropriate to include, on a provisional basis, generally accepted standards as regards contamination. The requirements for packaging, storage and transport of the finished product should also be laid down.
- (10) It is necessary to lay down specific health rules for the importation of collagen and raw material destined for the production of collagen intended for human consumption. Specimens of health certificates to accompany the imported collagen and raw material destined for the production of collagen for human consumption should be drawn up. It is also necessary for the Commission to recognise conditions offering equivalent guarantees based on a proposal submitted by a third country.
- (11) The adoption of specific rules for the production of collagen should be without prejudice to the adoption of rules for the prevention and control of TSE.
- (12) Directive 92/118/EEC should therefore be amended accordingly.
- (13) 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*
- Annex II to Directive 92/118/EEC is amended in accordance with the Annex to this Decision.
- Article 2*
- This Decision shall apply from 30 June 2003.
- It shall not apply to collagen intended for human consumption that was produced or imported before that date.
- Article 3*
- This Decision is addressed to the Member States.
- Done at Brussels, 10 January 2003.
- For the Commission*
David BYRNE
Member of the Commission

ANNEX

Chapter 4 of Annex II to Directive 92/118/EEC is amended as follows:

- 1) The heading 'Section A' is inserted before the title;
- 2) In Part VIII, point II, under the headings 'Other animal products plant', 'Centres of collection' and 'Tannery', the second line is replaced by the following: 'Registration number';
- 3) The following section B is added:

'Section B

SPECIFIC HEALTH CONDITIONS FOR THE COLLAGEN INTENDED FOR HUMAN CONSUMPTION

I. General

1. This Section lays down the health conditions for putting on the market and imports of collagen intended for human consumption.
2. For the purposes of this Section, the definitions of "hides and skins" and "tanning" in section A shall apply.

The following definitions shall also apply:

- (a) "collagen" means protein-based product derived from hides, skins and tendons of animals, including bones in the case of pigs, poultry and fish only, manufactured using the method set in Part V below;
 - (b) "collagen intended for human consumption" means collagen intended for consumption either as food or incorporated into or wrapped around food or product to be consumed by humans.
3. Collagen intended for human consumption shall comply with the conditions in Parts II to X below.

II. Establishments producing collagen

Collagen intended for human consumption shall come from establishments that fulfil the conditions in Part I of Section A.

III. Raw materials and establishments supplying them

1. The following raw materials may be used for the production of collagen intended for human consumption:
 - (a) hides and skins of farmed ruminant animals;
 - (b) pigskins, bones and intestines;
 - (c) poultry skin and bones;
 - (d) tendons;
 - (e) wild game hides and skins; and
 - (f) fish skin and bones.
2. The use of hides and skins submitted to tanning processes is prohibited.
3. The raw materials shall meet the following requirements:
 - for the raw materials listed in paragraph 1(a) to (d) above, the requirements set in Paragraph 4 of Part II of Section A apply;
 - for the raw material referred to in paragraph 1(e) above, the requirements set in paragraph 5 of Part II of Section A apply;
 - for the raw materials listed in paragraph 1(a) to (e) above, the requirements set in paragraph 6 of Part II of Section A apply, except that no raw material shall come from plants degreasing ruminant bones; and
 - for the raw material referred to in paragraph 1(f) above, the requirements set in paragraph 7 of Part II of Section A apply.
4. The collection centres and tanneries supplying the raw material for the production of collagen intended for human consumption shall be specifically authorised for the purpose and registered by the competent authorities and fulfil the requirements set in Paragraph 8 of Part II of Section A.

IV. Transport and storage of the raw material

1. Transport and storage of the raw material destined for the production of collagen shall be done in accordance with Part III of Section A.
2. During transportation and at the time of delivery at the collection centres, tanneries and collagen processing plants, raw materials must be accompanied by a commercial document in conformity with the model laid down in Part IX of this Section.

V. Manufacture of collagen

1. Collagen must be produced by a process that ensures that the raw material is subjected to a treatment involving washing, pH adjustment using acid or alkali followed by one or more rinses, filtration and extrusion; or by an equivalent process approved by the Commission after consultation of the appropriate Scientific Committee.
2. After having been subjected to the process referred to at paragraph 1 above, collagen may undergo a drying process.
3. Collagen not intended for human consumption may be produced and stored in the same establishment as collagen intended for human consumption only if it is produced and stored using exactly the same conditions set in this Section.
4. The use of preservatives other than those permitted under Community legislation is prohibited.

VI. Finished products

Appropriate measures, including tests shall be carried out to ensure that each production batch of collagen meets the microbiological and residues criteria set in Part V of Section A, but where necessary to achieve desired products such as collagen-based casings, no moisture and ash limit shall apply.

VII. Packaging, storage and transport

1. Collagen intended for human consumption must be wrapped, packaged, stored and transported under satisfactory hygiene conditions and, in particular, fulfil the conditions set in paragraph 1 of Part VI of Section A.
2. Wrappings and packages containing collagen must bear an identification mark giving the particulars listed in the first indent of paragraph 2 of Part VI of Section A; and carry the words "Collagen fit for human consumption" and the date of preparation and the batch number.
3. During transportation collagen must be accompanied by a commercial document, in accordance with Article 3(A)(9)(a) of Directive 77/99/EEC, bearing the words "Collagen fit for human consumption" and the date of preparation and the batch number.

VIII. Import from third countries of collagen and raw materials intended for the production of collagen for human consumption

1. Member States shall authorise import into the Community of collagen intended for human consumption only if it:
 - (a) comes from third countries listed in Part XIII of the Annex to Commission Decision 94/278/EC ⁽¹⁾;
 - (b) comes from establishments meeting the conditions laid down in Part II of this Section;
 - (c) has been produced from raw material that met the requirements of Parts III and IV of this Section;
 - (d) has been manufactured in compliance with the conditions set out in Part V of this Section;
 - (e) satisfies the criteria in Part VI and the wrapping, packaging, storage and transport conditions in Part VII(1) of this Section;
 - (f) bears on its wrappings and packages an identification mark giving the particulars specified in the sixth indent of Part VII(A) of Section A; and
 - (g) is accompanied by a health certificate that conforms to the model laid down in Part X(a) of this Section.

⁽¹⁾ OJ L 120, 11.5.1994, p. 44.

2. Member States shall authorise import into the Community of the raw material listed in Part III(1) of this Section for the production of collagen intended for human consumption only if:
 - (a) it comes from third countries listed in Council Decision 79/542/EEC ⁽¹⁾ or in Commission Decision 94/85/EC ⁽²⁾ or in Decision 94/86/EC ⁽³⁾ or in Decision 97/296/EC ⁽⁴⁾, as appropriate; and
 - (b) a health certificate conforming to the model laid down in Part X(b) of this Section accompanies each consignment of the raw material.
3. The health certificates referred to in paragraphs 1(g) and 2(b) shall consist of one sheet, and shall be completed in at least one official language of the Member State through which the consignment first enters the Community, and in at least one official language of the Member State of destination.
4. The Commission may recognise, in accordance with the procedure of Article 18, the health measures applied by a third country for the production of collagen intended for human consumption as offering guarantees equivalent to those offered for putting collagen on the market in the Community, if the third country concerned supplies objective proof in this respect. When the Commission recognises such equivalence, it shall adopt in accordance with the same procedure, the conditions governing the importation of collagen for human consumption.

⁽¹⁾ OJ L 146, 14.6.1979, p. 15.

⁽²⁾ OJ L 44, 17.2.1994, p. 31.

⁽³⁾ OJ L 44, 17.2.1994, p. 33.

⁽⁴⁾ OJ L 122, 14.5.1997, p. 21.

IX. Commercial document model

for raw material destined for the production of collagen intended for human consumption

Commercial document number:

1. Identification of the raw material

Nature (e.g. hides and skin):

Animal species (e.g. bovine, pig):

Net weight (kg):

Identification mark (pallet or container):

2. Origin of the raw material

Slaughterhouse

Address of the establishment:

.....

Veterinary approval/registration number:

Cutting plant

Address of the establishment:

.....

Veterinary approval/registration number:

Meat products plant

Address of the establishment:

.....

Veterinary approval/registration number:

Other animal products plant

Address of the establishment:

.....

Registration number:

Wild game processing plant

Address of the establishment:

.....

Veterinary approval number:

Fish products plant

Address of the establishment:

.....

Veterinary approval/registration number:

Collection centres

Address of the establishment:

.....

Registration number:

Tannery

Address of the establishment:

.....

Registration number:

Retail shop

Address:

.....

Premises adjacent to sales points, where the cutting and the storage of meat and poultry is performed for the sole purpose of supplying the final consumer directly

Address:

.....

3. Destination of the raw material

Name of the collection centre/tannery/collagen plant ⁽¹⁾ where the raw material is sent:

.....

Address:

.....

4. Declaration

I, the undersigned, declare that I have read and understood the provisions of Parts III and IV of Section B of Chapter 4 of Annex II to Directive 92/118/EEC, and that:

- hides and skins from farmed ruminant animals/pigskins, bones and intestines/poultry skin and bones/tendons described above are derived from animals that have been slaughtered in a slaughterhouse and whose carcasses have been found fit for human consumption following ante and post-mortem inspections, and/or ⁽¹⁾
- hides and skins from wild game described above are derived from killed animals whose carcasses have been found fit for human consumption following the inspection laid down in Article 3 of Council Directive 92/45/EEC (OJ L 268, 24.9.1991, p. 15, and/or ⁽¹⁾)
- fish skin and bones described above come from plants manufacturing fishery products for human consumption or registered in accordance with Council Directive 91/493/EEC (OJ L 268, 24.9.1991, p. 15) ⁽¹⁾.

Done at on
(place) (date)

.....

(Signature of the owner of the plant or his/her representative ⁽²⁾)

.....

(Name in block letters)



⁽¹⁾ Delete as appropriate.

⁽²⁾ The signature and the stamp must be of a colour different from that of printing.

X(a). Health certificate model
for collagen intended for dispatch to the European Community for human consumption

Note for the importer: this certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection post

Reference number of the health certificate:

Country of destination:

Exporting country:

Responsible Ministry:

Certifying Department:

1. Identification of collagen

Type of products:

Animal species and nature of the raw materials used (e.g. bovine hides and skin):

.....

Date of manufacture:

Type of packaging:

Number of packages:

Guaranteed storage period:

Net weight (kg):

Address(es) and registration number(s) of authorised and registered production establishment(s):

.....

2. Destination of collagen

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

to:
(country and place of destination)

by the following means of transport ⁽¹⁾:

Name and address of consignor:

.....

Name and address of consignee:

.....

⁽¹⁾ Indicate the name or registration number (railway wagons and lorries), the flight number (aircraft) or the name (ship). This information is to be updated in the case of unloading and reloading.

3. Health attestation

I, the undersigned, declare that I am aware of the provisions of Section B of Chapter 4 of Annex II to Directive 92/118/EEC, and certify that the collagen described above:

- comes from establishments meeting the conditions laid down in Part II of that Section,
- has been produced from raw materials which met the conditions in Parts III and IV of that Section,
- has been produced in compliance with the conditions in Part V of that Section, and
- satisfies the conditions in Parts VI and VII(1) of that Section.

Done on
(place) (date)

.....
(Signature of official veterinarian ⁽²⁾)

.....
(Name in block letters)



⁽²⁾ The signature and the stamp must be of a colour different from that of printing.

X(b). **Health certificate model****for raw material intended for dispatch to the European Community for the production of collagen for human consumption**

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

Reference number of the health certificate:

Country of destination:

Exporting country:

Responsible Ministry:

Certifying Department:

1. Identification of the raw material

Animal species and nature (e.g. bovine skin and hides, pigskin):

Date of production:

Type of packaging:

Number of packages:

Guaranteed storage period:

Net weight (kg):

2. Origin of raw material

Address(es) and registration number(s) of authorised and registered production establishment(s):

.....

3. Destination of raw material

The raw material will be sent from:
(place of loading)

to:
(country and place of destination)

by the following means of transport ⁽¹⁾:

Name and address of consignor:

.....

Name and address of consignee:

.....

⁽¹⁾ Indicate the name or registration number (railway wagons and lorries), the flight number (aircraft) or the name (ship). This information is to be updated in the case of unloading and reloading.

3. Health attestation

I, the undersigned, declare that I am aware of the provisions of Section B of Chapter 4 of Annex II to Directive 92/118/EEC, and certify that the raw material described above complies with the requirements of Part III of that Section and, in particular that:

- hides and skins of farmed ruminant animals/pig skins, bones and intestines/poultry skin and bones/tendons described above derive from animals which have been slaughtered in a slaughterhouse and whose carcasses have been found fit for human consumption following ante and post-mortem inspections, and/or ⁽²⁾
- wild game hides and skins described above derive from killed animals whose carcasses have been found fit for human consumption following the inspections laid down in Article 3 of Council Directive 92/45/EEC, and/or ⁽²⁾
- fish skin and bones described above derive from plants manufacturing fish products for human consumption authorised for export ⁽³⁾.

Done at on
(place) (date)

.....
(Signature of official veterinarian ⁽³⁾)

.....
(Name in block letters)



⁽²⁾ Delete as appropriate.

⁽³⁾ The signature and the stamp must be of a colour different from that of printing.

COMMISSION DECISION
of 17 January 2003
establishing the classes of reaction-to-fire performance for certain construction products

(notified under document number C(2002) 4807)

(Text with EEA relevance)

(2003/43/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988, on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products ⁽¹⁾, as amended by Directive 93/68/EEC ⁽²⁾, and in particular Article 20(2) thereof,

Whereas:

(1) Directive 89/106/EEC envisages that in order to take account of the different levels of protection for construction works at national, regional or local level, it may be necessary to establish in the interpretative documents classes corresponding to the performance of products in respect of each essential requirement. Those documents have been published as the 'Communication of the Commission with regard to the interpretative documents of Council Directive 89/106/EEC ⁽³⁾'.

(2) With respect to the essential requirement of safety in the event of fire, interpretative document No 2 lists a number of interrelated measures which together define the fire safety strategy to be variously developed in the Member States.

(3) Interpretative document No 2 identifies one of those measures as the limitation of the generation and spread of fire and smoke within a given area by limiting the potential of construction products to contribute to the full development of a fire.

(4) The level of that limitation may be expressed only in terms of the different levels of reaction-to-fire performance of the products in their end-use application.

(5) By way of a harmonised solution, a system of classes was adopted in Commission Decision 2000/147/EC of 8 February 2000 implementing Council Directive 89/106/EEC as regards the classification of the reaction-to-fire performance of construction products ⁽⁴⁾.

(6) In the case of certain wood-based panels, it is necessary to use the classification established in Decision 2000/147/EC.

(7) The reaction-to-fire performance of many construction products and/or materials, within the classification provided for in Decision 2000/147/EC, is well established and sufficiently well known to fire regulators in Member States that they do not require testing for this particular performance characteristic.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

Article 1

The construction products and/or materials which satisfy all the requirements of the performance characteristic 'reaction-to-fire' without need for further testing are set out in the Annex.

Article 2

The specific classes to be applied to different construction products and/or materials, within the reaction-to-fire classification adopted in Decision 2000/147/EC, are set out in the Annex to this Decision.

Article 3

Products shall be considered in relation to their end-use application, where relevant.

⁽¹⁾ OJ L 40, 11.2.1989, p. 12.

⁽²⁾ OJ L 220, 30.8.1993, p. 1.

⁽³⁾ OJ C 62, 28.2.1994, p. 1.

⁽⁴⁾ OJ L 50, 23.2.2000, p. 14.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 17 January 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

The tables set out in this annex list construction products and/or materials which satisfy all the requirements for the performance characteristic reaction to fire without need for testing.

Table 1

Classes of reaction-to-fire performance for wood-based panels ⁽¹⁾

Wood-based panel products ⁽²⁾	EN product grade reference	Minimum density (kg/m ³)	Minimum thickness (mm)	Class ⁽³⁾ (excluding floorings)	Class ⁽⁴⁾ Floorings
Particleboards	EN 312	600	9	D-s2, d0	D _{FL} -s1
Fibreboards, Hard	EN 622-2	900	6	D-s2, d0	D _{FL} -s1
Fibreboards, Medium	EN 622-3	600	9	D-s2, d0	D _{FL} -s1
		400	9	E, pass	E _{FL}
Fibreboards, Soft	EN 622-4	250	9	E, pass	E _{FL}
Fibreboards, MDF	EN 622-5	600	9	D-s2, d0	D _{FL} -s1
Cement-bonded particle-board	EN 634-2	1 000	10	B-s1, d0	B _{FL} -s1
OSB board	EN 300	600	9	D-s2, d0	D _{FL} -s1
Plywood	EN 636	400	9	D-s2, d0	D _{FL} -s1
Solid wood panels	EN 13353	400	12	D-s2, d0	D _{FL} -s1

⁽¹⁾ EN 13986

⁽²⁾ Wood-based panels mounted without an air gap directly against class A1 or A2-s1, d0 products with minimum density 10 kg/m³ or at least class D-s2, d0 products with minimum density 400 kg/m³.

⁽³⁾ Class as provided for in Table 1 of the Annex to Decision 2000/147/EC.

⁽⁴⁾ Class as provided for in Table 2 of the Annex to Decision 2000/147/EC.

⁽⁵⁾ Dry process fibreboard.

⁽⁶⁾ Cement content at least 75% by mass.

⁽⁷⁾ Oriented strand board.

COMMISSION DECISION

of 17 January 2003

amending Decision 93/52/EEC recording the compliance by certain Member States or regions with the requirements relating to brucellosis (*B. melitensis*) and according them the status of a Member State or region officially free of the disease

*(notified under document number C(2003) 20)***(Text with EEA relevance)**

(2003/44/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals ⁽¹⁾, as last amended by Commission Decision 2002/261/EC ⁽²⁾, and in particular Annex A, Chapter 1.II thereto,

Whereas:

- (1) In Portugal, brucellosis has been a notifiable disease for at least five years.
- (2) In the Autonomous Region of Azores at least 99,8 % of the ovine or caprine holdings are officially brucellosis-free holdings. This Region undertakes, furthermore, to comply with Annex A Chapter 1.II(2) to Directive 91/68/EEC.
- (3) The Autonomous Region of Azores should consequently be recognised as officially free of brucellosis (*B. melitensis*).
- (4) Commission Decision 93/52/EEC ⁽³⁾, as last amended by Decision 2002/482/EC ⁽⁴⁾, 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

Annex II to Decision 93/52/EEC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 January 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 46, 19.2.1991, p. 19.

⁽²⁾ OJ L 91, 6.4.2002, p. 31.

⁽³⁾ OJ L 13, 21.1.1993, p. 14.

⁽⁴⁾ OJ L 166, 25.6.2002, p. 23.

ANNEX

'ANNEX II

In France:

Ain, Aisne, Allier, Ardèche, Ardennes, Aube, Aveyron, Cantal, Charente, Charente-Maritime, Cher, Corrèze, Côte-d'Or, Côtes-d'Armor, Creuse, Deux-Sèvres, Dordogne, Doubs, Essonne, Eure, Eure-et-Loir, Finistère, Gers, Gironde, Hauts-de-Seine, Haute-Loire, Haute-Vienne, Ile-et-Vilaine, Indre, Indre-et-Loire, Jura, Loir-et-Cher, Loire, Loire-Atlantique, Loiret, Lot-et-Garonne, Lot, Lozère, Maine-et-Loire, Manche, Marne, Mayenne, Morbihan, Nièvre, Nord, Oise, Orne, Pas-de-Calais, Puy-de-Dôme, Rhône, Haute-Saône, Saône-et-Loire, Sarthe, Seine-Maritime, Seine-Saint-Denis, Territoire de Belfort, Val-de-Marne, Val-d'Oise, Vendée, Vienne, Yonne, Yvelines, Ville de Paris, Vosges.

In Italy:

Bolzano.

In Portugal:

Autonomous Region of Azores.

In Spain:

Santa Cruz de Tenerife, Las Palmas.'
