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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1185/2003
of 26 June 2003
on the removal of fins of sharks on board vessels**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) According to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽³⁾, the Common Fisheries Policy shall ensure exploitation of living aquatic resources that provides sustainable economic, environmental and social conditions, and the Council is to establish Community measures governing access to waters and resources and the sustainable pursuit of fishing activities.
- (2) Fish belonging to the taxon *Elasmobranchii*, which includes sharks, skates, rays and similar species are generally very vulnerable to exploitation due to their life-cycle characteristics. Most of these species are often caught as by-catch in Community fishing activities directed to other more valuable species.
- (3) Current scientific knowledge, generally based on the examination of catch rates, indicates that many stocks of sharks are seriously under threat.
- (4) Until more is known about the population dynamics of sharks and their response to exploitation, which would allow the drafting of well-tailored and comprehensive management plans, any measure preventing the development of unsustainable practices or leading to decreased exploitation of sharks will have positive effects on their conservation.
- (5) The practice of 'shark finning', whereby the fins are removed from sharks, with the remainder of the shark being discarded at sea, may contribute to the excessive

mortality of sharks to such an extent that many stocks of sharks are depleted, and their future sustainability may be endangered.

- (6) Measures to restrict or prevent the further development of the practice of shark finning are urgently required, and the removal of shark fins on board vessels should therefore be prohibited. In view of the practical difficulties involved in the identification of species based on removed fins, this prohibition should apply to all *Elasmobranchii*, except for the removal of ray wings.
- (7) However, the removal of fins from dead sharks on board may be allowed if the removal aims at a more efficient use of all shark parts by the separate processing on board of fins and of the remaining parts of the sharks. In this case, the flag Member State should issue and manage, with associated conditions, a special fishing permit in accordance with Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits ⁽⁴⁾.
- (8) In order to ensure that all the remaining parts of sharks are kept on board, after the removal of fins, masters of vessels which hold a valid special fishing permit should keep records of the amounts of shark fins and of the remaining parts of sharks after evisceration and beheading. Such records should be kept in the logbook as provided for by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽⁵⁾, or in a special register as appropriate.
- (9) The problems resulting from the practice of shark finning extend well beyond Community waters. It is appropriate that the Community shows equal commitment towards stock conservation in all maritime waters. This Regulation should therefore be applicable to all Community vessels.

⁽¹⁾ OJ C 331 E, 31.12.2002, p. 121.

⁽²⁾ Opinion delivered on 27 March 2003 (not yet published in the Official Journal).

⁽³⁾ OJ L 358, 31.12.2002, p. 59.

⁽⁴⁾ OJ L 171, 6.7.1994, p. 7.

⁽⁵⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

- (10) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of conservation of shark stocks to lay down rules on the removal of shark fins on board vessels. This Regulation does not go beyond what is necessary in order to achieve the objectives pursued in accordance with the third paragraph of Article 5 of the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

This Regulation shall apply to the removal of shark fins, retention on board, transshipment and landing of sharks or shark fins:

1. by vessels in maritime waters under the sovereignty or the jurisdiction of Member States;
2. by vessels flying the flag or registered in Member States in other maritime waters.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

1. 'shark fins' means any fins of sharks including caudal fins, but excluding the pectoral fins of rays, which are a constituent part of raywings;
2. 'shark' means any fish of the taxon *Elasmobranchii*;
3. 'special fishing permit' means a prior fishing authorisation issued and managed in accordance with Regulation (EC) No 1627/94.

Article 3

Prohibitions

1. It shall be prohibited to remove shark fins on board vessels, and to retain on board, tranship or land shark fins.
2. It shall be prohibited to purchase, offer for sale or sell shark fins which have been removed on board, retained on board, transhipped or landed in contravention of this Regulation.

Article 4

Derogation and associated conditions

1. By way of derogation from Article 3(1), and subject to paragraphs 2, 3, 4 and 5 of this Article, it may be allowed to remove shark fins from dead sharks on board and to retain on board, tranship or land shark fins with regard to vessels which hold a special fishing permit.
2. Such a special fishing permit shall only be issued to fishing vessels where a capacity to use all parts of sharks has been demonstrated and where the need for the separate processing on board of shark fins and the remaining parts of sharks has been justified.
3. It shall be prohibited to discard at sea the remaining parts of sharks after removal of the shark fins, except those parts resulting from basic processing operations, such as beheading, gutting and skinning.
4. The weight of the fins kept from the catch shall never exceed the theoretical weight of the fins that would correspond to the remaining parts of sharks retained on board, transhipped or landed.
5. For the purpose of controlling the application of paragraph 4, the theoretical correspondence between weights of fins and bodies shall be established by Member States, taking into account the type of fishery, the species composition and the type of processing and storage. In no case shall the theoretical weight of the fins exceed 5 % of the live weight of the shark catch.

Article 5

Records

1. Masters of vessels which hold a valid special fishing permit shall keep records of the weight of shark fins and the remaining parts of sharks retained on board, transhipped or landed.

These records shall be kept in the logbook established by Article 6(1) of Regulation (EEC) No 2847/93, where applicable. For those vessels not subject to Article 6(1) of that Regulation, these records shall be kept in a special register to be provided by the competent authority issuing the special fishing permit.

When the shark catch is not landed as a whole, masters of vessels shall complete the logbook records with valid documentation on landings, transshipments and sales of shark fins or remaining parts of sharks.

The Member States shall define the type of documentation which is deemed valid for this purpose and check systematically the logbook records.

2. In order to facilitate the control of landings by the port authorities and the documentation referred to in paragraph 1, masters of vessels, or their representatives, who hold a valid special fishing permit and who intend to land shark fins or remaining parts of sharks outside Community ports, shall notify the authorities of the flag State and the competent authorities of the State whose ports or landing facilities they want to use, at least 72 hours before the estimated time of arrival at the port of landing, of the catches retained on board, the catches intended for landing and their estimated time of arrival at the port.

Article 6

Reports and Review

1. Member States shall send the Commission, by 1 May at the latest, a comprehensive annual report on the implementation of this Regulation during the previous year. The report shall describe the monitoring of compliance of vessels with the requirements of Articles 3, 4 and 5 and shall detail in particular the number of special permits issued, the technical basis for

setting the theoretical correspondence between weights of fins and bodies and the documentation considered valid for the purposes of monitoring separate landings of fins and bodies.

2. After the submission by Member States of their second annual report, the Commission shall no later than 1 January 2006 report to the European Parliament and the Council on the operation of this Regulation and the international developments in this field, and submit, if appropriate, any amendment to this Regulation. Where the proposed amendments would affect the theoretical correspondence between weights of fins and bodies, these amendments shall be made in the light of the advice of the Scientific, Technical and Economic Committee for Fisheries.

Article 7

Entry into force

This Regulation shall enter into force on the 60th day following that of 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 Luxembourg, 26 June 2003.

For the Council

The President

G. DRYG

COMMISSION REGULATION (EC) No 1186/2003
of 3 July 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 4 July 2003.

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

Done at Brussels, 3 July 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 3 July 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	56,5
	068	49,8
	096	57,7
	999	54,7
0707 00 05	052	80,5
	628	119,5
	999	100,0
0709 90 70	052	74,2
	999	74,2
0805 50 10	382	55,9
	388	59,4
	524	80,7
	528	51,3
	999	61,8
0808 10 20, 0808 10 50, 0808 10 90	388	79,7
	400	92,7
	508	88,1
	512	70,9
	524	46,9
	528	67,0
	720	67,5
	804	104,3
	999	77,1
0808 20 50	388	89,9
	512	82,4
	528	80,9
	800	180,2
	804	195,3
	999	125,7
0809 10 00	052	182,7
	064	150,5
	999	166,6
0809 20 95	052	253,4
	060	115,5
	061	210,0
	064	231,2
	068	105,5
	400	269,8
	616	181,2
	999	195,2
0809 40 05	052	175,4
	624	193,6
	999	184,5

⁽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 1187/2003**of 3 July 2003****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽³⁾, as amended by Regulation (EC) No 79/2003 ⁽⁴⁾, and in particular Article 1(2) and Article 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽⁵⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 July 2003.

⁽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.

⁽⁴⁾ OJ L 13, 18.1.2003, p. 4.

⁽⁵⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 3 July 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

ANNEX

to the Commission Regulation of 3 July 2003 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/ 95 ⁽²⁾
1703 10 00 ⁽¹⁾	6,70	0,12	—
1703 90 00 ⁽¹⁾	9,08	—	0

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

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

COMMISSION REGULATION (EC) No 1188/2003**of 3 July 2003****fixing the export refunds on white sugar and raw sugar without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 the second subparagraph of Article 27(5) thereof,

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and the prices for those products within the Community may be covered by an export refund.

(2) Regulation (EC) No 1260/2001 provides that when refunds on white sugar and raw sugar, non-denatured and exported without further processing, are being fixed, account must be taken of the situation on the Community and world markets in sugar, and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.

(3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of Regulation (EC) No 1260/2001. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽³⁾. The refund thus calculated for sugar containing added flavour or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

(4) In special cases, the amount of the refund may be fixed by other legal instruments.

(5) The refund must be fixed every two weeks. It may be altered in the intervening period.

(6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.

(7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial in nature.

(8) In order to prevent any abuses associated with the re-importation into the Community of sugar sector products that have qualified for export refunds, refunds for the products covered by this Regulation should not be fixed for all the countries of the western Balkans.

(9) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be fixed at the appropriate amounts.

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on exports of the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, non-denatured and without further processing, are hereby fixed in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 4 July 2003.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

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

Done at Brussels, 3 July 2003.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX

REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	43,91 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	43,56 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	43,91 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	43,56 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,4773
1701 99 10 9100	S00	EUR/100 kg	47,73
1701 99 10 9910	S00	EUR/100 kg	47,35
1701 99 10 9950	S00	EUR/100 kg	47,35
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,4773

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

The numeric destination codes are set out in Commission Regulation (EC) No 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999) and the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

COMMISSION REGULATION (EC) No 1189/2003**of 3 July 2003****fixing the maximum export refund for white sugar to certain third countries for the 35th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1331/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 27(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 1331/2002 of 23 July 2002 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, as amended by Regulation (EC) No 432/2003 ⁽⁴⁾, for the 2002/2003 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.

(2) Pursuant to Article 9(1) of Regulation (EC) No 1331/2002 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

(3) Following an examination of the tenders submitted in response to the 35th partial invitation to tender, the provisions set out in Article 1 should be adopted.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 35th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1331/2002 the maximum amount of the export refund to certain third countries is fixed at 50,382 EUR/100 kg.

Article 2

This Regulation shall enter into force on 4 July 2003.

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

Done at Brussels, 3 July 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 195, 24.7.2002, p. 6.

⁽⁴⁾ OJ L 65, 8.3.2003, p. 21.

COMMISSION REGULATION (EC) No 1190/2003
of 2 July 2003
correcting Regulation (EC) No 512/2003 on the issuing of export licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 883/2001 of 24 April 2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector ⁽¹⁾, as last amended by Regulation (EC) No 1175/2003 ⁽²⁾, and in particular Article 7 and Article 9(3) thereof,

Whereas:

- (1) The Portuguese version of Article 1(2) of Commission Regulation (EC) No 512/2003 ⁽³⁾ is incomplete and the dates are the wrong way round. The Portuguese version should therefore be corrected accordingly.

- (2) Given that Regulation (EC) No 512/2003 entered into force on 21 March 2003, this Regulation should apply from the same date,

HAS ADOPTED THIS REGULATION:

Article 1

This correction concerns only the Portuguese version.

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 from 21 March 2003.

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

Done at Brussels, 2 July 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 128, 10.5.2001, p. 1.

⁽²⁾ OJ L 164, 2.7.2003, p. 8.

⁽³⁾ OJ L 75, 21.3.2003, p. 25.

COMMISSION REGULATION (EC) No 1191/2003
of 2 July 2003
correcting Regulation (EC) No 120/2003 on the issuing of export licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 883/2001 of 24 April 2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector ⁽¹⁾, as last amended by Regulation (EC) No 1175/2003 ⁽²⁾, and in particular Article 7 and Article 9(3) thereof,

Whereas:

- (1) The Portuguese version of Article 1(2) of Commission Regulation (EC) No 120/2003 ⁽³⁾ is incomplete and the dates are the wrong way round. The Portuguese version should therefore be corrected accordingly.

- (2) Given that Regulation (EC) No 120/2003 entered into force on 25 January 2003, this Regulation should apply from the same date,

HAS ADOPTED THIS REGULATION:

Article 1

This correction concerns only the Portuguese version.

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 from 25 January 2003.

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

Done at Brussels, 2 July 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 128, 10.5.2001, p. 1.

⁽²⁾ OJ L 164, 2.7.2003, p. 8.

⁽³⁾ OJ L 20, 24.1.2003, p. 15.

COMMISSION REGULATION (EC) No 1192/2003
of 3 July 2003
amending Regulation (EC) No 91/2003 of the European Parliament and of the Council on rail
transport statistics
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics ⁽¹⁾, and in particular Article 3(2) and Article 4(5) thereof,

Whereas:

- (1) In accordance with Article 3 of Regulation (EC) No 91/2003, the definitions in that Regulation may be adapted by the Commission.
- (2) Additional definitions are necessary for the purposes of the collection of the data on the basis of common definitions in all Member States to ensure the harmonisation of the rail transport statistics.
- (3) In accordance with Article 4 of Regulation (EC) No 91/2003, the contents of the Annexes may be adapted by the Commission.
- (4) The specification of Table H1 needs to be modified to ensure a clear statement of the coverage of the statistics.
- (5) Regulation (EC) No 91/2003 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion delivered by the Statistical Programme Committee, set up by Council Decision 89/382/EEC, Euratom ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 91/2003 is amended as follows:

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

- '1. For the purposes of this Regulation the following definitions shall apply:
1. "reporting country" means the Member State transmitting data to Eurostat;
 2. "national authorities" means national statistical institutes and other bodies responsible in each Member State for producing Community statistics;
 3. "railway" means line of communication made up by rail exclusively for the use of railway vehicles;

4. "railway vehicle" means mobile equipment running exclusively on rails, moving either under its own power (tractive vehicles) or hauled by another vehicle (coaches, railcar trailers, vans and wagons);

5. "railway undertaking" means any public or private undertaking which provides services for the transport of goods and/or passengers by rail. Undertakings whose only business is to provide services for the transport of passengers by metro, tram and/or light rail are excluded;

6. "transport of goods by rail" means the movement of goods using railway vehicles between the place of loading and the place of unloading;

7. "transport of passengers by rail" means the movement of passengers using railway vehicles between the place of embarkation and the place of disembarkation. The transport of passengers by metro, tram and/or light rail is excluded;

8. "metro" (also known as "subway", "metropolitan railway" or "underground") means an electric railway for the transport of passengers with the capacity for a heavy volume of traffic and characterised by exclusive rights-of-way, multi-car trains, high speed and rapid acceleration, sophisticated signalling as well as the absence of level crossings to allow a high frequency of trains and high platform load. Metros are also characterised by closely spaced stations, normally meaning a distance of 700 to 1 200 m between the stations. "High speed" refers to the comparison with trams and light rail, and means here approximately 30 to 40 km/h on shorter distances, 40 to 70 km/h on longer distances;

9. "tram (streetcar)" means a passenger road vehicle designed to seat more than nine persons (including the driver), which is connected to electric conductors or powered by diesel engine and which is rail-borne;

10. "light rail" means a railway for the transport of passengers that often uses electrically powered rail-borne cars operating singly or in short trains on fixed duo-rail lines. There is generally a distance of less than 1 200 m between stations/stops. In comparison to metros, light rail is more lightly constructed, is designed for lower traffic volumes and usually travels at lower speeds. It is sometimes difficult to make a precise distinction between light rail and trams; trams are generally not separated from road traffic, whereas light rail may be separated from other systems;

⁽¹⁾ OJ L 14, 21.1.2003, p. 1.

⁽²⁾ OJ L 181, 28.6.1989, p. 47.

11. "national transport" means rail transport between two places (a place of loading/embarkation and a place of unloading/disembarkation) located in the reporting country. It may involve transit through a second country;
 12. "international transport" means rail transport between a place (of loading/embarkation or unloading/disembarkation) in the reporting country and a place (of loading/embarkation or unloading/disembarkation) in another country;
 13. "transit" means rail transport through the reporting country between two places (a place of loading/embarkation and a place of unloading/disembarkation) outside the reporting country. Transport operations involving loading/embarkation or unloading/disembarkation of goods/passengers at the border of the reporting country from/onto another mode of transport are not considered as transit;
 14. "rail passenger" means any person, excluding members of the train crew, who makes a trip by rail. For accident statistics, passengers trying to embark/disembark onto/from a moving train are included;
 15. "number of passengers" means the number of trips by rail passengers, where each trip is defined as the movement from the place of embarkation to the place of disembarkation, with or without transfers from one rail vehicle to another. If passengers use the services of more than one railway undertaking, when possible they should not be counted more than once;
 16. "passenger-km" means the unit of measure representing the transport of one passenger by rail over a distance of one kilometre. Only the distance on the national territory of the reporting country shall be taken into account;
 17. "weight" means the quantity of goods in tonnes (1 000 kilograms). The weight to be taken into consideration includes, in addition to the weight of the goods transported, the weight of packaging and the tare weight of containers, swap bodies, pallets as well as road vehicles transported by rail in the course of combined transport operations. If the goods are transported using the services of more than one railway undertaking, when possible the weight of goods should not be counted more than once;
 18. "tonne-km" means the unit of measure of goods transport which represents the transport of one tonne (1 000 kilograms) of goods by rail over a distance of one kilometre. Only the distance on the national territory of the reporting country shall be taken into account;
 19. "train" means one or more railway vehicles hauled by one or more locomotives or railcars, or one railcar travelling alone, running under a given number or specific designation from an initial fixed point to a terminal fixed point. A light engine, i.e. a locomotive travelling on its own, is not considered to be a train;
 20. "train-km" means the unit of measure representing the movement of a train over one kilometre. The distance used is the distance actually run, if available, otherwise the standard network distance between the origin and destination shall be used. Only the distance on the national territory of the reporting country shall be taken into account;
 21. "full trainload" means any consignment comprising one or more wagonloads transported at the same time by the same sender at the same station and forwarded with no change in train composition to the address of the same consignee at the same destination station;
 22. "full wagonload" means any consignment of goods for which the exclusive use of a wagon is required, whether the total loading capacity is utilised or not;
 23. "TEU (Twenty-foot Equivalent Unit)" means a standard unit based on an ISO container of 20 feet length (6,10 m), used as a statistical measure of traffic flows or capacities. One standard 40' ISO Series 1 container equals 2 TEUs. Swap bodies under 20 feet correspond to 0,75 TEU, between 20 feet and 40 feet to 1,5 TEU and over 40 feet to 2,25 TEU;
 24. "significant accident" means any accident involving at least one rail vehicle in motion, resulting in at least one killed or seriously injured person, or in significant damage to stock, track, other installations or environment, or extensive disruptions to traffic. Accidents in workshops, warehouses and depots are excluded;
 25. "serious injury accident" means any accident involving at least one rail vehicle in motion, resulting in at least one killed or seriously injured person. Accidents in workshops, warehouses and depots are excluded;
 26. "person killed" means any person killed immediately or dying within 30 days as a result of an accident, excluding suicides;
 27. "person seriously injured" means any person injured who was hospitalised for more than 24 hours as a result of an accident, excluding attempted suicides;
 28. "accident involving the transport of dangerous goods" means any accident or incident that is subject to reporting in accordance with RID/ADR section 1.8.5.
 29. "suicide" means an act to deliberately injure oneself resulting in death, as recorded and classified by the competent national authority;
 30. "attempted suicide" means an act to deliberately injure oneself resulting in serious injury, but not in death, as recorded and classified by the competent national authority.'
2. Annex H is replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following that of 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, 3 July 2003.

For the Commission
Pedro SOLBES MIRA
Member of the Commission

ANNEX

'ANNEX H

STATISTICS ON ACCIDENTS

List of variables and units of measurement	— number of accidents (Tables H1, H2) — number of persons killed (Table H3) — number of persons seriously injured (Table H4)
Reference period	Year
Frequency	Every year
List of tables with the breakdown for each table	Table H1: number of significant accidents and number of serious injury accidents (optional), by type of accident Table H2: number of accidents involving the transport of dangerous goods Table H3: number of persons killed, by type of accident and by category of person Table H4: number of persons seriously injured, by type of accident and by category of person
Deadline for transmission of data	Five months after end of reference period
First reference period	2004
Note	1. Type of accident is broken down as follows: — collisions (excluding level crossing accidents) — derailments — accidents involving level crossings — accidents to persons caused by rolling stock in motion — fires in rolling stock — others — total The type of accident refers to the primary accident. 2. Table H2 has the following breakdown: — total number of accidents involving at least one railway vehicle transporting dangerous goods, as defined by the list of goods covered by Annex K — number of such accidents in which dangerous goods are released 3. Category of person is broken down as follows: — passengers — employees (including contractors) — others — total 4. The data in Tables H1 to H4 shall be provided for all railways covered by this Regulation. 5. During the first five years of application of this Regulation, Member States may report these statistics according to national definitions, if data conforming to harmonised definitions (adopted according to the procedure of Article 11(2)) are not available.'

COMMISSION REGULATION (EC) No 1193/2003
of 3 July 2003
concerning tenders notified in response to the invitation to tender for the export of barley issued
in Regulation (EC) No 936/2003

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 1104/2003 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 936/2003 ⁽⁶⁾.

(2) Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

(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

No action shall be taken on the tenders notified from 27 June to 3 July 2003 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 936/2003.

Article 2

This Regulation shall enter into force on 4 July 2003.

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

Done at Brussels, 3 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 127, 9.5.2002, p. 11.

COMMISSION REGULATION (EC) No 1194/2003
of 3 July 2003
concerning tenders notified in response to the invitation to tender for the export of rye issued in
Regulation (EC) No 935/2003

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 1104/2003 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to certain third countries was opened pursuant to Commission Regulation (EC) No 935/2003 ⁽⁶⁾.

(2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

(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

No action shall be taken on the tenders notified from 27 June to 3 July 2003 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 935/2003.

Article 2

This Regulation shall enter into force on 4 July 2003.

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

Done at Brussels, 3 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 133, 29.5.2003, p. 45.

COMMISSION REGULATION (EC) No 1195/2003**of 3 July 2003****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 934/2003**

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 1104/2003⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 1163/2002⁽⁴⁾, as amended by Regulation (EC) No 1324/2002⁽⁵⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 934/2003⁽⁶⁾.

- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

- (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

No action shall be taken on the tenders notified from 27 June to 3 July 2003 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 934/2003.

Article 2

This Regulation shall enter into force on 4 July 2003.

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

Done at Brussels, 3 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 133, 29.5.2003, p. 42.

COMMISSION REGULATION (EC) No 1196/2003
of 3 July 2003
concerning tenders notified in response to the invitation to tender for the import of sorghum
issued in Regulation (EC) No 699/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organization of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on sorghum imported into Spain was opened pursuant to Commission Regulation (EC) No 699/2003 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁵⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified to make no award.

(3) On the basis of the criteria laid down in Articles 6 and 7 of Regulation (EC) No 1839/95 a maximum reduction in the duty should not be fixed.

(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

No action shall be taken on the tenders notified from 27 June to 3 July 2003 in response to the invitation to tender for the reduction in the duty on imported sorghum issued in Regulation (EC) No 699/2003.

Article 2

This Regulation shall enter into force on 4 July 2003.

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

Done at Brussels, 3 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 99, 17.4.2003, p. 29.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

COMMISSION REGULATION (EC) No 1197/2003**of 3 July 2003****laying down the reduction coefficient to be applied under the Community tariff quota for barley provided for by Regulation (EC) No 2376/2002**

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 1104/2003 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2376/2002 of 27 December 2002 opening and providing for the administration of a Community tariff quota for barley from third countries and derogating from Council Regulation (EEC) No 1766/92 ⁽³⁾, as last amended by Regulation (EC) No 1113/2003 ⁽⁴⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Regulation (EC) No 2376/2002 opened an annual tariff quota for the import of 300 000 tonnes of barley falling within CN code 1003 00.

- (2) The quantities applied for on 30 June 2003 in accordance with Article 4(1) of Regulation (EC) No 2376/2002 exceed the quantities available. The extent to which licences may be issued should therefore be determined and a reduction coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for import licences for the tariff quota for barley lodged and forwarded to the Commission on 30 June 2003 in accordance with Article 4(1) and (2) of Regulation (EC) No 2376/2002 shall be accepted at a rate of 0,715620 of the quantity applied for.

Article 2

This Regulation shall enter into force on 4 July 2003.

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

Done at Brussels, 3 July 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 358, 31.12.2002, p. 92.

⁽⁴⁾ OJ L 158, 27.6.2003, p. 24.

**COMMISSION REGULATION (EC) No 1198/2003
of 3 July 2003
specifying the extent to which applications lodged in June 2003 for import rights in respect of
young male bovine animals for fattening may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 977/2003 of 7 June 2003 opening and providing for the administration of an import tariff quota for young male bovine animals for fattening (1 July 2003 to 30 June 2004) ⁽¹⁾, and in particular Article 4(5) thereof,

Whereas:

Article 1(1) of Regulation (EC) No 977/2003 lays down the number of young male bovine animals which may be imported on special terms during the period from 1 July 2003 to 30 June 2004. The quantities applied for exceed the quantities available under Article 2(1)(c) of that Regulation. Therefore, the quantities applied for should be reduced on a proportional basis in accordance with Article 4(5) of Regulation (EC) No 977/2003,

Article 1

All applications for import rights made in Member States other than Italy and Greece pursuant to Article 2(3), second subparagraph, third indent, of Regulation (EC) No 977/2003 are hereby met to the extent of 2,4324 % of the quantity requested.

Article 2

This Regulation shall enter into force on 4 July 2003.

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

Done at Brussels, 3 July 2003.

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

⁽¹⁾ OJ L 141, 7.6.2003, p. 5.

DIRECTIVE 2003/42/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 13 June 2003
on occurrence reporting in civil aviation

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

Following consultation of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾, in the light of the joint text approved by the Conciliation Committee on 9 April 2003,

Whereas:

- (1) The rate of accidents in civil aviation has remained fairly constant in the last decade; nevertheless there is concern that the forecasted traffic increase could lead to an increase in the number of accidents in the near future.
- (2) Council Directive 94/56/EC of 21 November 1994 establishing the fundamental principles governing the investigation of civil aviation accidents and incidents ⁽⁴⁾, aims at preventing accidents by facilitating the expeditious holding of investigations.
- (3) Experience has shown that often before an accident occurs, a number of incidents and numerous other deficiencies have shown the existence of safety hazards.
- (4) The improvement of the safety of civil aviation requires a better knowledge of these occurrences to facilitate analysis and trend monitoring in order to initiate corrective action.
- (5) When an occurrence involves aircraft registered in a Member State or operated by an undertaking established in a Member State, this occurrence should be reported even when it happened outside the territory of the Community.
- (6) Each Member State should set up mandatory reporting systems.
- (7) Various categories of personnel working in civil aviation observe occurrences of interest for the prevention of accidents and should therefore report them.
- (8) The efficiency of detection of potential hazard would be greatly enhanced by the exchange of information on such occurrences.

- (9) Supporting software for the exchange of information between different systems is necessary.
- (10) Safety information should be available to entities entrusted with regulating civil aviation safety or investigating accidents and incidents within the Community and, as appropriate, to the people who may learn from them and take or initiate the necessary action to improve safety.
- (11) The sensitive nature of safety information is such that the way to ensure its collection is by guaranteeing its confidentiality, the protection of its source and the confidence of the personnel working in civil aviation.
- (12) The public should be provided with general information on the level of aviation safety.
- (13) Appropriate measures should be put in place to enable the setting up of confidential reporting schemes.
- (14) The measures necessary for the implementation of this Directive 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 ⁽⁵⁾.
- (15) Consistency should be ensured with the technical reporting requirements developed by national experts in Eurocontrol and the Joint Aviation Authorities Organisation. The list of reportable occurrences should take into account the work of these two European organisations. Developments in the framework of the International Civil Aviation Organisation should also be taken into account.
- (16) Since the objective of the proposed action, namely the improvement of air safety, cannot be sufficiently achieved by the Member States because reporting systems operated by Member States in isolation are less efficient than a coordinated network with exchange of information enabling an earlier identification of possible safety problems, and can, therefore, be better achieved at Community level, the Community may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,

⁽¹⁾ OJ C 120 E, 24.4.2001, p. 148 and OJ C 332 E, 27.11.2001, p. 320.

⁽²⁾ OJ C 311, 7.11.2001, p. 8.

⁽³⁾ Opinion of the European Parliament of 14 June 2001 (OJ C 53 E, 28.2.2002, p. 324), Council Common Position of 17 June 2002 (OJ C 197 E, 20.8.2002, p. 16) and Decision of the European Parliament of 23 October 2002 (not yet published in the Official Journal). Decision of the European Parliament of 13 May 2003 and Decision of the Council of 13 May 2003.

⁽⁴⁾ OJ L 319, 12.12.1994, p. 14.

⁽⁵⁾ OJ L 184, 17.7.1999, p. 23.

HAVE ADOPTED THIS DIRECTIVE:

Article 4

Mandatory reporting

Article 1

Objective

The objective of this Directive is to contribute to the improvement of air safety by ensuring that relevant information on safety is reported, collected, stored, protected and disseminated.

The sole objective of occurrence reporting is the prevention of accidents and incidents and not to attribute blame or liability.

Article 2

Definitions

For the purpose of this Directive:

1. 'occurrence' means an operational interruption, defect, fault or other irregular circumstance that has or may have influenced flight safety and that has not resulted in an accident or serious incident, hereinafter referred to as 'accident or serious incident', as defined in Article 3(a) and (k) of Directive 94/56/EC;
2. 'disidentification' means removing from reports submitted all personal details pertaining to the reporter and technical details which might lead to the identity of the reporter, or of third parties, being inferred from the information.

Article 3

Scope

1. This Directive shall apply to occurrences which endanger or which, if not corrected, would endanger an aircraft, its occupants or any other person. A list of examples of these occurrences appears in Annexes I and II.
2. The Commission may, in accordance with the procedure laid down in Article 10(2), decide to amend the Annexes in order to expand upon, or change, the examples.
3. The application of this Directive to the airport of Gibraltar is understood to be without prejudice to the respective legal positions of the Kingdom of Spain and the United Kingdom with regard to the dispute over sovereignty over the territory in which the airport is situated.
4. Application of this Directive to the airport of Gibraltar shall be suspended until the arrangements in the Joint Declaration made by the Foreign Ministers of the Kingdom of Spain and the United Kingdom on 2 December 1987 have come into operation. The Governments of Spain and the United Kingdom will inform the Council of such date of entry into operation.

1. Member States shall require that occurrences covered by Article 3 are reported to the competent authorities referred to in Article 5(1) by every person listed below in the exercise of his/her functions:

- (a) the operator or commander of a turbine-powered or a public transport aircraft used by an operator for which a Member State ensures safety oversight of operations;
- (b) a person who carries on the business of designing, manufacturing, maintaining or modifying a turbine-powered or a public transport aircraft, or any equipment or part thereof, under the oversight of a Member State;
- (c) a person who signs a certificate of maintenance review, or of release to service in respect of a turbine-powered or a public transport aircraft, or any equipment or part thereof, under the oversight of a Member State;
- (d) a person who performs a function which requires him to be authorised by a Member State as an air traffic controller or as a flight information officer;
- (e) a manager of an airport covered by Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes ⁽¹⁾;
- (f) a person who performs a function connected with the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities for which a Member State ensures responsibility;
- (g) a person who performs a function connected with the ground-handling of aircraft, including fuelling, servicing, loadsheet preparation, loading, de-icing and towing at an airport covered by Regulation (EEC) No 2408/92.

2. Member States may encourage voluntary reporting on occurrences mentioned in Article 3(1) by every person who exercises, in other civil aviation operations, functions similar to those listed in paragraph 1.

Article 5

Collection and storage of information

1. Member States shall designate one or more competent authorities to put in place a mechanism to collect, evaluate, process and store occurrences reported in accordance with Article 4.

The following authorities, working with impartiality, may be entrusted with that responsibility:

- (a) the national civil aviation authority; and/or
- (b) the investigating body or entity established under Article 6 of Directive 94/56/EC; and/or
- (c) any other independent body or entity entrusted with this function.

⁽¹⁾ OJ L 240, 24.8.1992, p. 8. Regulation as last amended by the 1994 Act of Accession.

If a Member State designates more than one body or entity, it shall designate one of these as point of contact for the exchange of information mentioned in Article 6(1).

2. The competent authorities shall store the reports collected in their databases.

3. Accidents and serious incidents shall also be stored in these databases.

Article 6

Exchange of information

1. Member States shall participate in an exchange of information by making all relevant safety-related information stored in the databases mentioned in Article 5(2) available to the competent authorities of the other Member States and the Commission.

The databases shall be compatible with the software described in paragraph 3.

2. The competent authority designated in accordance with Article 5(1) receiving an occurrence report shall enter it into the databases and notify, whenever necessary, the competent authority of the Member State where the occurrence took place, where the aircraft is registered, where the aircraft is manufactured and/or where the operator is certificated.

3. The Commission shall develop specific software for the purpose of this Directive. In so doing, it shall take into account the need for compatibility with existing softwares in the Member States. The competent authorities may use this software for running their own databases.

4. The Commission shall take appropriate measures to facilitate the exchange of information mentioned in paragraph 1 in accordance with the procedure set out in Article 10(2).

Article 7

Dissemination of information

1. Any entity entrusted with regulating civil aviation safety or with investigating civil aviation accidents and incidents within the Community shall have access to information on occurrences collected and exchanged in accordance with Articles 5 and 6 to enable it to draw the safety lessons from the reported occurrences.

2. Without prejudice to the public's right of access to the Commission's documents as laid down in Regulation (EC) No 1049/2001 of the European Parliament and the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents⁽¹⁾, the Commission shall adopt on its own initiative and, in accordance with the procedure referred to in Article 10(2), measures for the dissemination to interested parties of the information referred to in paragraph 1 and the associated conditions. These measures, which can be general or individual, shall be based on the need:

— to provide persons and organisations with the information they need to improve civil aviation safety,

— to limit the dissemination of information to what is strictly required for the purpose of its users, in order to ensure appropriate confidentiality of that information.

The decision to disseminate information under this paragraph shall be limited to what is strictly required for the purpose of its user, without prejudice to the provisions of Article 8.

3. Member States may publish at least annually a safety review containing information on the types of occurrences collected by their national mandatory occurrence-reporting system to inform the public of the level of safety in civil aviation. Member States may also publish disidentified reports.

Article 8

Protection of information

1. Member States shall, according to their national legislation, take necessary measures to ensure appropriate confidentiality of the information received by them pursuant to Articles 6(1) and 7(1). They shall use this information solely for the objective of this Directive.

2. Regardless of the type or classification of occurrence and accident or serious incident, names or addresses of individual persons shall never be recorded on the database mentioned in Article 5(2).

3. Without prejudice to the applicable rules of penal law, Member States shall refrain from instituting proceedings in respect of unpremeditated or inadvertent infringements of the law which come to their attention only because they have been reported under the national mandatory occurrence-reporting scheme, except in cases of gross negligence.

4. In accordance with the procedures defined in their national laws and practices, Member States shall ensure that employees who report incidents of which they may have knowledge are not subjected to any prejudice by their employer.

5. This Article shall apply without prejudice to national rules related to access to information by judicial authorities.

Article 9

Voluntary reporting

1. In addition to the system of mandatory reporting established under Articles 4 and 5, Member States may designate one or more bodies or entities to put in place a system of voluntary reporting to collect and analyse information on observed deficiencies in aviation which are not required to be reported under the system of mandatory reporting, but which are perceived by the reporter as an actual or potential hazard.

2. If a Member State chooses to put in place a system of voluntary reporting, it shall establish the conditions for the disidentification, by the one or more bodies or entities that it has designated under paragraph 1, of voluntary reports presented under such system.

⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

3. Member States shall ensure that relevant disidentified safety information deriving from the analysis of confidential reporting is stored and made available to all parties so that it can be used for improving safety in aviation.

Article 10

Committee

1. The Commission shall be assisted by the committee instituted by Article 12 of Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation ⁽¹⁾.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period provided for in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 11

Implementation

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 4 July 2005. They shall forthwith inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 12

Entry into force

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

Article 13

Addressees

This Directive is addressed to the Member States.

Done at Luxembourg, 13 June 2003.

For the European Parliament

The President

P. COX

For the Council

The President

V. PAPANDREOU

⁽¹⁾ OJ L 373, 31.12.1991, p. 4. Regulation as last amended by Commission Regulation (EC) No 2871/2000 (OJ L 333, 29.12.2000, p. 47).

ANNEX I

List of aircraft operations, maintenance, repair, and manufacture-related occurrences to be reported

- Note 1:* Although this Annex lists the majority of reportable occurrences, it cannot be completely comprehensive. Any other occurrences, which are judged by those involved to meet the criteria, should also be reported.
- Note 2:* This Annex does not include accidents. In addition to other requirements covering the notification of accidents, they should also be recorded in the database mentioned in Article 5(2).
- Note 3:* This Annex contains examples of reporting requirements covering aircraft operations, maintenance, repair and manufacture.
- Note 4:* Occurrences to be reported are those where the safety of operation was or could have been endangered or which could have led to an unsafe condition. If in the view of the reporter an occurrence did not endanger the safety of the operation but if repeated in different but likely circumstances would create a hazard, then a report should be made. What is judged to be reportable on one class of product, part or appliance may not be so on another and the absence or presence of a single factor, human or technical, can transform an occurrence into an accident or serious incident.
- Note 5:* Specific operational approvals, e.g. RVSM, ETOPS, RNAV, or a design or maintenance programme, may have specific reporting requirements for failures or malfunctions associated with that approval or programme.

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A: AIRCRAFT FLIGHT OPERATIONS

B: AIRCRAFT TECHNICAL

C: AIRCRAFT MAINTENANCE AND REPAIR

D: AIR NAVIGATION SERVICES, FACILITIES AND GROUND SERVICES

A. AIRCRAFT FLIGHT OPERATIONS

(i) Operation of the aircraft**(a) avoidance manoeuvres:**

- risk of collision with another aircraft, terrain or other object or an unsafe situation when avoidance action would have been appropriate;
- an avoidance manoeuvre required to avoid a collision with another aircraft, terrain or other object;
- an avoidance manoeuvre to avoid other unsafe situations.

(b) Take-off or landing incidents, including precautionary or forced landings. Incidents such as under-shooting, overrunning or running off the side of runways. Take-offs, rejected take-offs, landings or attempted landings on a closed, occupied or incorrect runway. Runway incursions.**(c) Inability to achieve predicted performance during take-off or initial climb.****(d) Critically low fuel quantity or inability to transfer fuel or use total quantity of usable fuel.****(e) Loss of control (including partial or temporary) regardless of cause.****(f) Occurrences close to or above V_1 resulting from or producing a hazardous or potentially hazardous situation (e.g. rejected take-off, tail strike, engine-power loss etc.).****(g) Go around producing a hazardous or potentially hazardous situation.****(h) Unintentional significant deviation from airspeed, intended track or altitude (more than 300 ft) regardless of cause.****(i) Descent below decision height/altitude or minimum descent height/altitude without the required visual reference.****(j) Loss of position awareness relative to actual position or to other aircraft.****(k) Breakdown in communication between flight crew (CRM) or between flight crew and other parties (cabin crew, ATC, engineering).****(l) Heavy landing — a landing deemed to require a 'heavy landing check'.****(m) Exceedance of fuel imbalance limits.**

- (n) Incorrect setting of an SSR code or of an altimeter subscale.
- (o) Incorrect programming of, or erroneous entries into, equipment used for navigation or performance calculations, or use of incorrect data.
- (p) Incorrect receipt or interpretation of radio-telephony messages.
- (q) Fuel system malfunctions or defects, which had an effect on fuel supply and/or distribution.
- (r) Aircraft unintentionally departing from a paved surface.
- (s) Collision between an aircraft and any other aircraft, vehicle or other ground object.
- (t) Inadvertent and/or incorrect operation of any controls.
- (u) Inability to achieve the intended aircraft configuration for any flight phase (e.g. landing gear and gear doors, flaps, stabilisers, slats etc.).
- (v) A hazard or potential hazard which arises as a consequence of any deliberate simulation of failure conditions for training, system checks or training purposes.
- (w) Abnormal vibration.
- (x) Operation of any primary warning system associated with manoeuvring the aircraft e.g. configuration warning, stall warning (stick shaker), over-speed warning etc. unless:
 - 1. the crew conclusively established that the indication was false and provided that the false warning did not result in difficulty or hazard arising from the crew response to the warning; or
 - 2. operated for training or test purposes.
- (y) GPWS/TAWS 'warning' when:
 - 1. the aircraft comes into closer proximity to the ground than had been planned or anticipated; or
 - 2. the warning is experienced in instrument meteorological conditions or at night and is established as having been triggered by a high rate of descent (mode 1); or
 - 3. the warning results from failure to select landing gear or landing flaps by the appropriate point on the approach (mode 4); or
 - 4. any difficulty or hazard arises or might have arisen as a result of crew response to the 'warning' e.g. possible reduced separation from other traffic. This could include warning of any mode or type i.e. genuine, nuisance or false.
- (z) GPWS/TAWS 'alert' when any difficulty or hazard arises or might have arisen as a result of crew response to the 'alert'.
 - (aa) ACAS RAs.
 - (bb) Jet or prop blast incidents resulting in significant damage or serious injury.

(ii) **Emergencies**

- (a) Fire, explosion, smoke or toxic or noxious fumes, even though fires were extinguished.
- (b) The use of any non-standard procedure by the flight or cabin crew to deal with an emergency when:
 - 1. the procedure exists but is not used;
 - 2. the procedure does not exist;
 - 3. the procedure exists but is incomplete or inappropriate;
 - 4. the procedure is incorrect;
 - 5. the incorrect procedure is used.
- (c) Inadequacy of any procedures designed to be used in an emergency, including when being used for maintenance, training or test purposes.
- (d) An event leading to an emergency evacuation.
- (e) Depressurisation.
- (f) The use of any emergency equipment or prescribed emergency procedures in order to deal with a situation.
- (g) An event leading to the declaration of an emergency ('Mayday' or 'panne').
- (h) Failure of any emergency system or equipment, including all exit doors and lighting, to perform satisfactorily, including when being used for maintenance, training or test purposes.
- (i) Events requiring any use of emergency oxygen by any crew member.

(iii) Crew incapacitation

- (a) Incapacitation of any member of the flight crew, including that which occurs prior to departure if it is considered that it could have resulted in incapacitation after take-off.
- (b) Incapacitation of any member of the cabin crew which renders them unable to perform essential emergency duties.

(iv) Injury

Occurrences, which have or could have led to significant injury to passengers or crew but which are not considered reportable as an accident.

(v) Meteorology

- (a) A lightning strike which resulted in damage to the aircraft or loss or malfunction of any essential service.
- (b) A hail strike which resulted in damage to the aircraft or loss or malfunction of any essential service.
- (c) Severe turbulence encounter, an encounter resulting in injury to occupants or deemed to require a 'turbulence check' of the aircraft.
- (d) A windshear encounter.
- (e) Icing encounter resulting in handling difficulties, damage to the aircraft or loss or malfunction of any essential service.

(vi) Security

- (a) Unlawful interference with the aircraft including a bomb threat or hijack.
- (b) Difficulty in controlling intoxicated, violent or unruly passengers.
- (c) Discovery of a stowaway.

(vii) Other occurrences

- (a) Repetitive instances of a specific type of occurrence which in isolation would not be considered 'reportable' but which due to the frequency with which they arise, form a potential hazard.
- (b) A bird strike which resulted in damage to the aircraft or loss or malfunction of any essential service.
- (c) Wake-turbulence encounters.
- (d) Any other occurrence of any type considered to have endangered or which might have endangered the aircraft or its occupants on board the aircraft or on the ground.

B. AIRCRAFT TECHNICAL**(i) Structural**

Not all structural failures need to be reported. Engineering judgment is required to decide whether a failure is serious enough to be reported. The following examples can be taken into consideration:

- (a) damage to a principal structural element (PSE) that has not been designated as damage-tolerant (life-limited element). PSEs are those which contribute significantly to carrying flight, ground, and pressurisation loads, and the failure of which could result in a catastrophic failure of the aircraft;
- (b) defect or damage exceeding admissible damages to a PSE that has been designated as damage-tolerant;
- (c) damage to or defect exceeding allowed tolerances of a structural element, the failure of which could reduce the structural stiffness to such an extent that the required flutter, divergence or control reversal margins are no longer achieved;
- (d) damage to or defect of a structural element, which could result in the liberation of items of mass that may injure occupants of the aircraft;
- (e) damage to or defect of a structural element, which could jeopardise proper operation of systems. See (ii) below;
- (f) loss of any part of the aircraft structure in flight.

(ii) Systems

The following general criteria applicable to all systems are proposed:

- (a) loss, significant malfunction or defect of any system, subsystem or set of equipment when standard operating procedures, drills etc. could not be satisfactorily accomplished;

- (b) inability of the crew to control the system, for example:
 1. uncommanded actions,
 2. incorrect and/or incomplete response, including limitation of movement or stiffness,
 3. runaway,
 4. mechanical disconnection or failure;
- (c) failure or malfunction of the exclusive function(s) of the system (one system could integrate several functions);
- (d) interference within or between systems;
- (e) failure or malfunction of the protection device or emergency system associated with the system;
- (f) Loss of redundancy of the system.
- (g) Any occurrence resulting from unforeseen behaviour of a system.
- (h) For aircraft types with single main systems, subsystems or sets of equipment:

loss, significant malfunction or defect in any main system, subsystem or set of equipment.
- (i) For aircraft types with multiple independent main systems, subsystems or sets of equipment:

the loss, significant malfunction or defect of more than one main system, subsystem or set of equipment.
- (j) Operation of any primary warning system associated with aircraft systems or equipment unless the crew conclusively established that the indication was false, provided that the false warning did not result in difficulty or hazard arising from the crew response to the warning.
- (k) Leakage of hydraulic fluids, fuel, oil or other fluids which resulted in a fire hazard or possible hazardous contamination of aircraft structure, systems or equipment, or risk to occupants.
- (l) Malfunction or defect of any indication system when this results in the possibility of misleading indications to the crew.
- (m) Any failure, malfunction or defect if it occurs at a critical phase of the flight and is relevant to the system operation.
- (n) Significant shortfall of the actual performances compared to the approved performance which resulted in a hazardous situation (taking into account the accuracy of the performance-calculation method) including braking action, fuel consumption etc.
- (o) Asymmetry of flight controls; e.g. flaps, slats, spoilers etc.

The Appendix to this Annex gives a list of examples of reportable occurrences resulting from the application of these general criteria to specific systems.

(iii) Propulsion (including engines, propellers and rotor systems) and auxiliary power units (APUs)

- (a) Flameout, shutdown or malfunction of any engine.
- (b) Overspeed or inability to control the speed of any high-speed rotating component (for example: APU, air starter, air cycle machine, air turbine motor, propeller or rotor).
- (c) Failure or malfunction of any part of an engine or powerplant resulting in any one or more of the following:
 1. non-containment of components/debris;
 2. uncontrolled internal or external fire, or hot gas breakout;
 3. thrust in a direction different from that demanded by the pilot;
 4. thrust-reversing system failing to operate or operating inadvertently;
 5. inability to control power, thrust or rpm;
 6. failure of the engine mount structure;
 7. partial or complete loss of a major part of the powerplant;
 8. dense visible fumes or concentrations of toxic products sufficient to incapacitate crew or passengers;
 9. inability, by use of normal procedures, to shutdown an engine;
 10. inability to restart a serviceable engine.
- (d) An uncommanded thrust/power loss, change or oscillation which is classified as a loss of thrust or power control (LOTIC):
 1. for a single-engine aircraft; or
 2. where it is considered excessive for the application; or

3. where this could affect more than one engine in a multi-engine aircraft, particularly in the case of a twin-engine aircraft; or
 4. for a multi-engine aircraft where the same, or similar, engine type is used in an application where the event would be considered hazardous or critical.
- (e) Any defect in a life-controlled part causing its withdrawal before completion of its full life.
 - (f) Defects of common origin which could cause an in-flight shut-down rate so high that there is the possibility of more than one engine being shut down on the same flight.
 - (g) An engine limiter or control device failing to operate when required or operating inadvertently.
 - (h) Exceedance of engine parameters.
 - (i) FOD resulting in damage.

Propellers and transmission

- (j) Failure or malfunction of any part of a propeller or powerplant resulting in any one or more of the following:
 1. an overspeed of the propeller;
 2. the development of excessive drag;
 3. a thrust in the opposite direction to that commanded by the pilot;
 4. a release of the propeller or any major portion of the propeller;
 5. a failure that results in excessive imbalance;
 6. the unintended movement of the propeller blades below the established minimum in-flight low-pitch position;
 7. an inability to feather the propeller;
 8. an inability to change propeller pitch;
 9. an uncommanded change in pitch;
 10. an uncontrollable torque or speed fluctuation;
 11. the release of low-energy parts.

Rotors and transmission

- (k) Damage or defect of main rotor gearbox/attachment which could lead to in-flight separation of the rotor assembly and/or malfunctions of the rotor control.
- (l) Damage to tail rotor, transmission and equivalent systems.

APUs

- (m) Shut down or failure when the APU is required to be available by operational requirements, e.g. ETOPS, MEL.
- (n) Inability to shut down the APU.
- (o) Overspeed.
- (p) Inability to start the APU when needed for operational reasons.

(iv) **Human factors**

Any incident where any feature or inadequacy of the aircraft design could have led to an error of use that could contribute to a hazardous or catastrophic effect.

(v) **Other occurrences**

- (a) Any incident where any feature or inadequacy of the aircraft design could have led to an error of use that could contribute to a hazardous or catastrophic effect.
- (b) An occurrence not normally considered as reportable (e.g., furnishing and cabin equipment, water systems), where the circumstances resulted in endangering the aircraft or its occupants.
- (c) A fire, explosion, smoke or toxic or noxious fumes.
- (d) Any other event which could endanger the aircraft, or affect the safety of the occupants of the aircraft, or people or property in the vicinity of the aircraft or on the ground.
- (e) Failure or defect of passenger address system resulting in loss of, or inaudible, passenger address system.
- (f) Loss of pilot seat control during flight.

C. AIRCRAFT MAINTENANCE AND REPAIR

- (i) Incorrect assembly of parts or components of the aircraft found during an inspection or test procedure not intended for that specific purpose.
- (ii) Hot bleed air leak resulting in structural damage.
- (iii) Any defect in a life-controlled part causing retirement before completion of its full life.
- (iv) Any damage or deterioration (e.g. fractures, cracks, corrosion, delamination, disbonding etc.) resulting from any cause (e.g. as flutter, loss of stiffness or structural failure) to:
 - (a) a primary structure or a PSE (as defined in the manufacturers' Repair Manual) where such damage or deterioration exceeds allowable limits specified in the Repair Manual and requires a repair or complete or partial replacement;
 - (b) a secondary structure which consequently has or may have endangered the aircraft;
 - (c) the engine, propeller or rotorcraft rotor system.
- (v) **Any failure, malfunction or defect of any system or equipment, or damage or deterioration thereof found as a result of compliance with an airworthiness directive or other mandatory instruction issued by a regulatory authority, when:**
 - (a) it is detected for the first time by the reporting organisation implementing compliance;
 - (b) on any subsequent compliance, it exceeds the permissible limits quoted in the instruction and/or published repair/rectification procedures are not available.
- (vi) Failure of any emergency system or equipment, including all exit doors and lighting, to perform satisfactorily, including when being used for maintenance or test purposes.
- (vii) Non-compliance or significant errors in compliance with required maintenance procedures.
- (viii) Products, parts, appliances and materials of unknown or suspect origin.
- (ix) Misleading, incorrect or insufficient maintenance data or procedures that could lead to maintenance errors.
- (x) **Any failure, malfunction or defect of ground equipment used for testing or checking of aircraft systems and equipment when the required routine inspection and test procedures did not clearly identify the problem, where this results in a hazardous situation.**

D. AIR NAVIGATION SERVICES, FACILITIES AND GROUND SERVICES

- (i) **Air navigation services (ANS)**
 - See Annex II, list of reportable ANS-related occurrences.
 - (ii) **Aerodrome and aerodrome facilities**
 - (a) Significant spillage during fuelling operations.
 - (b) Loading of incorrect fuel quantities likely to have a significant effect on aircraft endurance, performance, balance or structural strength.
 - (iii) **Handling of passengers, baggage and cargo**
 - (a) Significant contamination of aircraft structure, systems and equipment arising from the carriage of baggage or cargo.
 - (b) Incorrect loading of passengers, baggage or cargo, likely to have a significant effect on aircraft mass and/or balance.
 - (c) Incorrect stowage of baggage or cargo (including hand baggage) likely in any way to endanger the aircraft, its equipment or occupants or to impede emergency evacuation.
 - (d) Inadequate stowage of cargo containers or other substantial items of cargo.
 - (e) Carriage or attempted carriage of dangerous goods in contravention of applicable regulations, including incorrect labelling and packaging of dangerous goods.
 - (iv) **Aircraft ground handling and servicing**
 - (a) Failure, malfunction or defect of ground equipment used for the testing or checking of aircraft systems and equipment when the required routine inspection and test procedures did not clearly identify the problem, where this results in a hazardous situation.
 - (b) Non-compliance or significant errors in compliance with required servicing procedures.
 - (c) Loading of contaminated or incorrect type of fuel or other essential fluids (including oxygen and potable water).
-

Appendix to ANNEX I

The following subparagraphs give examples of reportable occurrences resulting from the application of the general criteria to specific systems listed in paragraph B(ii) of Annex I.

1. Air conditioning/ventilation

- (a) complete loss of avionics cooling
- (b) depressurisation.

2. Autoflight system

- (a) failure of the autoflight system to achieve the intended operation while engaged
- (b) significant reported crew difficulty to control the aircraft linked to autoflight system functioning
- (c) failure of any autoflight system disconnect device
- (d) uncommanded autoflight mode change.

3. Communications

- (a) failure or defect of passenger address system resulting in loss of or inaudible passenger address
- (b) total loss of communication in flight.

4. Electrical system

- (a) loss of one electrical distribution system (AC/DC)
- (b) total loss or loss of more than one electrical generation system
- (c) failure of the back up (emergency) electrical generation system.

5. Cockpit/Cabin/Cargo

- (a) pilot seat control loss during flight
- (b) failure of any emergency system or equipment, including emergency evacuation signalling system, all exit doors, emergency lighting, etc.
- (c) loss of retention capability of the cargo loading system.

6. Fire protection system

- (a) fire warnings, except those immediately confirmed as false
- (b) undetected failure or defect of fire/smoke detection/protection system, which could lead to loss or reduced fire detection/protection
- (c) absence of warning in case of actual fire or smoke.

7. Flight controls

- (a) asymmetry of flaps, slats, spoilers, etc.
- (b) limitation of movement, stiffness or poor or delayed response in the operation of primary flight control systems or their associated tab and lock systems
- (c) flight control surface runaway
- (d) flight control surface vibration felt by the crew
- (e) mechanical flight control disconnection or failure
- (f) significant interference with normal control of the aircraft or degradation of flying qualities.

8. Fuel system

- (a) fuel quantity indicating system malfunction resulting in total loss or wrong indication of fuel quantity on board
- (b) leakage of fuel which resulted in major loss, fire hazard, significant contamination
- (c) malfunction or defects of the fuel jettisoning system which resulted in inadvertent loss of significant quantity, fire hazard, hazardous contamination of aircraft equipment or inability to jettison fuel
- (d) fuel system malfunctions or defects which had a significant effect on fuel supply and/or distribution
- (e) inability to transfer or use total quantity of usable fuel.

9. Hydraulics

- (a) loss of one hydraulic system (ETOPS only)
- (b) failure of the isolation system
- (c) loss of more than one hydraulic circuit
- (d) failure of the back-up hydraulic system
- (e) inadvertent ram air turbine extension.

10. Ice detection/protection system

- (a) undetected loss or reduced performance of the anti-ice/de-ice system
- (b) loss of more than one of the probe-heating systems
- (c) inability to obtain symmetrical wing de-icing
- (d) abnormal ice accumulation leading to significant effects on performance or handling qualities
- (e) crew vision significantly affected.

11. Indicating/warning/recording systems

- (a) malfunction or defect of any indicating system when the possibility of significant misleading indications to the crew could result in an inappropriate crew action on an essential system
- (b) loss of a red warning function on a system
- (c) for glass cockpits: loss or malfunction of more than one display unit or computer involved in the display/warning function.

12. Landing gear system/brakes/tyres

- (a) brake fire
- (b) significant loss of braking action
- (c) asymmetrical braking action leading to significant path deviation
- (d) failure of the landing gear free fall extension system (including during scheduled tests)
- (e) unwanted landing gear or gear doors extension/retraction
- (f) multiple tyre burst.

13. Navigation systems (including precision approach systems) and air data systems

- (a) total loss or multiple navigation equipment failures
- (b) total or multiple air data system equipment failures
- (c) significant misleading indications
- (d) significant navigation errors attributed to incorrect data or a database coding error
- (e) unexpected deviations in lateral or vertical path not caused by pilot input
- (f) problems with ground navigational facilities leading to significant navigation errors not associated with transitions from inertial navigation mode to radio navigation mode.

14. Oxygen for pressurised aircraft

- (a) loss of oxygen supply in the cockpit
- (b) loss of oxygen supply to a significant number of passengers (more than 10 %), including when found during maintenance or training or test purposes.

15. Bleed air system

- (a) hot bleed air leak resulting in fire warning or structural damage
 - (b) loss of all bleed air systems
 - (c) failure of bleed air leak detection system.
-

ANNEX II

List of air navigation services related occurrences to be reported

- Note 1:* Although this Annex lists the majority of reportable occurrences, it cannot be completely comprehensive. Any other occurrences, which are judged by those involved to meet the criteria, should also be reported.
- Note 2:* This Annex does not include accidents and serious incidents. In addition to other requirements covering the notification of accidents, they should also be recorded in the databases mentioned in Article 5(2).
- Note 3:* This Annex includes ANS occurrences which pose an actual or potential threat to flight safety, or can compromise the provision of safe ANS services.
- Note 4:* The contents of this Annex shall not preclude the reporting of any occurrence, situation or condition which, if repeated in different but likely circumstances or allowed to continue uncorrected, could create a hazard to aircraft safety.
- (i) **Near collision incidents (encompassing specific situations where one aircraft and another aircraft/the ground/a vehicle/person or object are perceived to be too close to each other):**
- (a) separation minima infringement;
 - (b) inadequate separation;
 - (c) near-controlled flight into terrain (near CFIT);
 - (d) runway incursion where avoiding action was necessary.
- (ii) **Potential for collision or near collision (encompassing specific situations having the potential to be an accident or a near collision, if another aircraft is in the vicinity):**
- (a) runway incursion where no avoiding action is necessary;
 - (b) runway excursion;
 - (c) aircraft deviation from ATC clearance;
 - (d) aircraft deviation from applicable air traffic management (ATM) regulation:
 - 1. aircraft deviation from applicable published ATM procedures;
 - 2. unauthorised penetration of airspace;
 - 3. deviation from aircraft ATM-related equipment carriage and operations, as mandated by applicable regulation(s).
- (iii) **ATM-specific occurrences (encompassing those situations where the ability to provide safe ATM services is affected, including situations where, by chance, the safe operation of aircraft has not been jeopardised). This shall include the following occurrences:**
- (a) inability to provide ATM services:
 - 1. inability to provide air traffic services;
 - 2. inability to provide airspace management services;
 - 3. inability to provide air traffic flow management services;
 - (b) failure of Communication function;
 - (c) failure of Surveillance function;
 - (d) failure of Data Processing and Distribution function;
 - (e) failure of Navigation function;
 - (f) ATM system security.
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Appendix to ANNEX II

The following subparagraphs give examples of reportable ATM occurrences resulting from the application of the general criteria listed in paragraph (iii) of Annex II to aircraft operations.

1. Provision of significantly incorrect, inadequate or misleading information from any ground sources, e.g. air traffic control (ATC), automatic terminal information service (ATIS), meteorological services, navigation databases, maps, charts, manuals, etc.
 2. Provision of less than prescribed terrain clearance.
 3. Provision of incorrect pressure reference data (i.e. altimeter setting).
 4. Incorrect transmission, receipt or interpretation of significant messages when this results in a hazardous situation.
 5. Separation minima infringement.
 6. Unauthorised penetration of airspace.
 7. Unlawful radio communication transmission.
 8. Failure of ANS ground or satellite facilities.
 9. Major ATC/ATM failure or significant deterioration of aerodrome infrastructure.
 10. Aerodrome movement areas obstructed by aircraft, vehicles, animals or foreign objects, resulting in a hazardous or potentially hazardous situation.
 11. Errors or inadequacies in marking of obstructions or hazards on aerodrome movement areas resulting in a hazardous situation.
 12. Failure, significant malfunction or unavailability of airfield lighting.
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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 June 2003

concerning protection measures relating to Newcastle disease in Australia

(notified under document number C(2003) 1948)

(Text with EEA relevance)

(2003/489/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas:

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽²⁾, as last amended by Directive 96/43/EC ⁽³⁾, and in particular Article 18(1) thereof,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade and imports from third countries of fresh poultrymeat ⁽⁴⁾, as last amended by Directive 1999/89/EC ⁽⁵⁾, and in particular Article 11(1), Article 12(2), Article 14(1) and Article 14a thereof,

Having regard to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽⁶⁾, as amended by Commission Regulation (EC) No 808/2003 ⁽⁷⁾, and in particular Articles 28 and 29 thereof,

- (1) Due to outbreaks of Newcastle disease in the States of Victoria and New South Wales, the Commission adopted Decision 2002/537/EC ⁽⁸⁾, as amended by Decision 2002/942/EC ⁽⁹⁾.
- (2) That Decision prohibited the importation of live poultry and hatching eggs, live ratites and hatching eggs, fresh meat of poultry, ratites, wild and farmed feathered game, poultrymeat products and meat preparations consisting of or containing meat from the abovementioned species from Australia with certain derogations until 1 May 2003.
- (3) No further cases of Newcastle disease have been reported and the Australian authorities have provided epidemiological information.
- (4) However, as Decision 2002/537/EC has expired, and until the information provided by the Australian authorities has been fully assessed, it is necessary to continue a general suspension, subject to specific derogations, on the importation from the territory of Australia of live poultry and hatching eggs thereof, live ratites and hatching eggs thereof, fresh meat of poultry, ratites, farmed and wild feathered game, poultrymeat products and meat preparations consisting of or containing meat of the abovementioned species.

⁽¹⁾ OJ L 24, 31.1.1998, p. 9.

⁽²⁾ OJ L 268, 24.9.1991, p. 56.

⁽³⁾ OJ L 162, 1.7.1996, p. 1.

⁽⁴⁾ OJ L 268, 24.9.1991, p. 35.

⁽⁵⁾ OJ L 300, 23.11.1999, p. 17.

⁽⁶⁾ OJ L 273, 10.10.2002, p. 1.

⁽⁷⁾ OJ L 117, 13.5.2003, p. 1.

⁽⁸⁾ OJ L 173, 3.7.2002, p. 33.

⁽⁹⁾ OJ L 325, 30.11.2002, p. 49.

- (5) Commission Decision 97/222/EC ⁽¹⁾, as last amended by Decision 2002/464/EC ⁽²⁾, lays down the list of third countries from which Member States may authorise the importation of meat products and establishes treatment regimes in order to lower the risk of disease transmission via such products. The treatment to be applied to the product depends on the health status of the country of origin in relation to the species the meat is obtained from; it is appropriate to require such treatment for poultrymeat products originating in Australia.
- (6) Regulation (EC) No 1774/2002 is applicable to imports of raw material for the manufacture of animal feeding-stuffs and for channelled imports of raw material for the manufacture of pharmaceutical or technical products. However, the implementation provisions provided for in Article 29 of this regulation have not yet been adopted; in the meantime, as provided for in paragraph 7 of the said Article, the provisions of Directive 97/78/EC on control conditions shall apply and the national certificates remain applicable.
- (7) The national certificates for the importation of the abovementioned raw materials not intended for human consumption should conform with Chapter 10 of Annex I to Council Directive 92/118/EEC ⁽³⁾, as amended by Commission Decision 2003/42/EC ⁽⁴⁾.
- (8) The provisions of this Decision shall be reviewed in the light of the information received from the Australian authorities.
- (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

Member States shall prohibit the importation from the territory of Australia of live poultry and hatching eggs, live ratites and hatching eggs, fresh meat of poultry, ratites, farmed and wild feathered game, poultrymeat products and meat preparations consisting of or containing meat of the abovementioned species except for raw material fulfilling the certification requirements

in accordance with national models of certificates complying with the requirements formerly included in Chapter 10 of Annex I to Directive 92/118/EEC.

Article 2

By derogation from Article 1 fresh ratite meat shall be authorised for import under the requirements set out in the animal health certificate in the Annex to this Decision.

Article 3

By derogation from Article 1 Member States shall authorise the importation of poultrymeat products when the poultrymeat contained in the meat product has undergone a specific treatment referred to under B, C or D in part IV of the Annex to Decision 97/222/EC.

Article 4

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

Article 5

This Decision shall apply from 7 July 2003.

Article 6

This Decision shall apply until 1 January 2004.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 25 June 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 98, 4.4.1997, p. 39.

⁽²⁾ OJ L 161, 19.6.2002, p. 16.

⁽³⁾ OJ L 62, 15.3.1993, p. 49.

⁽⁴⁾ OJ L 13, 18.1.2003, p. 24.

ANNEX

ANIMAL AND PUBLIC HEALTH CERTIFICATE FOR FRESH MEAT FROM AUSTRALIAN FARMED RATITES FOR HUMAN CONSUMPTION ⁽¹⁾

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

1. CONSIGNOR (name and address in full)	2. HEALTH CERTIFICATE No ORIGINAL
4. CONSIGNEE (Name and address in full)	3. Country of origin: AUSTRALIA
8. Place of loading:	5. COMPETENT AUTHORITY (CENTRAL LEVEL): 5.1. Ministry 5.2. Service
9.1. Means of transport ⁽²⁾ : 9.2. Number of the seal ⁽³⁾ :	6. COMPETENT AUTHORITY (LOCAL LEVEL):
10.1. Member State of destination: 10.2. Final destination:	7. Address of establishment(s): 7.1. Slaughterhouse: 7.2. Cutting plant ⁽⁴⁾ : 7.3. Cold store ⁽⁴⁾ :
12.1. Ratite species: 12.2. Nature of cuttings:	11. Approval number(s) of establishment(s): 11.1. Slaughterhouse: 11.2. Cutting plant ⁽⁴⁾ : 11.3 Cold store ⁽⁴⁾ :
13.1. Nature of the packaging: 13.2. Consignment identification details:	14. Quantity: 14.1. Net weight (kg): 14.2. Number of packages:

NOTE: A separate certificate must be provided for each consignment of farmed ratite meat.

⁽¹⁾ Fresh ratite meat means any parts, excluding offal, of farmed ratites which are fit for human consumption and which have not undergone any treatment other than cold treatment to ensure its preservation; vacuum wrapped meat or meat wrapped in a controlled atmosphere must also be accompanied by a certificate in accordance with this model.

⁽²⁾ Indicate means of transport and registration marks or registered name, as appropriate.

⁽³⁾ Optional.

⁽⁴⁾ Delete if not applicable.

MODEL**Health attestation****I. ANIMAL HEALTH CERTIFICATION**

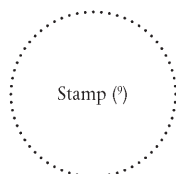
I, the undersigned official veterinarian, hereby certify:

1. That Australia is free from avian influenza, as defined in the International Animal Health Code of O.I.E.
2. That the boned and skinned fresh meat described above is obtained from farmed ratites:
 - 2.1. which have, without interruption, been held in the territory of Australia for at least three months before being slaughtered or since hatching;
 - 2.2. which were reared/were resident for at least three months prior to slaughter on holdings:
 - 2.2.1. which receive regular veterinary inspections to diagnose diseases transmissible to humans or animals;
 - 2.2.2. which are not under animal health restrictions in connection with any disease to which ratites and/or other poultry are susceptible;
 - 2.2.3. in which there has been no outbreak of Newcastle disease or avian influenza in the previous six months, and around which, within a distance of 10 km from the perimeter of that part of the holding which contains the ratites, there have been no outbreaks of avian influenza or Newcastle disease for at least three months;
 - 2.3. which were not slaughtered in the context of any animal health scheme for the control or eradication of poultry and/or ratites diseases;
 - 2.4. which:
 - 2.4.1. were not vaccinated against Newcastle disease ⁽¹⁾, ☐
 - 2.4.2. were vaccinated against Newcastle disease using an inactivated vaccine which fulfils the requirements of Commission Decision 93/152/EEC ⁽¹⁾ ⁽²⁾, ☐
 - 2.4.3. were vaccinated against Newcastle disease using a live vaccine which does not fulfil the requirements of Decision 93/152/EEC but were not vaccinated during the 30 days preceding slaughter ⁽¹⁾; ☐
 - 2.5. which either:
 - 2.5.1. have been tested by a virus isolation test for Newcastle disease, in which no avian paramyxovirus with an intracerebral pathogenicity index (ICPI) of more than 0,4 have been found, either on the basis
 - 2.5.1.1. of a random sample of tracheal swabs of at least 60 birds of each flock concerned taken at slaughter, when originating from the territory of Australia except for the States of Victoria and New South Wales ⁽¹⁾, ☐
 - 2.5.1.2. of individually sampled tracheal swabs when originating from the States of Victoria and New South Wales ⁽¹⁾; ☐
 - or
 - 2.5.2. come from holdings in which surveillance for Newcastle disease is being carried out on a statistically based sampling plan with negative results ⁽³⁾ for at least six months ⁽¹⁾; ☐
 - 2.5.3. for which the virus isolation tests described under points 2.5.1 and 2.5.2 have been carried out in an official laboratory designated by the competent authority using diagnostic procedures according to Annex III to Council Directive 92/66/EEC ⁽⁴⁾; ☐
 - 2.5.4. which have not been in contact during the period of 30 days preceding slaughter with ratites or other poultry which do not fulfil the conditions mentioned under 2.5.1 and 2.5.2;
 - 2.6. which during transport to the slaughterhouse did not come into contact with poultry and/or ratites infected with avian influenza or Newcastle disease;
 - 2.7. which were handled prior to slaughter and slaughtered under conditions meeting those laid down in Council Directive 93/119/EC ⁽⁵⁾.
3. That the boned and skinned fresh meat described above,
 - 3.1. comes from approved slaughterhouses which, at the time of slaughter, are not under restrictions due to a suspect had or confirmed outbreak of avian influenza or Newcastle disease and around which, within a radius of 10 km, there have been no outbreaks of avian influenza or Newcastle disease for at least 30 days;
 - 3.2. has not been in contact, at any time during slaughter, cutting, storage or transport with ratites or meat which do not fulfil the requirements of Directive 91/494/EEC.

II. PUBLIC HEALTH CERTIFICATION

4. That the guarantees on live animals and products thereof provided by the residue plans submitted according to Article 29 of Council Directive 96/23/EC are fulfilled ⁽⁶⁾.
5. That the boned and skinned fresh meat described above is obtained from ratites which:
 - either, were accompanied on arrival at the slaughterhouse by a veterinary certificate issued by the veterinarian responsible for the holding of origin, stating that they had passed a veterinary ante-mortem inspection in accordance with the requirements of Article 8 of Council Directive 91/495/EEC ⁽⁷⁾ on the holding of origin within 72 hours prior to loading, or
 - passed a veterinary ante-mortem inspection in accordance with the requirements of Article 8 of Directive 91/495/EEC at the approved slaughterhouse in the 72 hours immediately prior to slaughter.
6. That the slaughtering of the ratites took place in a slaughterhouse approved according to Article 8 of Directive 91/495/EEC provided that this establishment is suitably equipped for this purpose.
7. That the establishments used for slaughtering, handling or cutting were thoroughly cleaned and disinfected under official supervision before being used for the production of the meat referred to in this certificate.
8. That the meat described above:
 - 8.1. was handled under conditions of hygiene meeting the conditions of Article 8 of Directive 91/495/EEC;
 - 8.2. has undergone a post-mortem inspection in accordance with the requirements of Article 8 of Directive 91/495/EEC and has been passed as fit for human consumption;
 - 8.3. was cut ⁽⁸⁾ and stored ⁽⁸⁾, in establishments approved for the purpose, by the competent authority of Australia as meeting the conditions laid down in Article 8 of Directive 91/495/EEC provided that this establishment is suitably equipped for this purpose;
 - 8.4. has not been in contact, at any time during slaughter, cutting storage or transport, with meat which does not fulfil the requirements of Directive 91/495/EEC.
9. The meat referred to in this certificate ⁽⁸⁾/the packaging of the meat referred to in this certificate ⁽⁸⁾ bears a mark proving that ⁽¹⁾:
 - ☐ the meat comes from animals slaughtered and inspected in an approved slaughterhouse
 - ☐ the meat was cut in an approved cutting plant.
10. That the means of transport and the loading conditions of the consignment of meat described above met the hygiene requirements laid down in Article 8 of Directive 91/495/EEC.

Done at on



.....
(signature of official veterinarian) ⁽⁹⁾

.....
(name in capital letters, qualifications and title)

⁽¹⁾ Tick at least one box as appropriate.

⁽²⁾ OJ L 59, 12.3.1993, p. 35.

⁽³⁾ In non-vaccinated flocks this surveillance is carried out on serology and in vaccinated flocks it is carried out on tracheal swabs of ratites.

⁽⁴⁾ OJ L 260, 5.9.1992, p. 1.

⁽⁵⁾ OJ L 340, 31.12.1991, p. 21.

⁽⁶⁾ OJ L 125, 23.5.1996, p. 10.

⁽⁷⁾ OJ L 268, 24.9.1991, p. 41.

⁽⁸⁾ Delete as appropriate.

⁽⁹⁾ Stamp and signature in a colour different from that of the printed text.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1170/2003 of 30 July 2003 determining the world market price for unginned cotton**

(Official Journal of the European Union L 162 of 1 July 2003)

On the second page of the contents, on page 65 in the title and at the end of the Regulation:

for: '... 30 July 2003 ...',

read: '... 30 June 2003 ...'.
