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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 952/2003**of 21 January 2003**

concerning the export of certain steel products from Poland to the Community for the period from the date of entry into force of this Regulation to the date of accession by Poland to the European Union (extension of the double-checking system)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, entered into force on 1 February 1994 ⁽¹⁾.
- (2) The Parties decided by Decision No 2/2003 ⁽²⁾ of the Association Council to extend the double-checking system introduced by Decision No 2/1999 ⁽³⁾ of the Association Council for the period from the date of entry into force of this Regulation to the date of accession by Poland to the European Union.
- (3) It is consequently necessary to extend the Community implementing legislation introduced by Council Regulation (EC) No 1093/1999 of 30 March 1999 establishing a double-checking system for exports of certain ECSC products from the Republic of Poland to the European Community for the period from 1 April to 31 December 1999, ⁽⁴⁾

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1093/1999 shall continue to apply for the period from the date of entry into force of this Regulation to the date of accession by Poland to the European Union, in

accordance with the provisions of Decision No 2/2003 of the Association Council between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part.

Article 2

Regulation (EC) No 1093/1999 shall in consequence be amended as follows:

1. In the title, preamble and Article 1(1) and (3) of the Regulation, references to the period '1 January to 31 December 2002' shall be replaced by references to '13 June 2003 to the date of accession by Poland to the European Union'.
2. Annex III to that Regulation shall be replaced by the text contained in the Annex to this Regulation.

Article 3

Goods shipped to the Community from 1 January 2003 to the date of entry into force of this Regulation shall be excluded from the scope of this Regulation.

Article 4

This Regulation shall enter into force on the 10th day following that of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 348, 31.12.1993, p. 2.

⁽²⁾ See page 18 of this Official Journal.

⁽³⁾ OJ L 133, 28.5.1999, p. 44.

⁽⁴⁾ OJ L 133, 28.5.1999, p. 6.

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

Done at Brussels, 21 January 2003.

For the Council
The President
N. CHRISTODOULAKIS

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‘ANNEX III

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COUNCIL REGULATION (EC) No 953/2003**of 26 May 2003****to avoid trade diversion into the European Union of certain key medicines**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 21 February 2001, the Commission adopted a communication to the European Parliament and to the Council on accelerated action targeted at major communicable diseases within the context of poverty reduction, according to which the Commission was instructed, *inter alia*, to establish a global tiered pricing system for key pharmaceuticals for the prevention, diagnosis and treatment of HIV/AIDS, TB and malaria and related diseases for the poorest developing countries and to prevent product diversion of these products to other markets by ensuring that effective safeguards were in place.
- (2) In a resolution dated 14 May 2001 on accelerated action on HIV, TB and malaria, the Council underlined the need to reinforce safeguards against diversion of low priced pharmaceuticals destined for poor markets and prevent price erosion in developed countries markets.
- (3) On 15 March 2001, a resolution of the European Parliament on access to drugs for HIV/AIDS victims in developing countries noted the inclusion of a commitment to tiered pricing in the Commission's programme for action and called for a system allowing developing countries equitable access to medicines and vaccines at affordable prices.
- (4) Many of the poorest developing countries are in urgent need of access to affordable essential medicines for treatment of communicable diseases. These countries are heavily dependant on imports of medicines as local manufacturing is scarce.
- (5) Price segmentation between developed country markets and the poorest developing country markets is necessary to ensure that the poorest developing countries are supplied with essential pharmaceutical products at heavily reduced prices. Therefore, these heavily reduced prices cannot be understood as a reference for the price to be paid for the same products in developed country markets.
- (6) Legislative and regulatory instruments are in place in most developed countries to prevent importation, in certain circumstances, of pharmaceutical products, but these instruments risk becoming insufficient where substantial volumes of heavily discounted pharmaceuticals are sold to the poorest developing country markets and the economic interest in trade diversion into high priced markets therefore may increase significantly.
- (7) There is a need to encourage the pharmaceutical producers to make pharmaceutical products available at heavily reduced prices in significantly increased volumes by ensuring through this Regulation that these products remain on those markets. Donations of pharmaceutical products and products sold under contracts awarded in response to competitive tenders from national governments or international procurement bodies, or under a partnership agreed between the manufacturer and the government of a country of destination may qualify under this Regulation on equal conditions, bearing in mind that donations are not contributing to the improvement of access to these products on a sustainable basis.
- (8) For the purpose of this Regulation, it is necessary to establish a procedure which identifies the products, countries and diseases covered by this Regulation.
- (9) This Regulation serves the purpose of preventing tiered priced products from being imported into the Community. Exemptions are laid down for certain situations under the strict provision that it is ensured that the final destination of the products in question is one of the countries listed in Annex II.
- (10) Manufacturers of tiered priced products must differentiate the appearance of tiered priced products to facilitate the task of identifying them.
- (11) It will be appropriate to review the lists of the diseases and the countries of destination covered by this Regulation, as well as the formulae used to identify tiered priced products in the light, *inter alia*, of the experience gained from its application.
- (12) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

- (13) With regard to tiered priced products contained in travellers' personal luggage for personal use, the same rules as set out in Council Regulation (EC) No 3295/94 of 22 December 1994 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods ⁽¹⁾, currently being reviewed, should apply.
- (14) Where tiered priced products have been seized under this Regulation, the competent authority may, in accordance with national legislation and with a view to ensuring that the intended use is made of the seized products to the full benefit of the countries listed in Annex II, decide to make them available for humanitarian purposes in these countries. In the absence of such decision, the seized products should be destroyed,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down:
 - (a) the criteria for establishing what is a tiered priced product;
 - (b) the conditions under which the customs authorities shall take action;
 - (c) the measures which shall be taken by the competent authorities in the Member States.
2. For the purposes of this Regulation:
 - (a) 'tiered priced product' means any pharmaceutical product used in the prevention, diagnosis and treatment of a disease referred to in Annex IV which is priced in accordance with one of the optional price calculations set out in Article 3, verified by the Commission or an independent auditor as provided for in Article 4 and entered in the list of tiered priced products set out in Annex I;
 - (b) 'countries of destination' are those countries listed in Annex II;
 - (c) 'competent authority' means an authority designated by a Member State to determine whether goods suspended by the customs authorities in the respective Member State are tiered priced products and to give instructions depending on the outcome of the review.

Article 2

1. It shall be prohibited to import into the Community tiered priced products for the purposes of release for free circulation, re-export, placing under suspensive procedures or placing in a free zone or free warehouse.

⁽¹⁾ OJ L 341, 30.12.1994, p. 8; Regulation as last amended by Regulation (EC) No 241/1999 (OJ L 27, 2.2.1999, p. 1).

2. The following shall be exempted from the prohibition regarding tiered priced products as set out in paragraph 1:

- (a) re-export to countries of destination;
- (b) placing under a transit or customs warehouse procedure or in a free zone or free warehouse for the purpose of re-export to a country of destination.

Article 3

The tiered price referred to in Article 4(2)(ii) of this Regulation shall, at the option of the applicant, be either:

- (a) no higher than the percentage set out in Annex III of the weighted average ex factory price charged by a manufacturer in OECD markets for the same product at the time of application; or, alternatively,
- (b) a manufacturer's direct production costs, with the addition of a maximum percentage which is set out in Annex III.

Article 4

1. In order for products to benefit from this Regulation, manufacturers or exporters of pharmaceutical products shall submit applications to the Commission.
2. Any application addressed to the Commission shall contain the following information:
 - (i) the product name and active ingredient of the tiered priced product and sufficient information to verify which disease it is preventing, diagnosing or treating;
 - (ii) the price offered in relation to either of the optional price calculations set out in Article 3 in sufficient detail to enable verification. Instead of submitting such detailed information, the applicant may submit a certificate issued by an independent auditor, stating that the price has been verified and corresponds to one of the criteria set out in Annex III. The independent auditor is appointed in agreement between the manufacturer and the Commission. Any information submitted by the applicant to the auditor shall remain confidential;
 - (iii) the country or countries of destination to which the applicant intends to sell the product concerned;
 - (iv) the code number based on the Combined Nomenclature as set out in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽²⁾ and, where appropriate, supplemented by TARIC subdivisions, to identify unambiguously the goods concerned;
 - (v) any measures taken by the manufacturer or exporter to make the tiered priced product easily distinguishable from identical products offered for sale inside the Community.

⁽²⁾ OJ L 256, 7.9.1987, p. 1; Regulation as last amended by Commission Regulation (EC) No 2176/2002 (OJ L 331, 7.12.2002, p. 3).

3. The Commission shall determine whether a product fulfils the criteria set out in this Regulation in accordance with the procedure laid down in Article 5(2).

4. Where the requirements set out in this Regulation are fulfilled, the product shall be added to Annex I at the next following update. The applicant shall be informed of the decision of the Commission within 15 days.

5. If an application is not sufficiently detailed for review as to substance, the Commission shall in writing ask the applicant to submit such missing information. If the applicant does not complete the application within the time period set out in that communication, the application shall be null and void.

6. If the Commission finds that the application does not fulfil the criteria set out in this Regulation, the application shall be rejected and the applicant shall be informed within 15 days of the date of the decision. Nothing shall prevent the applicant from resubmitting a modified application for the same product.

7. Products destined to be donated to recipients in one of the countries listed in Annex II may be notified accordingly for approval and insertion in Annex I.

8. Annex I to this Regulation shall be updated every second month by the Commission.

9. Where adjustments to Annexes II, III and IV are necessary, the procedure referred to in Article 5(3) shall apply.

Article 5

1. The Commission shall be assisted by a committee.

2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply.

3. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at two months.

4. The Committee shall adopt its Rules of Procedure.

Article 6

A product approved as a tiered priced product and inserted in Annex I shall remain on that list for as long as the conditions set out in Article 4 are fulfilled and annual sales reports have been submitted to the Commission in accordance with Article 11. The applicant must submit information to the Commission on any change which has occurred with respect to the scope or conditions set out in Article 4 in order to ensure that these requirements are met.

Article 7

A permanent logo, as set out in Annex V, shall be affixed on any packaging or product and any document used in connection with the approved product sold at tiered prices to countries of destination. This applies as long as the tiered priced product concerned remains listed in Annex I.

Article 8

1. Where there is reason to suspect that, contrary to the prohibition in Article 2, tiered priced products will be imported into the Community, customs authorities shall suspend the release of, or detain, the products concerned for the time necessary to obtain a decision of the competent authorities on the character of the merchandise. The period of suspension or detention shall not exceed 10 working days unless special circumstances apply, in which case the period may be extended by a maximum of 10 working days. Upon expiry of this period, the products shall be released, provided that all customs formalities have been complied with.

2. It shall be sufficient reason for the customs authorities to suspend the release of, or detain, products if there is sufficient information available to consider that the product in question is tiered priced.

3. The competent authority in the Member State concerned and the manufacturer or exporter mentioned in Annex I shall be informed without delay of the suspended release or detention of the products and shall receive all information available with respect to the products concerned. Due account shall be taken of national provisions on the protection of personal data, commercial and industrial secrecy and professional and administrative confidentiality. The importer, and where appropriate, the exporter, shall be given ample opportunity to supply the competent authority with the information which it deems appropriate regarding the products.

4. The procedure of suspension or detention of the goods is carried out at the expense of the importer. If it is not possible to recover these expenses from the importer, they may, in accordance with national legislation, be recovered from any other person responsible for the attempted illicit importation.

Article 9

1. If products suspended for release or detained by customs authorities are recognised by the competent authority as tiered priced products under this Regulation, the competent authority shall ensure that these products are seized and disposed of in accordance with national legislation. These procedures are carried out at the expense of the importer. If it is not possible to recover these expenses from the importer, they may, in accordance with national legislation, be recovered from any other person responsible for the attempted illicit importation.

2. Where products suspended for release or detained by customs authorities subsequent to further control by the competent authority are found not to qualify as tiered priced products under this Regulation, the customs authority shall release the products to the consignee, provided that all customs formalities have been complied with.

3. The competent authority shall inform the Commission of all decisions adopted pursuant to this Regulation.

Article 10

This Regulation shall not apply to goods of a non-commercial nature contained in travellers' personal luggage for personal use within the limits laid down in respect of relief from customs duty.

Article 11

1. The Commission shall monitor on an annual basis the volumes of exports of tiered priced products listed in Annex I and exported to the countries defined in Article 1 on the basis of information provided to it by pharmaceutical manufacturers and exporters. For this purpose a standard form will be issued by the Commission. Manufacturers and exporters must submit such sales reports annually for each tiered priced product to the Commission on a confidential basis.

2. The Commission shall periodically report to the Council on the volumes exported under tiered prices, including on the volumes exported within the framework of a partnership agreement agreed between the manufacturer and the government of a country of destination. The report shall examine the scope of countries and diseases and general criteria for the implementation of Article 3.

Article 12

1. The application of this Regulation shall in no circumstances interfere with procedures laid down in Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use ⁽¹⁾ and Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products ⁽²⁾.

2. This Regulation shall not interfere with intellectual property rights or rights of intellectual property owners.

Article 13

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

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

Done at Brussels, 26 May 2003.

For the Council

The President

G. DRYS

⁽¹⁾ OJ L 311, 28.11.2001, p. 67; Directive as amended by Directive 2002/98/EC (OJ L 33, 8.2.2003, p. 30).

⁽²⁾ OJ L 214, 24.8.1993, p. 1; Regulation as amended by Commission Regulation (EC) No 649/98 (OJ L 88, 24.3.1998, p. 7).

ANNEX I

LIST OF TIERED PRICED PRODUCTS

Product	Manufacturer/exporter	Country of destination	Distinctive features	Date of approval	CN/TARIC code ⁽¹⁾
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⁽¹⁾ Only if applicable.

ANNEX II

COUNTRIES OF DESTINATION

Afghanistan	Lesotho
Angola	Liberia
Armenia	Madagascar
Azerbaijan	Malawi
Bangladesh	Maldives
Benin	Mali
Bhutan	Mauritania
Botswana	Moldova
Burkina Faso	Mongolia
Burundi	Mozambique
Cambodia	Myanmar
Cameroon	Namibia
Cape Verde	Nepal
Central African Republic	Nicaragua
Chad	Niger
China	Nigeria
Comoros	Pakistan
Congo, Democratic Republic of	Rwanda
Congo, Republic of	Samoa
Côte d'Ivoire	São Tomé and Príncipe
Djibouti	Senegal
East Timor	Sierra Leone
Equatorial Guinea	Solomon Islands
Eritrea	Somalia
Ethiopia	South Africa, Republic of
Gambia	Sudan
Ghana	Swaziland
Guinea	Tajikistan
Guinea-Bissau	Tanzania, United Republic of
Haiti	Togo
Honduras	Turkmenistan
India	Tuvalu
Indonesia	Uganda
Kenya	Vanuatu
Kiribati	Vietnam
Korea, Democratic Republic of	Yemen
Kyrgyz Republic	Zambia
Lao People's Democratic Republic	Zimbabwe

*ANNEX III***PERCENTAGES REFERRED TO IN ARTICLE 3**

Percentage referred to in Article 3(a): 25 %

Percentage referred to in Article 3(b): 15 %

*ANNEX IV***SCOPE OF DISEASES**

HIV/AIDS, malaria, tuberculosis and related opportunistic diseases

*ANNEX V***LOGO**

The winged staff of Aesculapius with a coiled serpent, in the centre of a circle formed by 12 stars.

COMMISSION REGULATION (EC) No 954/2003
of 2 June 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 3 June 2003.

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

Done at Brussels, 2 June 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 2 June 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	85,9
	096	61,2
	999	73,6
0707 00 05	052	88,5
	999	88,5
0709 90 70	052	92,6
	999	92,6
0805 50 10	388	75,5
	528	57,9
	999	66,7
0808 10 20, 0808 10 50, 0808 10 90	388	86,6
	400	96,2
	508	87,3
	512	82,8
	524	59,9
	528	73,0
	720	88,8
	804	99,6
	999	84,3
0809 20 95	400	289,1
	999	289,1

⁽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 955/2003**of 2 June 2003****correcting the Dutch, English and Spanish versions of Regulation (EC) No 449/2001 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, as last amended by Commission Regulation (EC) No 453/2002 ⁽²⁾, and in particular Articles 6 and 25 thereof,

Whereas:

- (1) The Member States and the Commission noted an error in the Dutch, English and Spanish versions of the text of Article 20(5) of Commission Regulation (EC) No 449/2001 ⁽³⁾, as last amended by Regulation (EC) No 1426/2002 ⁽⁴⁾, following the publication of the latter Regulation.
- (2) Accordingly, in order to avoid any incorrect interpretations and to ensure the correct application of the measures provided for in Regulation (EC) No 449/2001, that error should be corrected.
- (3) As this correction does not have any disadvantageous or discriminatory consequences for some producers in favour of others, it may be made applicable from the date of entry into force of Regulation (EC) No 1426/2002.

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

HAS ADOPTED THIS REGULATION:

Article 1

The introductory phrase of the first subparagraph of Article 20(5) of Regulation (EC) No 449/2001, in the version as amended by Regulation (EC) No 1426/2002, is replaced by the following:

‘In the case of tomatoes, if the area checks referred to in Article 18(1)(i) and (v) show a discrepancy between the area declared and that actually determined, at the level of the total area checked, the aid payable to the producer organisation shall be reduced, unless the difference is clearly due to error.’.

Article 2

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

It shall apply as from 6 August 2002.

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

Done at Brussels, 2 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 72, 14.3.2002, p. 9.

⁽³⁾ OJ L 64, 6.3.2001, p. 16.

⁽⁴⁾ OJ L 206, 3.8.2002, p. 4.

COMMISSION REGULATION (EC) No 956/2003
of 2 June 2003
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 1900/2002 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 948/2003 ⁽⁵⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 948/2003,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 948/2003 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 3 June 2003.

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

Done at Brussels, 2 June 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 287, 25.10.2002, p. 15.

⁽⁵⁾ OJ L 109, 1.5.2003, p. 18.

ANNEX I

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

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	5,46
1001 90 91	Common wheat seed	11,89
ex 1001 90 99	Common high quality wheat other than for sowing ⁽²⁾	11,89
1002 00 00	Rye	39,57
1005 10 90	Maize seed other than hybrid	55,80
1005 90 00	Maize other than seed ⁽³⁾	55,80
1007 00 90	Grain sorghum other than hybrids for sowing	39,57

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

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

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

⁽²⁾ Importers are entitled to a flat-rate reduction of EUR 14 per tonne.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 28 May 2003 to 30 May 2003)

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

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	111,50	83,48	164,92 (***)	154,92 (***)	134,92 (***)	100,82 (***)
Gulf premium (EUR/t)	—	10,06	—	—	—	—
Great Lakes premium (EUR/t)	17,61	—	—	—	—	—

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

(**) A discount of 30 EUR/t (Article 3 of Regulation (EC) No 2378/2002).

(***) Fob Gulf.

2. Freight/cost: Gulf of Mexico–Rotterdam: 17,79 EUR/t; Great Lakes–Rotterdam: 26,12 EUR/t.

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

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 2/2003 OF THE EU-POLAND ASSOCIATION COUNCIL
of 19 March 2003**

extending the double-checking system established by Decision No 2/1999 of the Association Council for the period from the date of entry into force of this Decision up to the date of accession by Poland to the European Union

(2003/389/EC)

THE ASSOCIATION COUNCIL,

Whereas:

- (1) The Contact Group referred to in Article 10 of Protocol 2 to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and Poland, of the other part ⁽¹⁾, which entered into force on 1 February 1994, met on 22 October 2002 and agreed to recommend to the Association Council established under Article 102 of the Agreement that the double-checking system introduced in 1999 by Decision No 2/1999 of the Association Council should be extended for the period from the date of entry into force of this Decision up to the date of accession by Poland to the European Union.
- (2) The Association Council, having been supplied with all relevant information, has agreed with this recommendation,

HAS DECIDED AS FOLLOWS:

Article 1

The double-checking system established by Decision No 2/1999 of the Association Council shall continue to apply for the period from the date of entry into force of this Decision up to

the date of accession by Poland to the European Union. In the preamble and Article 1(1) and (3) of the Decision, references to the period '1 January to 31 December 2002' shall be replaced by references to '13 June 2003 up to the date of accession by Poland to the European Union'.

Article 2

Goods shipped to the Community as from 1 January 2003 until the date of entry into force of this Decision shall be excluded from the scope of this Decision.

Article 3

This Decision shall enter into force on the 10th day following that of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 19 March 2003.

For the Association Council

The President

W. CIMOSZEWICZ

⁽¹⁾ OJ L 348, 31.12.1993, p. 2.

COMMISSION

COMMISSION DECISION

of 23 May 2003

establishing special conditions for placing on the market of aquaculture animals species considered not susceptible to certain diseases and the products thereof

(notified under document number C(2003) 1641)

(Text with EEA relevance)

(2003/390/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products ⁽¹⁾, as last amended by Directive 98/45/EC ⁽²⁾, and in particular Article 10(3), Article 14(1) and (3) and the second subparagraph of Article 14(4) thereof.

Whereas:

- (1) Directive 91/67/EEC lays down requirements and provisions for the establishment of appropriate conditions for the placing on the market in zones and farms with approved programme or status, of live farmed fish, molluscs and crustaceans, their eggs and gametes, not belonging to the susceptible species referred to in Annex A, column 2, list II, to that Directive.
- (2) Directive 91/67/EEC provides for a derogation from those requirements for species which are not a carrier of the diseases concerned, i.e. where it is shown that there is no passive transmission of those diseases when aquaculture animals, their eggs or gametes, not belonging to the susceptible species, are moved from a non-approved zone to an approved zone. That Directive also provides for the establishment of a list of the aquaculture animals to which that derogation is to apply.
- (3) There is sufficient evidence that certain mollusc species are not susceptible to and do not passively transmit bonamiosis (*Bonamia ostreae*) and marteiliosis (*Marteilia refringens*). They should therefore be included in the list.

- (4) Directive 91/67/EEC provides that farmed live fish and molluscs are to be accompanied by movement documents where they are introduced into zones and farms with approved programme or status. Commission Decision 93/22/EEC of 11 December 1992 laying down the model of the movement documents referred to in Article 14 of Council Directive 91/67/EEC ⁽³⁾, sets out those model movement documents. For the sake of clarity, the model movement documents should be updated and Decision 93/22/EEC should be replaced by this Decision.
- (5) Directive 91/67/EEC provides that the placing on the market of molluscs, referred to in Annex A, column 2, list II to that Directive, is to be subject to additional guarantees, including guarantees relating to the origin of the molluscs. The application of those guarantees lead to difficulties in the supply of the molluscs. Accordingly, Commission Decision 93/55/EEC ⁽⁴⁾, as amended by Decision 93/169/EEC ⁽⁵⁾, amends the guarantees for the introduction of molluscs into zones for which a programme for demonstration of freedom from *Bonamia ostreae* and *Marteilia refringens* has been approved. The provisions of Decision 93/55/EEC should be updated and in the interests of clarity replaced by the provisions of this Decision.
- (6) This Decision takes into account new scientific data and recommendations from the International office of Epizootic Diseases (OIE).
- (7) This Decision is without prejudice to public health certification requirements, and therefore its model document should not be required when aquaculture animals, their eggs and gametes, are placed on the market directly for human consumption.

⁽¹⁾ OJ L 46, 19.2.1991, p. 1.

⁽²⁾ OJ L 189, 3.7.1998, p. 12.

⁽³⁾ OJ L 16, 25.1.1993, p. 8.

⁽⁴⁾ OJ L 14, 22.1.1993, p. 24.

⁽⁵⁾ OJ L 71, 24.3.1993, p. 16.

- (8) A sufficient period of time should be provided for the implementation of these new certification requirements.
- (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

Scope and subject-matter

1. This Decision lays down:
- (a) animal health conditions for the placing on the market of aquaculture animals, their eggs and gametes, not susceptible to the diseases referred to in Annex A, column 1, list II to Directive 91/67/EEC, in zones and farms with approved programme or status;
- (b) a model of the movement document provided for in Article 14(1) and (3) of Directive 91/67/EEC; and
- (c) a list of the aquaculture animals species to which the derogation provided for in the first subparagraph of Article 14(4) of that Directive is applicable.
2. This Decision shall not apply where the aquaculture animals, their eggs and gametes, referred to in paragraph 1, are placed on the market directly for human consumption.

Article 2

For the purpose of this Decision, the definitions in Article 2 of Directive 91/67/EEC, Article 2 of Council Directive 93/53/EEC of 24 June 1993 introducing minimum Community measures for the control of certain fish diseases ⁽¹⁾, as last amended by Commission Decision 2001/288/EC ⁽²⁾, and Article 2 of Council Directive 95/70/EC of 22 December 1995 introducing minimum Community measures for the control of certain diseases affecting molluscs ⁽³⁾, as last amended by Commission Decision 2003/83/EC ⁽⁴⁾, should apply.

Article 3

Movement documents

When introduced into zones and farms with approved programme or status, all aquaculture animals covered by this Decision, their eggs and gametes shall be accompanied by, and comply with the requirements referred in the model movement document set out in Annex I, taking into account the explanatory notes in Annex II.

Article 4

Non carrier species

Pursuant to the second subparagraph of Article 14(4) of Directive 91/67/EEC, Annex III to this Decision sets out the list of aquaculture animals species to which the derogation referred to in its first subparagraph is applicable.

Article 5

Repeal

Decisions 93/22/EEC and 93/55/EEC are repealed. References to the repealed Decisions shall be construed as references to this Decision.

Article 6

Applicability

This Decision shall apply from 2 August 2003.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 23 May 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 175, 19.7.1993, p. 23.

⁽²⁾ OJ L 99, 10.4.2001, p. 11.

⁽³⁾ OJ L 332, 30.12.1995, p. 33.

⁽⁴⁾ OJ L 32, 7.2.2003, p. 13.

ANNEX I

Movement document for the placing on the market of [live fish,] ⁽¹⁾ [molluscs,] ⁽¹⁾ [and] ⁽¹⁾ [crustaceans,] ⁽¹⁾ [their eggs and gametes,] ⁽¹⁾ not belonging to the susceptible species referred to in Annex A, column 2, list II, to Council Directive 91/67/EEC, for farming, breeding, further growth, fattening or relaying in zones and farms with a Community approved programme or status, as regards [*Bonamia ostreae*] ⁽¹⁾ [and] ⁽¹⁾ [*Marteilia refringens*] ⁽¹⁾ [and] ⁽¹⁾ [viral haemorrhagic septicaemia (VHS)] ⁽¹⁾ [and] ⁽¹⁾ [infectious haematopoietic necrosis (IHN)] ⁽¹⁾

Reference code No

ORIGINAL

1. Place of origin of the consignment 1.1. Member State of origin: 1.3. Farm of origin, name ⁽¹⁾ : 1.4. Address of location of farm: 1.5. Place of harvest ⁽²⁾ : 1.6. Name, address and phone number of the consignor:		2. Destination of the consignment 2.1. Member State: 2.2. Zone or part ⁽³⁾ ⁽⁴⁾ of the Member State: 2.3. Farm ⁽¹⁾ of destination, name: 2.4. Address of location of farm: 2.5. Place of destination ⁽⁵⁾ : 2.6. Name, address and phone number of the consignee:		
3. Means of transport and consignment identification ⁽⁶⁾ 3.1. [Lorry] ⁽¹⁾ [Rail-wagon] ⁽¹⁾ [Ship] ⁽¹⁾ [Aircraft] ⁽¹⁾ : 3.2. [Registration number(s)] ⁽¹⁾ [Ship name] ⁽¹⁾ [Flight number] ⁽¹⁾ : 3.3. Consignment identification details:				
4. Description of the consignment ☐ Fish ☐ Molluscs ☐ Crustaceans				
☐ Farmed stocks ☐ Wild stocks ☐ Live animals ☐ Gametes ☐ Fertilised eggs ☐ Unfertilised eggs ☐ Larvae/fry				
Specie(s)		Total weight of consignment Number of [fish] ⁽¹⁾ [molluscs] ⁽¹⁾ [crustaceans] ⁽¹⁾	Volume of [eggs] ⁽¹⁾ [gametes] ⁽¹⁾	Age of live animals
Scientific name:	Common name:			
				☐ > 24 months ☐ 12-24 months ☐ 0-11 months; ☐ unknown

5. Health attestation

I, the undersigned, hereby certify that the [fish] ⁽¹⁾ [and] ⁽¹⁾ [molluscs] ⁽¹⁾ [and] ⁽¹⁾ [crustaceans] ⁽¹⁾ [and] ⁽¹⁾ [eggs] ⁽¹⁾ [and] ⁽¹⁾ [gametes] ⁽¹⁾ forming the present consignment do not belong to the susceptible species referred to in Annex A, column 2, list II, to Directive 91/67/EEC, and:

- 5.1. either ⁽¹⁾ [originate from the following zone: ⁽³⁾, approved as regards: [bonamiosis (*Bonamia ostreae*)] ⁽¹⁾ [and] ⁽¹⁾ [marteiliosis (*Marteilia refringens*)] ⁽¹⁾ [and] ⁽¹⁾ [Viral haemorrhagic septicaemia] ⁽¹⁾ [and] ⁽¹⁾ [Infectious haematopoietic necrosis] ⁽¹⁾, in accordance with Decision ⁽⁴⁾, and;]
- or ⁽¹⁾ [originate from the following farm: ⁽⁷⁾, approved as regards: [bonamiosis (*Bonamia ostreae*)] ⁽¹⁾ [and] ⁽¹⁾ [marteiliosis (*Marteilia refringens*)] ⁽¹⁾ [and] ⁽¹⁾ [Viral haemorrhagic septicaemia] ⁽¹⁾ [and] ⁽¹⁾ [Infectious haematopoietic necrosis] ⁽¹⁾, in accordance with Decision ⁽⁴⁾, and;]
- or ⁽¹⁾ [originate from the following farm ⁽⁷⁾, that contains no [fish] ⁽¹⁾ [and] ⁽¹⁾ [molluscs] ⁽¹⁾ [and] ⁽¹⁾ [crustaceans] ⁽¹⁾ belonging to the susceptible species referred to in Annex A, column 2, list II, to Directive 91/67/EEC, and that is not connected with a watercourse or with coastal or estuarial waters, and;]
- or ⁽¹⁾ [belongs to the species referred to in Annex III, to Decision 2003/390/EC ⁽⁸⁾, and;]

5.2. fulfil the following requirements:

- (a) they have not, since the time they were [harvested] ⁽¹⁾ [caught] ⁽¹⁾, been in contact with other live aquatic animals, eggs or gametes of a lower health status or of other species than those listed in Annex III to Decision 2003/390/EC ⁽⁸⁾, and
- (b) they are not intended for destruction or slaughter for the eradication of diseases listed in Annex A, column 1, of Directive 91/67/EEC or in Annex D to Directive 95/70/EC [or due to abnormal mortality caused by any other pathogen] ⁽⁹⁾, and
- (c) they do not originate from a farm subject to any prohibitions for animal health reasons, and
- (d) they were examined on the day of loading and showed no clinical signs of disease, [including abnormal mortality] ⁽⁹⁾, and
- (e) they have been subject to a visual check of [at least 1 000 molluscs randomly selected from the consignment] ⁽⁹⁾ ⁽¹⁰⁾ [a randomly selected representative part of the consignment] ⁽¹¹⁾, including each part having a different origin, and no species other than those specified in point 4 of this certificate were detected, and
- (f) they are placed in [water] ⁽¹⁾ [on ice] ⁽¹⁾ of a quality that does not alter their health status, and
- (g) they have been placed in [sealed watertight clean containers which were disinfected beforehand using an authorised disinfectant and which bear on the exterior a legible label] ⁽¹⁾ [a well boat where the well and its pipe and pump systems were disinfected beforehand using an authorised disinfectant, carrying a manifest] ⁽¹⁾ with the relevant ⁽¹²⁾ information referred to at point 1 and 2 of this certificate and the following statement:

[Live [fish] ⁽¹⁾ [and] ⁽¹⁾ [molluscs] ⁽¹⁾ [and] ⁽¹⁾ [crustaceans] ⁽¹⁾] ⁽¹⁾ [Eggs of [fish] ⁽¹⁾ [and] ⁽¹⁾ [molluscs] ⁽¹⁾ [and] ⁽¹⁾ [crustaceans] ⁽¹⁾] ⁽¹⁾ [and] ⁽¹⁾ [Gametes of [fish] ⁽¹⁾ [and] ⁽¹⁾ [molluscs] ⁽¹⁾ [and] ⁽¹⁾ [crustaceans] ⁽¹⁾] ⁽¹⁾ not belonging to the susceptible species referred to in Annex A, column 2, list II, to Directive 91/67/EEC, authorised for placing on the market in the Community, including zones and farms with a Community approved programme or status, with regard to [*Bonamia ostreae*] ⁽¹⁾ [and] ⁽¹⁾ [*Marteilia refringens*] ⁽¹⁾ [and] ⁽¹⁾ [Viral haemorrhagic septicaemia] ⁽¹⁾ [and] ⁽¹⁾ [Infectious haematopoietic necrosis] ⁽¹⁾

Done at
(Place)



on
(Date)

.....
(Signature of official inspector)

.....
(Name in capital letter, qualifications and title)

Indicative notes

- (¹) Retain as appropriate.
 - (²) If different from place of origin, retain as appropriate.
 - (³) Description of the zone.
 - (⁴) Give reference to the Commission Decision on the basis of which the approval has been granted.
 - (⁵) If different from farm of destination, retain as appropriate.
 - (⁶) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft shall be specified. In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, shall be indicated under point 3.3.
 - (⁷) Name and address of the farm.
 - (⁸) OJ L 135, 3.6.2003, p. 19.
 - (⁹) Applies when the consignment consists of molluscs, retain as appropriate.
 - (¹⁰) In consignments smaller than 1 000 bivalve molluscs, all molluscs shall be visually inspected.
 - (¹¹) Applies when the consignment consists of fish and/or crustaceans, retain as appropriate.
 - (¹²) Member State and zone (as applicable) and of destination; name and telephone number of the consignor and consignee.
-

ANNEX II

Explanatory notes for movement documents and labelling

- (a) The movement documents shall be produced by the competent authorities of the Member State of origin, based on the model appearing in Annex I to this Decision taking into account the species of the consignment and the status of the place of destination.
- (b) The original of each movement document shall consist of a single page, double-sided, or, where more than one page is required, it shall be in such a form that all pages form part of an integrated whole and are indivisible.
- It shall, on the right hand side of the top of each page, be marked as 'original' and bear a specific code number issued by the competent authority. All pages of the movement document shall be numbered — (page number) of (total number of pages).
- (c) The original of the movement document and the labels referred to in the model movement document shall be drawn up in at least one official language of the Member State of destination. However, Member States may allow other languages, if necessary, accompanied by an official translation.
- (d) The original of the movement document must be completed, on the day of loading of the consignment, with an official stamp and signed by an official inspector designated by the competent authority. In doing so, the competent authority of the Member State of origin shall ensure that the principles of certification equivalent to those laid down in Council Directive 96/93/EC are followed (OJ L 13, 16.1.1997, p. 28).
- The stamp, unless embossed, and the signature shall be in a colour different to that of the printing.
- (e) If for reasons of identification of the items of the consignment, additional pages are attached to the movement document, these pages shall be considered as forming part of the original and be signed and stamped by the certifying official inspector on each page.
- (f) The original of the movement document must accompany the consignment until it reaches the place of destination.
- (g) The movement document shall be valid for 10 days from the date of issue. In the case of transport by ship, the time of validity is prolonged by the time of the period on the ship.
- (h) The aquatic animals, their eggs and gametes, shall not be transported together with other aquatic animals or their eggs and gametes that are of a lower health status. Furthermore, they must not be transported under any other conditions that alter their health status.

ANNEX III

List of aquaculture animal species considered not susceptible to and not responsible for transmission of certain diseases

Mollusc disease (pathogen)	Mollusc species
Bonamiosis (<i>Bonamia ostreae</i>)	Pacific oyster <i>Crassostrea gigas</i> Mussels <i>Mytilus edulis</i> and <i>M. galloprovincialis</i> European native clam <i>Ruditapes decussatus</i> Manila clam <i>Ruditapes philippinarum</i>
Marteiliosis (<i>Marteilia refringens</i>)	Pacific oyster <i>Crassostrea gigas</i>

COMMISSION DECISION

of 23 May 2003

amending Decision 92/452/EEC establishing lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community as regards the United States of America

(notified under document number C(2003) 1643)

(Text with EEA relevance)

(2003/391/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 8 thereof,

Whereas:

- (1) Commission Decision 92/452/EEC ⁽³⁾, as last amended by Decision 2003/151/EC ⁽⁴⁾, provides that Member States are only to import embryos from third countries where they have been collected, processed and stored by an embryo collection team listed in that Decision. The United States of America has requested that amendments be made to that list as regards the entries for that country.
- (2) The United States of America has provided guarantees regarding compliance with the appropriate rules set out in Directive 89/556/EEC and the collection teams concerned have been officially approved for exports to the Community by the veterinary services of that country.
- (3) Decision 92/452/EEC should therefore be amended accordingly.
- (4) 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 Annex to Decision 92/452/EEC is amended as follows:

1. the following row is deleted concerning teams of the United States of America:

'US		96NY089 E1062		Toole Veterinary Clinic 388 Erieville Road Erieville NY	Dr. Robert Toole'
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2. the following row is added concerning teams of the United States of America:

'US		02CA106 E752		Lander Veterinary Clinic 2930 Lander Ave. Turlock, CA 95380	Dr. Larry Lanzon'
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⁽¹⁾ OJ L 302, 19.10.1989, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 250, 29.8.1992, p. 40.

⁽⁴⁾ OJ L 59, 4.3.2003, p. 26.

Article 2

This Decision shall apply from 6 June 2003.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 23 May 2003.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION

of 23 May 2003

amending Decisions 2003/70/EC and 2003/71/EC as regards imports of live gametes of fish belonging to the family *Salmonidae* from Norway and the Faeroe Islands

(notified under document number C(2003) 1675)

(Text with EEA relevance)

(2003/392/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(4) Decisions 2003/70/EC and 2003/71/EC should therefore be amended accordingly.

Having regard to the Treaty establishing the European Community,

(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,

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 ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 18(7) thereof,

HAS ADOPTED THIS DECISION:

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 ⁽³⁾, and in particular Article 22(6) thereof,

Article 1

Decision 2003/70/EC is amended as follows.

1. Article 1(3) is replaced by the following:

'3. Member States shall authorise the import of live gametes of fish belonging to the family *Salmonidae* originating in Norway subject to the consignments being accompanied by a certificate in accordance with the model laid down in Annex I.'

2. Annex I is replaced by the text in Annex I to this Decision.

Whereas:

(1) The occurrence of infectious salmon anaemia (ISA) in Norway led to the adoption of Commission Decision 2003/70/EC of 29 January 2003 on certain protective measures in respect of infectious salmon anaemia in Norway ⁽⁴⁾.

(2) The occurrence of infectious salmon anaemia (ISA) in the Faeroe Islands led to the adoption of Commission Decision 2003/71/EC of 29 January 2003 on certain protective measures in respect of infectious salmon anaemia in the Faeroe Islands ⁽⁵⁾.

(3) For the sake of technical clarity, it is appropriate that Decisions 2003/70/EC and 2003/71/EC also provide that live gametes belonging to the family *Salmonidae* originating in Norway and the Faeroe Islands and introduced into the Community should come from a farm that is not under any animal health restrictions due to a suspicion or an outbreak of infectious salmon anaemia.

Article 2

Decision 2003/71/EC is amended as follows.

1. Article 1(3) is replaced by the following:

'3. Member States shall authorise the import of live gametes of fish belonging to the family *Salmonidae* originating in the Faeroe Islands subject to the consignments being accompanied by a certificate in accordance with the model laid down in Annex I.'

2. Annex I is replaced by the text in Annex II to this Decision.

Article 3

This Decision shall apply from 6 June 2003.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 162, 1.7.1996, p. 1.

⁽³⁾ OJ L 24, 30.1.1998, p. 9.

⁽⁴⁾ OJ L 26, 31.1.2003, p. 76.

⁽⁵⁾ OJ L 26, 31.1.2003, p. 80.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 23 May 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

‘ANNEX I

**MODEL HEALTH CERTIFICATE REGARDING INFECTIOUS SALMON ANAEMIA (ISA) FOR SALMONID EGGS
AND GAMETES ORIGINATING IN NORWAY**

Reference Code No

ORIGINAL

1. Authorities involved 1.1. Competent authority: 1.2. Competent issuing authority:		3. Destination of the consignment 3.1. Member State: 3.2. Farm name: 3.3. Address: 3.4. Name, address and phone number of the consignee:	
2. Place of origin of the consignment 2.1. Farm of origin: 2.2. Address or location of farm: 2.3. Name, address and phone number of the consignor:		4. Means of transport and consignment identification 4.1. ⁽¹⁾ [Lorry] ⁽¹⁾ [Rail-wagon] ⁽¹⁾ [Ship] ⁽¹⁾ [Aircraft]: 4.2. ⁽¹⁾ [Registration number(s)] ⁽¹⁾ [Ship name] or ⁽¹⁾ [Flight number]: 4.3. Consignment identification details:	
5. Description of the consignment ☐ Fertilised eggs ☐ Gametes			
Scientific name:	Common name:	Total volume of ⁽¹⁾ [eggs] ⁽¹⁾ [gametes]:	
☐ <i>Salmo salar</i> ☐ <i>Salmo trutta</i> ☐ <i>Oncorhynchus mykiss</i>	☐ Atlantic salmon ☐ Sea trout ☐ Rainbow trout		
6. Animal health attestation for salmonid eggs and gametes originating in Norway for farming in the Community I, the undersigned official inspector, hereby certify that the ⁽¹⁾ [eggs] ⁽¹⁾ [and] ⁽¹⁾ [gametes] referred to in point 5 of this certificate: — ⁽²⁾ [have been disinfected both at the green egg stage and the eyed egg stage, in accordance with Section 5.2, Appendix 5.2.1 of the <i>International aquatic animal health code</i> of the International Office of Epizootic Diseases third edition 2000,] — come from a farm that is not under animal health restrictions due to a suspicion or an outbreak of infectious salmon anaemia.			
Done at (Place)		on (Date)	
		 (Signature of official inspector ⁽²⁾) (Name in capital letters, qualifications and title)	
Indicative notes: ⁽¹⁾ Retain as appropriate. ⁽²⁾ Applicable to eggs only. ⁽³⁾ The signature and seal must be in a colour different to that of the printing.			

ANNEX II

‘ANNEX I

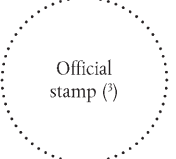
**MODEL HEALTH CERTIFICATE REGARDING INFECTIOUS SALMON ANAEMIA (ISA) FOR SALMONID EGGS
AND GAMETES ORIGINATING IN THE FAEROE ISLANDS**

Reference Code No		ORIGINAL
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1. Authorities involved 1.1. Competent authority: 1.2. Competent issuing authority:	3. Destination of the consignment 3.1. Member State: 3.2. Farm name: 3.3. Address: 3.4. Name, address and phone number of the consignee:
2. Place of origin of the consignment 2.1. Farm of origin: 2.2. Address or location of farm: 2.3. Name, address and phone number of the consignor:	4. Means of transport and consignment identification 4.1. ⁽¹⁾ [Lorry] ⁽¹⁾ [Rail-wagon] ⁽¹⁾ [Ship] ⁽¹⁾ [Aircraft]: 4.2. ⁽¹⁾ Registration number(s) ⁽¹⁾ [Ship name] or ⁽¹⁾ [Flight number]: 4.3. Consignment identification details:

5. Description of the consignment		
☐ Fertilised eggs ☐ Gametes		
Scientific name:	Common name:	Total volume of ⁽¹⁾ [eggs] ⁽¹⁾ [gametes]:
☐ <i>Salmo salar</i> ☐ <i>Salmo trutta</i> ☐ <i>Oncorhynchus mykiss</i>	☐ Atlantic salmon ☐ Sea trout ☐ Rainbow trout	

6. Animal health attestation for salmonid eggs and gametes originating in the Faeroe Islands for farming in the Community I, the undersigned official inspector, hereby certify that the ⁽¹⁾ [eggs] ⁽¹⁾ [and] ⁽¹⁾ [gametes] referred to in point 5 of this certificate: — ⁽²⁾ [have been disinfected both at the green egg stage and the eyed egg stage, in accordance with Section 5.2, Appendix 5.2.1 of the <i>International aquatic animal health code</i> of the International Office of Epizootic Diseases, third edition 2000,] — come from a farm that is not under animal health restrictions due to a suspicion or an outbreak of infectious salmon anaemia.
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Done at (Place) 	on (Date) (Signature of official inspector) ⁽²⁾ (Name in capital letters, qualifications and title)
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<i>Indicative notes:</i> ⁽¹⁾ Retain as appropriate. ⁽²⁾ Applicable to eggs only. ⁽³⁾ The signature and seal must be in a colour different to that of the printing.
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COMMISSION DECISION
of 22 May 2003
amending Decision 2000/728/EC establishing the application and annual fees of the Community
eco-label

(notified under document number C(2003) 1780)

(Text with EEA relevance)

(2003/393/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme ⁽¹⁾, and in particular Article 12 thereof and Annex V thereto,

Whereas:

- (1) In accordance with the working plan established by Commission Decision 2002/18/EC ⁽²⁾ the fee structure for the Community eco-label should offer an appropriate incentive to encourage the use of labels under both the Community scheme and other eco-label award schemes.
- (2) Commission Decision 2000/728/EC of 10 November 2000 establishing the application and annual fees of the Community eco-label ⁽³⁾ should therefore be amended to allow reductions for products that have also been awarded another eco-label that complies with the general requirements of ISO 14024.
- (3) The measures provided for in this Decision are in accordance with the opinion of the Committee instituted by Article 17 of Regulation (EC) No 1980/2000,

HAS ADOPTED THIS DECISION:

Article 1

In Article 2 of Decision 2000/728/EC, the following paragraph 8a is inserted:

‘8a. Competent bodies may grant a reduction of up to 30 % where the product in question has also been awarded another eco-label that complies with the general requirements of ISO 14024.’

Article 2

This Decision is addressed to the Member States and to the Community eco-label competent bodies.

Done at Brussels, 22 May 2003.

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 237, 21.9.2000, p. 1.

⁽²⁾ OJ L 7, 11.1.2002, p. 28.

⁽³⁾ OJ L 293, 22.11.2000, p. 18.