

Official Journal

of the European Union

ISSN 1725-2555

L 295

Volume 46

13 November 2003

English edition

Legislation

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Price: EUR 18

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EN

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1984/2003**of 8 April 2003****introducing a system for the statistical monitoring of trade in bluefin tuna, swordfish and bigeye tuna within the Community**

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) Since 14 November 1997, and following the adoption of Council Decision 86/238/EEC ⁽³⁾, the Community has been a Contracting Party to the International Convention for the Conservation of Atlantic Tunas signed in Rio de Janeiro on 14 May 1966, as amended by the Protocol annexed to the Final Act of the Conference of Plenipotentiaries of the States Parties to the Convention signed at Paris on 10 July 1984 (hereinafter called the 'ICCAT Convention').
- (2) The ICCAT Convention provides a framework for regional cooperation in the conservation and management of tuna stocks and tuna-like species in the Atlantic Ocean and adjacent seas through the establishment of an International Commission for the Conservation of Atlantic Tunas, hereinafter called the 'ICCAT', and the adoption by the latter of conservation measures which become binding on the contracting parties.
- (3) As part of the measures to regulate stocks of bigeye tuna and swordfish, improve the quality and reliability of statistical data and control the spread of illegal fishing, the ICCAT has adopted recommendations on the introduction of statistical document programmes for bigeye tuna and Atlantic swordfish. Since these recommendations have become binding on the Community, they need to be put into effect.
- (4) Council Decision 95/399/EC ⁽⁴⁾ approved the accession of the Community to the Agreement for the establishment of the Indian Ocean Tuna Commission. This Agreement constitutes a framework for strengthening international cooperation for the purpose of conserving and making rational use of Indian Ocean tuna and related species through the establishment of the Indian

Ocean Tuna Commission, hereinafter called the 'IOTC' and the adoption by the latter of resolutions on conservation and management in the area of competence of the IOTC which become binding on the contracting parties.

- (5) The IOTC has adopted a resolution establishing a statistical document programme for bigeye tuna. As this resolution has become binding on the Community, it needs to be put into effect.
- (6) The recommendations and resolution on a statistical document programme for bluefin tuna adopted previously by the ICCAT have been incorporated in Community law by Council Regulation (EC) No 858/94 of 12 April 1994 introducing a system for the statistical monitoring of trade in bluefin tuna (*Thunnus thynnus*) within the Community ⁽⁵⁾. In order to ensure that the provisions on statistical documents are more easily readable and applied uniformly, Regulation (EC) No 858/94 should be repealed and all the relevant provisions brought together in this Regulation.
- (7) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

CHAPTER 1

GENERAL PROVISIONS*Article 1***Object**

This Regulation lays down general rules and conditions for the application by the Community of:

- (a) the statistical document programmes for bluefin tuna (*Thunnus thynnus*), swordfish (*Xiphias gladius*) and bigeye tuna (*Thunnus obesus*) adopted by the 'ICCAT';

⁽¹⁾ OJ C 331 E, 31.12.2002, p. 128.

⁽²⁾ Opinion of 12 February 2003 (not yet published in the Official Journal).

⁽³⁾ OJ L 162, 18.6.1986, p. 33.

⁽⁴⁾ OJ L 236, 5.10.1995, p. 24.

⁽⁵⁾ OJ L 99, 19.4.1994, p. 1. Regulation as amended by Regulation (EC) No 1446/1999 (OJ L 167, 2.7.1999, p. 1).

⁽⁶⁾ OJ L 184, 17.7.1999, p. 23.

- (b) the statistical document programme for bigeye tuna (*Thunnus obesus*) adopted by the 'IOTC'.

CHAPTER 2

STATISTICAL MONITORING

Section 1

Article 2

Scope

This Regulation shall apply to bluefin tuna, swordfish and bigeye tuna as referred to in Article 1:

- (a) caught by a Community vessel or producer, or
- (b) imported into the Community, or
- (c) exported or re-exported from the Community to a third country.

This Regulation shall not apply to bigeye tuna taken by seiners or baitboats and intended mainly for the canning industry in the areas of application of the Agreement for the establishment of the Indian Ocean Tuna Commission (hereinafter called 'the IOTC Agreement') and the ICCAT Convention.

Article 3

Definitions

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

- (a) bluefin tuna: fish of the species *Thunnus thynnus* falling within the TARIC codes listed in Annex I;
- (b) swordfish: fish of the species *Xiphias gladius* falling within the TARIC codes listed in Annex II;
- (c) bigeye tuna: fish of the species *Thunnus obesus* falling within the TARIC codes listed in Annex III;
- (d) fishing: capture by a vessel with a view to landing, transshipment or placing in a cage or by a producer using a tuna trap net, of any fish belonging to one of the species listed in Article 1;
- (e) Community producer: natural persons or legal entities using the means of production for obtaining fishery products with a view to first-stage marketing;
- (f) importation: the customs procedures referred to in Article 4, points 16(a) to 16(f), of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

Requirements on Member States in respect of imports

Article 4

Statistical document for importation

1. All quantities of fish belonging to one of the species referred to in Article 1 imported from a third country into the territory of the Community shall be accompanied by a statistical document drawn up in accordance with the specimen shown at:

- Annex IVa in the case of bluefin tuna,
- Annex V in the case of swordfish,
- Annex VI or Annex VII in the case of bigeye tuna.

2. A statistical document shall:

- (a) contain all the information specified in the relevant Annexes referred to in paragraph 1 and all the signatures required by the appropriate operators, who shall be answerable for the declarations made therein;
- (b) be validated:
 - (i) where the fishing has been carried out by a vessel: by a civil servant duly approved by the flag State of the vessel which carries out the fishing or by any other person or institution duly approved by that State. In the case of the third countries listed in Annex IVb, validation may be undertaken by an institution recognised for that purpose by that country;
 - (ii) where the fishing has been carried out using a trap net: by a civil servant duly approved by the State in whose territorial waters the catch has been taken;
 - (iii) in the case of swordfish, bluefin tuna and bigeye tuna caught by a vessel operating under a charter agreement: by a civil servant or any other person or institution duly approved by the exporting State;
 - (iv) in the case of bigeye tuna caught by one of the vessels listed in Annexes VIIIa and VIIIb: by a Japanese or Taiwanese government official or by any other person duly approved for that purpose by the Governments of those countries.

3. The statistical document shall be delivered to the competent authorities of the Member State in which the product is imported.

4. The Member States shall ensure that their customs authorities or other competent official agents request and examine all documents, including the statistical document, for imports of fish belonging to one of the species referred to in Article 1.

Those authorities may also examine the content of any cargo in order to verify the accuracy of the information contained in those documents.

5. The importation of fish belonging to one of the species referred to in Article 1 shall be prohibited where the cargo concerned is not accompanied by the statistical document for the relevant importation, validated and completed in accordance with paragraphs 1 and 2.

Section 2

Requirements on Member States in respect of exports*Article 5***Statistical document for exportation**

1. All quantities of fish belonging to one of the species referred to in Article 1 caught by a Community vessel or taken by a Community producer and exported to a third country shall be accompanied by a statistical document drawn up in accordance with the specimen shown at:

- Annex IVa in the case of bluefin tuna;
- Annex V in the case of swordfish;
- Annex VI or Annex VII in the case of bigeye tuna.

2. A statistical document shall:

- (a) contain all the information specified in the relevant Annexes referred to in paragraph 1 and all the signatures required by the appropriate operators, who shall be answerable for the declarations made therein;
- (b) be validated by:
 - (i) the competent authorities of the flag Member State, or
 - (ii) the competent authorities of another Member State in which the products are landed, provided the corresponding quantities are exported outside the Community from the territory of that Member State. The latter shall transmit a copy of the validated statistical document to the flag Member State within two months.

3. The Member States shall ensure that their customs authorities or other competent official agents request and examine all documents, including the statistical document, for exports of all fish belonging to one of the species referred to in Article 1.

These authorities may also examine the content of any cargo in order to verify the accuracy of the information contained in those documents.

4. Each Member State shall send the Commission the information concerning its competent authorities referred to in paragraph 2(b). The Commission shall forward this information to the other Member States.

5. The export of fish belonging to one of the species referred to in Article 1 shall be prohibited where the load concerned is not accompanied by the statistical document for the relevant export, validated and completed in accordance with paragraphs 1 and 2.

Section 3

Requirements on Member States in respect of re-exports*Article 6***Re-export certificates**

1. A re-export certificate shall accompany all quantities of fish belonging to one of the species referred to in Article 1 which are:

- (a) re-exported from the Community to a third country following importation into the Community; or
- (b) imported into the territory of the Community from a third country after having been re-exported by that third country.

Re-export certificates shall be drawn up in accordance with the specimen shown at:

- (a) Annex IX in the case of bluefin tuna;
- (b) Annex X in the case of swordfish;
- (c) Annex XI or Annex XII in the case of bigeye tuna.

2. Re-export certificates shall:

- (a) contain all the information specified in the relevant Annexes referred to in the second subparagraph of paragraph 1 and all the signatures required by the appropriate operators, who shall be answerable for the declarations made therein;
- (b) be validated by the competent authorities of the Member State from which the re-export is to take place or the competent authorities of the third country from which the re-export has taken place;
- (c) be accompanied by a duly validated copy of the statistical document for importation referred to in Article 4.

3. Member States which authenticate re-export certificates in accordance with paragraph 2(b) shall require re-exporters to provide the necessary documents certifying that the cargo of fish re-exported corresponds to the cargo of fish originally imported. The Member States shall provide the flag State or the exporting State, upon request, with a copy of the certificate.

4. The re-export certificate shall be delivered to the competent authorities of the Member State of importation or re-exportation.

5. The Member States shall ensure that their customs authorities or other competent official agents request and examine all documents, including the re-export certificate, for the re-export of fish belonging to one of the species referred to in Article 1.

These authorities may also examine the content of any cargo in order to verify the accuracy of the information contained in those documents.

6. The re-export and import following the re-export of fish belonging to one of the species referred to in Article 1 shall be prohibited where the cargo concerned is not accompanied by the corresponding certificate, validated and completed in accordance with paragraphs 1 and 2.

Article 7

Repeated re-exports

1. All quantities of fish belonging to one of the species referred to in Article 1, re-exported after having already been re-exported, shall be accompanied by a new re-export certificate, validated and completed in accordance with Article 6(1) and (2).

Article 6(3), (4), (5) and (6) shall apply.

2. The new certificate referred to in paragraph 1 shall be accompanied by a certified copy of the preceding, duly validated, re-export certificates which accompanied the cargo.

CHAPTER 3

TRANSMISSION OF DATA

Article 8

Information concerning validation

Each Member State shall forward to the Commission not later than 30 days following the entry into force of this Regulation a specimen of its statistical documents and re-export certificates. It shall also forward to the Commission all necessary information concerning validation and, in good time, any changes to those documents and certificates, in accordance with:

- (a) the ICCAT specimen shown at Annex XIII for bluefin tuna, swordfish and bigeye tuna;
- (b) the IOTC specimen shown at Annex XIV for bigeye tuna.

Article 9

Transmission of data

1. Member States which import, export or re-export fish belonging to one of the species referred to in Article 1 shall forward to the Commission by computer transmission before 15 March for the period from 1 July to 31 December of the preceding year and before 15 September for the period from 1 January to 30 June of the current year, a report on:

- (a) the quantities of each commercial presentation of fish belonging to one of the species referred to in Article 1 imported into their territory, broken down by third country of origin, place of catch and type of fishing gear used;

- (b) the quantities of each commercial presentation of fish belonging to one of the species referred to in Article 1 imported into their territory after having been re-exported by a third country, broken down by third country of origin, place of capture and type of fishing gear used.

2. The report referred to in paragraph 1 shall contain the information specified in:

- (a) Annex XV for bluefin tuna;
- (b) Annex XVI for swordfish;
- (c) Annex XVII or Annex XVIII for bigeye tuna.

Article 10

National report

Member States which export fish belonging to one of the species referred to in Article 1 shall check that the information on imports transmitted by the Commission corresponds to their own information. They shall inform the Commission of the outcome of such cross-checks in the national report referred to in Article 9 of Council Regulation (EC) No 1936/2001 of 27 September 2001 laying down control measures applicable to fishing for certain stocks of highly migratory fish ⁽¹⁾.

CHAPTER 4

FINAL PROVISIONS

Article 11

Amendment of Annexes

The Annexes hereto may be amended in accordance with the ICCAT and the IOTC conservation measures which become binding on the Community and in accordance with the procedure laid down in Article 12(2).

Article 12

Committee procedure

1. The Commission shall be assisted by the Management Committee for Fisheries and Aquaculture established by Article 30 of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽²⁾.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

⁽¹⁾ OJ L 263, 3.10.2001, p. 1.

⁽²⁾ OJ L 358, 31.12.2002, p. 59.

*Article 13***Repeal**

1. Regulation (EC) No 858/94 is hereby repealed.
2. References to the repealed Regulation shall be understood as references to this Regulation and are to be read in accordance with the table of equivalence shown in Annex XIX.

*Article 14***Entry into force**

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

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

Done at Luxembourg, 8 April 2003.

For the Council

The President

G. DRYG

ANNEX I

PRODUCTS REFERRED TO IN ARTICLE 3(a)

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the wording of the description of the goods is regarded as being for information purposes only. In the context of this Annex, the TARIC codes will apply, as they exist when this Regulation is adopted.

TARIC code
0301 99 90 60
0302 35 10 00
0302 35 90 00
0303 45 11 00
0303 45 13 00
0303 45 19 00
0303 45 90 00
0304 10 38 60
0304 10 98 50
0304 20 45 10
0304 90 97 70
0305 20 00 18
0305 20 00 74
0305 20 00 75
0305 30 90 30
0305 49 80 10
0305 59 90 40
0305 69 90 30
1604 14 11 20
1604 14 11 25
1604 14 16 20
1604 14 16 25
1604 14 18 20
1604 14 18 25
1604 20 70 30
1604 20 70 35

ANNEX II

PRODUCTS REFERRED TO IN ARTICLE 3(b)

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the wording of the description of the goods is regarded as being for information purposes only. In the context of this Annex, the TARIC codes will apply, as they exist when this Regulation is adopted.

TARIC code
0301 99 90 70
0302 69 87 00
0303 79 87 00
0304 10 38 70
0304 10 98 55
0304 20 87 00
0304 90 65 00
0305 20 00 19
0305 20 00 76
0305 20 00 77
0305 30 90 40
0305 49 80 20
0305 59 90 50
0305 69 90 50
1604 19 91 30
1604 19 98 20
1604 20 90 60

ANNEX III

PRODUCTS REFERRED TO IN ARTICLE 3(c)

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the wording of the description of the goods is regarded as being for information purposes only. In the context of this Annex, the TARIC codes will apply, as they exist when this Regulation is adopted.

TARIC code
0301 99 90 75
0302 34 10 00
0302 34 90 00
0303 44 11 00
0303 44 13 00
0303 44 19 00
0303 44 90 00
0304 10 38 75
0304 10 98 65
0304 20 45 20
0304 90 97 75
0305 20 00 21
0305 20 00 78
0305 20 00 79
0305 30 90 75
0305 49 80 60
0305 59 90 45
0305 69 90 40
1604 14 11 30
1604 14 11 35
1604 14 16 30
1604 14 16 35
1604 14 18 30
1604 14 18 35
1604 20 70 40
1604 20 70 45

ANNEX IVa

SPECIMEN ICCAT BLUEFIN TUNA STATISTICAL DOCUMENT

DOCUMENT No:		ICCAT BLUEFIN TUNA STATISTICAL DOCUMENT			
EXPORT SECTION:					
1. FLAG COUNTRY					
2. NAME OF VESSEL AND REGISTRATION No (when available)					
3. TRAPS (if applicable)					
4. POINT OF EXPORT (city, state or province, and country)					
5. DESCRIPTION OF FISH:					
Product F/FR	Type ^(a) RD/GG/DR/FL/OT	Gear code ^(b)	Area of catch (^c)	Net weight (kg)	Tag No (if applicable)
^(a) F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, FL = fillet, OT = other. Describe the type of product: ^(b) When the gear code is OT, describe the type of gear: ^(c) Ocean area (e.g., East/West Atlantic, Mediterranean, Pacific).					
6. EXPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>					
Name	Address	Signature	Date	Licence No (if applicable)	
7. GOVERNMENT VALIDATION — <i>I validate that the information listed above is complete, true and correct to the best of my knowledge and belief.</i>					
Name and title		Signature	Date	Government seal	
IMPORT SECTION:					
8. IMPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>					
IMPORTER CERTIFICATION (Intermediate country)					
Name	Address	Signature	Date	Licence No (if applicable)	
IMPORTER CERTIFICATION (Intermediate country)					
Name	Address	Signature	Date	Licence No (if applicable)	
IMPORTER CERTIFICATION (Final destination of shipment)					
Name	Address	Signature	Date	Licence No (if applicable)	
FINAL POINT OF IMPORT:					
City	State or province		Country		

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION TO THIS DOCUMENT.

BLUEFIN TUNA STATISTICAL DOCUMENT INSTRUCTION SHEET

Pursuant to the 1992 ICCAT Recommendations, bluefin tuna dealers who import bluefin tuna into the territory of an ICCAT Contracting Party or at the first entry into a regional economic organisation, will be required to complete the appropriate sections of the document. Only complete and valid documents will guarantee that shipments of bluefin tuna will be allowed to enter the territory of Contracting Parties. Shipments of bluefin tuna that are accompanied by improperly documented Bluefin Tuna Statistical Documents (i.e. improperly documented means that the Bluefin Tuna Statistical Document is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bluefin tuna, that are contrary to ICCAT conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.

Please use this instruction sheet as a guideline to complete that section of the Bluefin Tuna Statistical Document that applies to exporters, importers, and Government validation. If a language other than English is used in completing the form, please add the English translation on the document. **Note:** if a bluefin tuna product is exported directly to Japan, without first going through an intermediate country, all fish can be identified on one document. However, if the bluefin tuna product is exported through an intermediate country (i.e. a country other than the country which is the final destination of the product), separate documents must be prepared for different final destinations or each fish may be accompanied by a separate document to identify any possible separation of shipments by an intermediate country. The import of fish parts other than the meat (i.e. head, eyes, roe, guts, tails) may be allowed without the document.

INSTRUCTIONS

DOCUMENT No: Block for the issuing country to designate a country coded document number.

- (1) **FLAG COUNTRY:** Fill in the name of the country of the vessel that harvested the bluefin tuna in the shipment and issued this document. According to the ICCAT Recommendation, only the flag State of the vessel that harvested the bluefin tuna in the shipment can issue this document.
- (2) **NAME OF VESSEL AND REGISTRATION No (when available):** Fill in the name and registration number of the vessel that harvested the bluefin tuna in the shipment. When tag numbers are provided in section 5, this section need not be filled in.
- (3) **TRAPS (if applicable):** Fill in the name of the trap that harvested the bluefin tuna in the shipment.
- (4) **POINT OF EXPORT:** Identify the city, state or province, and country from which the bluefin tuna was exported.
- (5) **DESCRIPTION OF FISH:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type.
 - (1) *Product type:* identify the type of product being shipped as either FRESH or FROZEN (F/FR) and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form (RD/GG/DR/FL/OT). For OTHER, describe the type of products in the shipment.
 - (2) *Gear code:* identify the gear type which was used to harvest the bluefin tuna using the list below. For OTHER type, describe the type of gear.
 - (3) *Area of catch:* identify the general area of the ocean in which the bluefin tuna was harvested (i.e. east, west Atlantic, Mediterranean (see map 4 below), Pacific).
 - (4) *Net product weight in kg.*
 - (5) *Country coded tag number (if applicable).*
- (6) **EXPORTER CERTIFICATION:** The person or company exporting the bluefin tuna shipment must provide his/her name, address, signature, date the shipment was exported, and dealer licence number (if applicable).
- (7) **GOVERNMENT VALIDATION:** Fill in the name and full title of the official signing the document. The official must be in the employment of the competent Government authority of the flag State of the vessel that harvested the bluefin tuna appearing on the document. This requirement may be waived according to the ICCAT RESOLUTION CONCERNING VALIDATION BY A GOVERNMENT OFFICIAL OF THE BLUEFIN TUNA STATISTICAL DOCUMENT.
- (8) **IMPORTER CERTIFICATION:** The person or company that imports the bluefin tuna must provide his/her name, address, signature, date the bluefin tuna was imported, licence number (if applicable) and final point of import. This includes imports into intermediate countries. For fresh and chilled products, the signature of the importer may be substituted by that of a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODES:

Code	Gear Type				
BB	Baitboat	MWT	Mid-water trawl	SURF	Surface fisheries unclassified
GILL	Gillnet	PS	Purse seine	TL	Tended line
HAND	Handline	RR	Rod and reel	TRAP	Trap
HARP	Harpoon	SPHL	Sport handline	TROL	Troll
LL	Longline	SPOR	Sport fisheries unclassified	UNCL	Unspecified methods

RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag State)

ANNEX IVb

Third countries recognised by ICCAT for which the statistical document can be validated by an institution authorised for this purpose, for example a chamber of commerce: Angola, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Croatia, Equatorial Guinea, Gabon, Ghana, Guinea-Bissau, Guinea-Conakry, Japan, Korea, Libya, Morocco, Russia, São Tomé and Príncipe, South Africa, Tunisia, Uruguay, USA, Venezuela.

ANNEX V

SPECIMEN ICCAT SWORDFISH STATISTICAL DOCUMENT

DOCUMENT No:		ICCAT SWORDFISH STATISTICAL DOCUMENT		
EXPORT SECTION:				
1. FLAG COUNTRY/ENTITY/FISHING ENTITY:				
2. POINT OF EXPORT: CITY		STATE OR PROVINCE	COUNTRY/ENTITY/FISHING ENTITY	
3. AREA OF CATCH (check one of the following) (a) North Atlantic (b) South Atlantic (c) Mediterranean (d) Pacific (e) Indian If (d) or (e) is checked, items 4 and 5 below need not be completed.				
4. DESCRIPTION OF FISH:				
Type of product (*)		Vessel name and registration No	Gear code (b)	Net weight (kg)
F/FR	RD/GG/DR/FL/OT			
(*) F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, FL = fillet, ST = steak, OT = other (describe the type: _____) (b) When the gear code is OT, describe the type of gear: _____				
5. EXPORTER CERTIFICATION — For export to countries that have adopted the ICCAT alternative minimum size provided for swordfish, the exporter must certify that the above listed Atlantic swordfish are greater than 15 kg (33 lb) or, if it is in pieces, that the pieces were derived from a swordfish weighing >15 kg <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name	Company Name	Address	Signature	Date
Licence No (if applicable)				
6. GOVERNEMENT VALIDATION — <i>I validate that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name and title	Signature	Date	Government seal	Net weight (kg)
IMPORT SECTION				
7. IMPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION (Final destination of shipment)				
Name	Address	Signature	Date	Licence No (if applicable)
Final point of import:				
City: _____		State or Province: _____		Country/Entity/Fishing entity: _____

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION TO THIS DOCUMENT.

ICCAT SWORDFISH STATISTICAL DOCUMENT INSTRUCTION SHEET

Pursuant to the 2001 ICCAT Recommendation, swordfish imported into the territory of a Contracting Party or upon first entry into a regional economic organisation must be accompanied by an ICCAT Swordfish Statistical Document (SWD) beginning 1 January 2003. Swordfish dealers who export or import from all ocean areas will be required to complete the appropriate sections of the SWD. Only complete and valid documents will guarantee that shipments of swordfish will be allowed to enter the customs territory of Contracting Parties (e.g. Japan, Canada, United States, Spain, etc.). Improperly documented swordfish shipments (i.e. the SWD is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate and contrary to ICCAT conservation efforts. Entry of improperly documented swordfish will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the customs territory of a Contracting Party or subject to administrative or other sanctions.

Please use the instructions below as a guide to complete the sections that apply to exporters, importers, and Government validation. If a language other than English is used for description, please add an English translation either on the SWD or on a separate paper. **Note:** If a swordfish product is exported directly from the harvesting country/entity/fishing entity to a Contracting Party without going through an intermediate country/entity/fishing entity all fish can be identified on one document. However, if the swordfish is exported through an intermediate country/entity/fishing entity (i.e. a country/entity/fishing entity other than the country/entity/fishing entity which is the final destination of the product), separate documents must be prepared for fish destined for different final destinations, or only one fish may be identified on a document to cope with any possible separation in an intermediate country/entity/fishing entity. Import of swordfish parts other than meat (i.e. head, eyes, roe, guts, tails) may be allowed entry without an accompanying SWD.

DOCUMENT No: This block is for the country/entity/fishing entity to designate a country coded document number.

- (1) **FLAG COUNTRY/ENTITY/FISHING ENTITY:** Fill in the name of the country/entity/fishing entity of the vessel that harvested the swordfish in the shipment and issued this document. According to the ICCAT Recommendation, only the flag State of the vessel that harvested the swordfish in the shipment or, if the vessel is operating under a chartering arrangement, the exporting State, can issue this document.
- (2) **POINT OF EXPORT:** Enter the city and state or province, and country/entity/fishing entity from which the swordfish was exported.
- (3) **AREA OF CATCH:** Check the area of catch. (In case of (d) or (e) checked, items 4 and 5 need not be completed).
- (4) **DESCRIPTION OF FISH:** The exporter must provide, to the highest degree of accuracy, the following information. (**Note:** one row should describe one product type.) (1) Product type: identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET, STEAK or OTHER form. For OTHER, describe the type of products in the shipment. (2) Name of vessel and registration No: fill in the name and registration number (if available) of the vessel that harvested the swordfish. If product in shipment is from more than one vessel, list all vessels whose products are included in the shipment. (3) Gear code: identify the gear type which was used to harvest the swordfish using the listed codes. (4) Net product weight in kg.
- (5) **EXPORTER CERTIFICATION:** The person or company exporting the swordfish shipment must provide his/her name, signature, address, date the shipment was exported, and dealer licence number (if applicable). For countries that have adopted the ICCAT alternative minimum size for swordfish, the exporter must certify that the listed Atlantic swordfish are greater than 15 kg (33 lb) or, if it is in pieces, that the pieces were derived from a swordfish weighing >15 kg.
- (6) **GOVERNMENT VALIDATION:** Enter the name and position of the official signing the document. The official must be in the employment of the competent Government authority of the flag State of the vessel that harvested the swordfish described in the document. The document may be signed by any other person or institution duly accredited for this purpose by the Government of the flag State or, if the vessel is operating under a charter agreement, by the government official or any other person or institution authorised by the exporting State. (The net weight of the shipment must also be entered in kg in this session.).
- (7) **IMPORTER CERTIFICATION:** The person or company that imports swordfish must provide his/her name, signature, address, date the swordfish was imported, licence number (if applicable), and the final point of import. This includes imports into intermediate countries/entities/fishing entities. For fresh and chilled products, signature of the importer may be substituted by that of a person of a customs clearance company when the authority of signature is properly accredited to the company by the importer.

GEAR CODES:

Gear code	Type of gear	Gear code	Type of gear
BB	Baitboat	SPHL	Sport handline
GILL	Gillnet	SPOR	Sport fisheries unclassified
HAND	Handline	SURF	Surface fisheries unclassified
HARP	Harpoon	TL	Tended line
LL	Longline	TRAP	Trap
MWT	Mid-water trawl	TROL	Troll
PS	Purse seine	UNCL	Unspecified methods
RR	Rod and reel	OT	Other type

The original completed document must accompany the exported shipment. Retain a copy for your records. The original (imports) or a copy (exports) must be postmarked and mailed, or faxed, within 24 hours of import or export to: ...

ANNEX VI

SPECIMEN ICCAT BIGEYE TUNA STATISTICAL DOCUMENT

DOCUMENT No:		ICCAT BIGEYE TUNA STATISTICAL DOCUMENT	
EXPORT SECTION:			
1. FLAG OF COUNTRY/ENTITY/FISHING ENTITY			
2. NAME OF VESSEL AND REGISTRATION No (when available)			
3. TRAPS (if applicable)			
4. POINT OF EXPORT (city, state/province, country/entity/fishing entity)			
5. AREA OF CATCH (check one of the following) (a) Atlantic ☐ (b) Pacific ☐ (c) Indian ☐ In case of (b) or (c) checked, items 6 and 7 below do not need to be filled out.			
6. DESCRIPTION OF FISH			
Product type ⁽¹⁾		Gear code ⁽²⁾	Net weight (kg)
F/FR	RD/GG/DR/FL/OT		
⁽¹⁾ F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, FL = fillet OT = other, describe the type of product: ⁽²⁾ When the gear code is OT, describe the type of gear:			
7. EXPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>			
Name	Company name	Address	Signature
			Date
			Licence No (if applicable)
8. GOVERNMENT VALIDATION — <i>I validate that the information listed above is complete, true and correct to the best of my knowledge and belief.</i>			
Name and title of official		Signature	Date
			Government seal
IMPORT SECTION:			
9. IMPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>			
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)			
Name	Address	Signature	Date
			Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)			
Name	Address	Signature	Date
			Licence No (if applicable)
FINAL POINT OF IMPORT:			
City		State/Province	Country/Entity/Fishing entity

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION TO THIS DOCUMENT.

INSTRUCTIONS

DOCUMENT No: Block for the issuing country/entity/fishing entity to designate a country/entity/fishing entity coded document number.

- (1) **FLAG COUNTRY/ENTITY/FISHING ENTITY:** Fill in the name of the country/entity/fishing entity of the vessel that harvested the bigeye tuna in the shipment and issued this document. According to the ICCAT Recommendation, only the flag State of the vessel that harvested the bigeye tuna in the shipment or, if the vessel is operating under a charter arrangement, the exporting State can issue this document.
- (2) **NAME OF VESSEL AND REGISTRATION No:** (when available): Fill in the name and registration number of the vessel that harvested the bigeye tuna in the shipment.
- (3) **TRAPS** (if applicable): Fill in the name of the trap that harvested the bigeye tuna in the shipment.
- (4) **POINT OF EXPORT:** Identify the city, state or province, and country/entity/fishing entity from which the bigeye tuna was exported.
- (5) **AREA OF CATCH:** Check the area of catch. (If (b) or (c) checked, items 6 and 7 below do not need to be filled out.)
- (6) **DESCRIPTION OF FISH:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type.
 - (1) Product type: identify the type of product being shipped as FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET, or OTHER form. For OTHER, describe the type of products in the shipment.
 - (2) Gear code: identify the gear type which was used to harvest the bigeye tuna using the list below. For OTHER TYPE, describe the type of gear, including farming.
 - (3) Net product weight in kg.
- (7) **EXPORTER CERTIFICATION:** The person or company exporting the bigeye tuna shipment must provide his/her name, company name, address, signature, date the shipment was exported, and dealer licence number (if applicable).
- (8) **GOVERNMENT VALIDATION:** Fill in the name and full title of the official signing the document. The official must be employed by a competent authority of the flag State Government of the vessel that harvested the bigeye tuna appearing on the document, or other individual or institution authorised by the flag State. When appropriate, this requirement is waived according to the validation of the document by a Government official, or, if the vessel is operating under a charter arrangement, by a Government official or other authorised individual or institution of the exporting State. The total weight of the shipment must also be specified in this block. The substitutional measure described in paragraphs A-D of the Resolution by ICCAT concerning the Validation by a Government Official of the Bluefin Tuna Statistical Document, adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Bigeye Tuna Statistical Document Programme.
- (9) **IMPORTER CERTIFICATION:** The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye tuna was imported, licence number (if applicable), and final point of import. This includes imports into intermediate countries, entities or fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODES:

Code	Type of gear	Code	Type of gear
BB	Baitboat	SPOR	Sport fisheries unclassified
GILL	Gillnet	SURF	Surface fisheries unclassified
HAND	Handline	TL	Tended line
HARP	Harpoon	TRAP	Trap
LL	Longline	TROL	Troll
MWT	Mid-water trawl	UNCL	Unspecified methods
PS	Purse seine	OT	Other type
RR	Rod and reel		
SPHL	Sport handline		

RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag State).

ANNEX VII

SPECIMEN IOTC BIGEYE TUNA STATISTICAL DOCUMENT

DOCUMENT No		IOTC BIGEYE TUNA STATISTICAL DOCUMENT	
EXPORT SECTION			
1. FLAG COUNTRY/ENTITY/FISHING ENTITY			
2. NAME OF VESSEL AND REGISTRATION No (when available)			
3. TRAPS (if applicable)			
4. POINT OF EXPORT (city, state/province, country/entity/fishing entity)			
5. AREA OF CATCH (check one of the following) (a) Atlantic (b) Pacific (c) Indian In case of (b) or (c) checked, items 6 and 7 below do not need to be filled out.			
6. DESCRIPTION OF FISH			
Product type ⁽¹⁾		Gear code ⁽²⁾	Net weight (kg)
F/FR	RD/GG/DR/FL/OT		
⁽¹⁾ F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, FL = fillet, OT = other, describe the type of product. ⁽²⁾ When the gear code is OT, describe the type of gear:			
7. EXPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>			
Name	Company name	Address	Signature
		Date	Licence No (if applicable)
8. GOVERNMENT VALIDATION — <i>I validate that the information listed above is complete, true and correct to the best of my knowledge and belief.</i>			
Total weight of shipment _____ kg			
Name and title		Signature	Date
			Government seal
IMPORT SECTION			
9. IMPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>			
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)			
Name	Address	Signature	Date
			Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)			
Name	Address	Signature	Date
			Licence No (if applicable)
FINAL POINT OF IMPORTATION			
City _____		State/Province _____	Country/Entity/Fishing entity _____

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION TO THIS DOCUMENT.

INSTRUCTIONS

DOCUMENT No: Block for the issuing country/entity/fishing entity to designate a country/entity/fishing entity coded document number.

- (1) **FLAG COUNTRY/ENTITY/FISHING ENTITY:** Fill in the name of the country/entity/fishing entity of the vessel that harvested the bigeye tuna in the shipment and issued this document. According to the IOTC Resolution, only the flag State of the vessel that harvested the bigeye tuna in the shipment or, if the vessel is operating under a charter arrangement, the exporting State can issue this document.
- (2) **NAME OF VESSEL AND REGISTRATION No** (when available): Fill in the name and registration number of the vessel that harvested the bigeye tuna in the shipment.
- (3) **TRAPS** (if applicable): Fill in the name of the trap that harvested the bigeye tuna in the shipment.
- (4) **POINT OF EXPORT:** Identify the city, state/province and country/entity/fishing entity from which the bigeye tuna was exported.
- (5) **AREA OF CATCH:** Check the area of catch. (If (b) or (c) checked, items 6 and 7 below need not to be filled out).
- (6) **DESCRIPTION OF FISH:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type.
 - (1) Product type: identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment.
 - (2) Gear code: identify the gear type which was used to harvest the bigeye tuna using the list below. If gear code is OT, describe the type of gear, including farming.
 - (3) Net product weight in kg.
- (7) **EXPORTER CERTIFICATION:** The person or company exporting the bigeye tuna shipment must provide his/her name, company name, address, signature, date the shipment was exported, and dealer licence number (if applicable).
- (8) **GOVERNMENT VALIDATION:** Fill in the name and full title of the official signing the document. The official must be employed by a competent authority of the flag State Government of the vessel that harvested the bigeye tuna appearing on the document or other individual or institution authorised by the flag State. When appropriate, this requirement is waived according validation of the document by a Government official, or, if the vessel is operating under a charter arrangement, by a Government or other authorised individual or institution of the exporting State. The total weight of the shipment must also be specified in this block.
- (9) **IMPORTER CERTIFICATION:** The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye tuna was imported, licence number (if applicable), and final point of import. This includes imports into intermediate countries, entities or fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODES:

Gear code	Gear type
BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-Water Trawl
PS	Purse Seine
RR	Rod And Reel
SPHL	Sport Handline
SPOR	Sport Fisheries Unclassified
SURF	Surface Fisheries Unclassified
TL	Tended Line
TRAP	Trap
TROL	Troll
UNCL	Unspecified Methods
OT	Other Type

RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag State).

ANNEX VIIIa

List of vessels participating in the Japanese breaking-up programme*(At 1 November 2001)*

No	Year of breaking up	Flag State	Name of vessel	Tonnage	Year of construction	Fishing area
1	2002	BOLIVIA	YING CHIN HSIANG 66	379	1979	INDIAN OCEAN
2	2002	CAMBODIA	HUA CHENG 707	606	1980	INDIAN OCEAN
3	2002	CAMBODIA	HUA CHUNG 808	549	1980	INDIAN OCEAN
4	2002	PHILIPPINES	CHEN FA 736	636	1979	ATLANTIC
5	2002	BOLIVIA	ZHONG I 85	437	1976	PACIFIC
6	2002	BELIZE	LIEN TAI	491	1979	ATLANTIC
7	2003	BELIZE	JEFFREY 131	597	1980	PACIFIC
8	2003	EQUATORIAL GUINEA	WIN FAR 236	672	1978	INDIAN OCEAN
9	2003	EQUATORIAL GUINEA	WIN FAR 266	535	1979	INDIAN OCEAN
10	2003	BOLIVIA	CHIN I MING	663	1979	ATLANTIC
11	2003	BOLIVIA	CHIN CHANG MING	578	1980	ATLANTIC
12	2003	BOLIVIA	GOLDEN RICH (previously: ZHONG XIN 26)	520	1974	ATLANTIC
13	2003	BOLIVIA	CHI MAN	556	1982	INDIAN OCEAN
14	2003	BOLIVIA	HUNG YU 112	690	1981	INDIAN OCEAN
15	2003	EQUATORIAL GUINEA	CHEN CHIANG 1	578	1988	INDIAN OCEAN

ANNEX VIIIb

List of vessels flying the Taiwanese flag participating in the re-registration programme

No	Flag State	Name of vessel	Tonnage	Fishing area	Year of construction
1	EQUATORIAL GUINEA	YIH SHUEN NO 212	470	INDIAN OCEAN	1999
2	SEYCHELLES	SEYGEM	573	PACIFIC	1997
3	SEYCHELLES	SEYSTAR	573	PACIFIC	1998
4	VANUATU	NINE LUCKY No 1	508	PACIFIC	1998
5	BELIZE	WIN FAR No 868	498	PACIFIC	1999
6	EQUATORIAL GUINEA	WEI CHING	498	ATLANTIC	1997
7	BELIZE	JUI YING No 666	498	PACIFIC	1997
8	BELIZE	CHEN FA No 1	550	INDIAN OCEAN	1997
9	SEYCHELLES	SEYPERAL	680	PACIFIC	1998
10	BELIZE	PING YUAN No 201	706	INDIAN OCEAN	1996
11	BELIZE	LIAN HORNG No 777	499	PACIFIC	1998
12	BELIZE	FONG KU No 36	521	PACIFIC	1997
13	BELIZE	SHYE SIN No 1	598	O. INDIAN OCEAN	1997
14	BELIZE	HUNG YU No 212	470	ATLANTIC	1997
15	BELIZE	HWA CHIN No 202	470	ATLANTIC	1997
16	BELIZE	SUNG HUI	573	ATLANTIC	1998
17	BELIZE	HSIEN HUA 106	625	PACIFIC	2000
18	BELIZE	HSIEN HUA 107	625	PACIFIC	2000
19	BELIZE	FU YUAN No 66	683	PACIFIC	1998
20	BELIZE	LONG CHANG No 3	589	ATLANTIC	1997

ANNEX IX

SPECIMEN ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE

DOCUMENT No		ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE		
RE-EXPORT SECTION:				
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY				
2. POINT OF RE-EXPORT				
3. DESCRIPTION OF IMPORTED FISH				
Product Type		Net weight (kg)	Flag country/entity/fishing entity	Date of import
F/FR	RD/GG/DR/FL/OT			
F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, FL = fillet, OT = other (describe the type of product)				
4. DESCRIPTION OF FISH FOR RE-EXPORT				
Product Type		Net weight (kg)		
F/FR	RD/GG/DR/FL/OT			
F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, FL = fillet, OT = other. (Describe the type of product)				
5. RE-EXPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name	Address	Signature	Date	Licence No (if applicable)
6. GOVERNMENT VALIDATION — <i>I validate that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name and title	Signature	Date	Government seal	
IMPORT SECTION:				
7. IMPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION				
Name	Address	Signature	Date	Licence No (if applicable)
FINAL POINT OF IMPORT:				
City: _____		State or Province: _____		Country/Entity/Fishing entity: _____

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION TO THIS DOCUMENT.

ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE INSTRUCTION SHEET

Under the framework of the ICCAT Bluefin Tuna Statistical Document Programme, a request for the establishment of a system enabling re-export was growing recently. In 1997 a Recommendation was adopted to implement the ICCAT Bluefin Tuna Statistical Document Programme for Re-export. Pursuant to this Recommendation, bluefin tuna dealers who import re-exported*1 bluefin tuna to Japan will be required to submit an ICCAT bluefin tuna re-export certificate*2 to be validated by a Government official of the intermediate country or area*3 or by a recognised institution, such as a chamber of commerce and industry, accredited by the Government of the intermediate country or area. A copy of the original Bluefin Tuna Statistical Document (BTSD) accompanying the bluefin tuna at the time of importation must be attached to the re-export certificate. The copy of the original BTSD so attached must be verified by a Government official of the intermediate country or area, or by a recognised institution, such as a chamber of commerce and industry, accredited by the Government of the intermediate country or area. When re-exported bluefin tuna are again re-exported*4, all copies of documents, including a verified copy of a BTSD and the re-export certificate which accompanied that bluefin tuna, must be attached to a new re-export certificate to be validated by a Government official of the last intermediate country or area, or by a recognised institution, such as a chamber of commerce and industry, accredited by the Government of the last intermediate country or area. Only bluefin tuna accompanied by a complete and valid re-export certificate will be allowed to enter Japan. Shipments of re-exported bluefin tuna accompanied by an improperly documented*5 re-export certificate will be considered illegitimate shipments of re-exported bluefin tuna that are contrary to ICCAT conservation efforts, and their entry into Japan will be suspended pending receipt of a properly documented re-export certificate.

NOTE:

(*1) 'Re-exported' means that bluefin tuna passes through a country or an area (tax-exempted areas are excluded) after being exported from the flagship country or the area (tax-exempted areas are excluded) of the fishing vessel which has caught that bluefin tuna.

(*2) Hereinafter called 're-export certificate'.

(*3) 'An intermediate country or area' means a country or an area through which bluefin tuna pass after being exported from the flagship country or the area (tax-exempted areas are excluded) of the fishing vessel which has caught that bluefin tuna.

(*4) Re-export of bluefin tuna from one Member State of the European Union to another is exempted.

(*5) 'Improperly documented' means that the re-export certificate is either missing from the shipment, incomplete, invalid or falsified.

Please use this instruction sheet as a guideline to complete that section of the Bluefin Tuna Re-export Certificate that applies to exporters, importers, and Government validation. If a language other than English is used in completing the form, please add the English translation on the certificate. **Note:** if a bluefin tuna product is re-exported directly to Japan, without first going through an intermediate country/entity/fishing entity, all fish can be identified on one certificate. however, if the bluefin tuna product is re-exported through an intermediate country/entity/fishing entity (i.e. a country/entity/fishing entity other than the country/entity/fishing entity which is the final destination of the product), a separate certificate must be prepared for different final destinations or each fish may be accompanied by a separate certificate to identify any possible separation of shipments by an intermediate country/entity/fishing entity. the import of fish parts other than the meat (i.e. head, eyes, roe, guts, tails) may be allowed without the certificate.

INSTRUCTIONS

DOCUMENT No: Block for the issuing country/entity/fishing entity to designate a country/entity/fishing entity coded document number.

(1) **RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY:** Fill in the name of the country/entity/fishing entity which re-exports the bluefin tuna in the shipment and issued this certificate. According to the ICCAT Recommendation, only the re-exporting country/entity/fishing entity can issue this certificate.

(2) **POINT OF RE-EXPORT:** Identify the city, State or province and country/entity/fishing entity from which the bluefin tuna was re-exported.

- (3) **DESCRIPTION OF IMPORTED FISH:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type. (1) *Product type:* identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) *Net weight:* net product weight in kg. (3) *Flag country/entity/fishing entity:* enter the name of the country/entity/fishing entity of the vessel that harvested the bluefin tuna in the shipment. (4) *Date of import:* imported date.
- (4) **DESCRIPTION OF RE-EXPORTED FISH:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type. (1) *Product type:* identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) *Net weight:* net product weight in kg.
- (5) **RE-EXPORTER CERTIFICATION:** The person or company re-exporting the bluefin tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's licence number (if applicable).
- (6) **GOVERNMENT VALIDATION:** Fill in the name and full title of the official signing the certificate. The official must be in the employment of the competent Government authority of the re-exporting country/entity/fishing entity appearing on the certificate. This requirement may be waived according to the ICCAT RESOLUTION CONCERNING VALIDATION BY A GOVERNMENT OFFICIAL OF THE BLUEFIN TUNA STATISTICAL DOCUMENT.
- (7) **IMPORTER CERTIFICATION:** The person or company that imports bluefin tuna must provide his/her name, address, signature, date the bluefin tuna was imported, licence number (if applicable) and re-exported final point of import. This includes imports into intermediate countries/entities/fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting country/entity/fishing entity).

ANNEX X

SPECIMEN ICCAT SWORDFISH RE-EXPORT CERTIFICATE

DOCUMENT No		ICCAT SWORDFISH RE-EXPORT CERTIFICATE		
RE-EXPORT SECTION:				
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY				
2. POINT OF RE-EXPORT				
3. DESCRIPTION OF IMPORTED FISH				
Product type (*)		Net weight (kg)	Flag country/entity/fishing entity	Date of import
F/FR	RD/GG/DR/FL/ST/OT			
4. DESCRIPTION OF FISH FOR RE-EXPORT				
Product type (*)		Net weight (kg)		
F/FR	RD/GG/DR/ST/FL/OT			
(*) F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, ST = steak, FL = fillet OT = other (describe the type of product)				
5. RE-EXPORTER CERTIFICATION — For export to countries/entities/fishing entities that have adopted the ICCAT alternative minimum size for swordfish, the exporter must certify that the listed Atlantic swordfish are greater than 15 kg (33 lb) or, if it is in pieces, the pieces were derived from a swordfish weighing >15 kg. <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name	Company Name	Address	Signature	Date
Licence No (if applicable)				
6. GOVERNMENT VALIDATION — <i>I validate that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name and title	Organisation	Signature	Date	
IMPORT SECTION:				
7. IMPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
FINAL POINT OF IMPORT				
City: _____		State or Province: _____		Country/Entity/Fishing Entity: _____

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION TO THIS DOCUMENT.

INSTRUCTIONS

DOCUMENT No: Block for the issuing country/entity/fishing entity to designate a country/entity/fishing entity coded document number.

- (1) **RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY:** Identify the city, State or province and country/entity/fishing entity from which the swordfish was re-exported.
- (2) **POINT OF RE-EXPORT:** Identify the city, State or province and country/entity/fishing entity from which the swordfish was re-exported.
- (3) **POINT OF RE-EXPORT:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type. (1) Product type: identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, STEAK, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: net product weight in kg. (3) Flag country/entity/fishing entity: the name of the country/entity/fishing entity of the vessel that harvested the swordfish in the shipment. (4) Date of import: imported date.
- (4) **DESCRIPTION OF FISH FOR RE-EXPORT:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type. (1) Product type: identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, STEAK, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: net product weight in kg.
- (5) **RE-EXPORTER CERTIFICATION:** The person or company re-exporting the swordfish shipment must provide his/her name, company name, address, signature, date the shipment was re-exported, and re-exporter's licence number (if applicable).
- (6) **GOVERNMENT VALIDATION:** Fill in the name and full title of the official signing the certificate. The official must be in the employment of the competent Government authority of the re-exporting country/entity/fishing entity appearing on the certificate, or a person or institution authorised to validate such certificates by the competent Government authority. The substitutional measure described in paragraphs A-D of the Resolution by ICCAT concerning Validation by a Government official of the Bluefin Tuna Statistical Document, adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Swordfish Statistical Document Programme.
- (7) **IMPORTER CERTIFICATION:** The person or company that imports swordfish must provide his/her name, company name, address, signature, date the swordfish was imported, licence number (if applicable) and re-exported final point of import. This includes imports into intermediate countries/entities/fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting country/entity/fishing entity).

ANNEX XI

SPECIMEN ICCAT BIGEYE TUNA RE-EXPORT CERTIFICATE

DOCUMENT No		ICCAT BIGEYE TUNA RE-EXPORT CERTIFICATE		
RE-EXPORT SECTION:				
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY				
2. POINT OF RE-EXPORT				
3. DESCRIPTION OF IMPORTED FISH				
Product type (*)		Net weight (kg)	Flag country/entity/fishing entity	Date of import
F/FR	RD/GG/DR/FL/OT			
4. DESCRIPTION OF FISH FOR RE-EXPORT				
Product type (*)		Net weight (kg)		
F/FR	RD/GG/DR/FL/OT			
(*) F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, FL = fillet, OT = other. (Describe the type of product)				
5. RE-EXPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name/Company name	Address	Signature	Date	Licence No (if applicable)
6. GOVERNMENT VALIDATION — <i>I validate that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name and title	Signature	Date	Government seal	
IMPORT SECTION:				
7. IMPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
FINAL POINT OF IMPORT:				
City	State or Province		Country/Entity/Fishing entity	

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION TO THIS DOCUMENT.

INSTRUCTIONS

DOCUMENT No: Block for the issuing country/entity/fishing entity to designate a country/entity/fishing entity coded document number.

- (1) **RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY:** Fill in the name of the country/entity/fishing entity which re-exports the bigeye tuna in the shipment and issued this certificate. According to the ICCAT Recommendation, only the re-exporting country/entity/fishing entity can issue this certificate.
- (2) **POINT OF RE-EXPORT** Identify the city, State or province and country/entity/fishing entity from which the bigeye tuna was re-exported.
- (3) **DESCRIPTION OF IMPORTED FISH:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type. (1) Product type: identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: net product weight in kg. (3) Flag country/entity/fishing entity: the name of the country/entity/fishing entity of the vessel that harvested the bigeye tuna in the shipment. (4) Date of import: imported date.
- (4) **DESCRIPTION OF FISH FOR RE-EXPORT:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type. (1) Product type: identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kg.
- (5) **RE-EXPORTER CERTIFICATION:** The person or company re-exporting the bigeye tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's licence number (if applicable).
- (6) **GOVERNMENT VALIDATION:** Fill in the name and full title of the official signing the certificate. The official must be employed by a competent Government authority of the re-exporting country/entity/fishing entity appearing on the certificate, or a person or institution authorised to validate such certificates by the competent Government authority. The substitutional measure described in paragraphs A-D of the Resolution by ICCAT concerning Validation by a Government official of the Bluefin Tuna Statistical Document, adopted by the Commission in 1993, may be applied to the above requirements for the validations under the Bigeye Tuna Statistical Document Programme.
- (7) **IMPORTER CERTIFICATION:** The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye tuna was imported, licence number (if applicable) and re-exported final point of import. This includes imports into intermediate countries/entities/fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting country/entity/fishing entity).

ANNEX XII

SPECIMEN IOTC BIGEYE TUNA RE-EXPORT CERTIFICATE

DOCUMENT No		IOTC BIGEYE TUNA RE-EXPORT CERTIFICATE		
RE-EXPORT SECTION:				
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY				
2. POINT OF RE-EXPORT				
3. DESCRIPTION OF IMPORTED FISH				
Product type (*)		Net weight (kg)	Flag country/entity/fishing entity	Date of import
F/FR	RD/GG/DR/FL/OT			
4. DESCRIPTION OF FISH FOR RE-EXPORT				
Product type (*)		Net weight (kg)		
F/FR	RD/GG/DR/FL/OT			
(*) F = fresh, FR = frozen, RD = round, GG = gilled and gutted, DR = dressed, FL = fillet, OT = other (Describe the type of product)				
5. RE-EXPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name/Company name	Address	Signature	Date	Licence No (if applicable)
6. GOVERNMENT VALIDATION — <i>I validate that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name and title	Signature	Date	Government seal	
IMPORT SECTION:				
7. IMPORTER CERTIFICATION — <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
IMPORTER CERTIFICATION (Intermediate country/entity/fishing entity)				
Name	Address	Signature	Date	Licence No (if applicable)
FINAL POINT OF IMPORT:				
City	State or Province		Country/Entity/Fishing entity	

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION TO THIS DOCUMENT.

INSTRUCTIONS

DOCUMENT No: Block for the issuing country/entity/fishing entity to designate a country/entity/fishing entity coded document number.

- (1) **RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY:** Fill in the name of the country/entity/fishing entity which re-exports the bigeye tuna in the shipment and issued this certificate. According to the IOTC Resolution, only the re-exporting country/entity/fishing entity can issue this certificate.
- (2) **POINT OF RE-EXPORT:** Identify the city, State or province and country/entity/fishing entity from which the bigeye tuna was re-exported.
- (3) **DESCRIPTION OF IMPORTED FISH:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type. (1) Product type: identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: net product weight in kg. (3) Flag country/entity/fishing entity: the name of the country/entity/fishing entity of the vessel that harvested the bigeye tuna in the shipment. (4) Date of import: imported date.
- (4) **DESCRIPTION OF FISH FOR RE-EXPORT:** The exporter must provide, to the highest degree of accuracy, the following information. **Note:** one row should describe one product type. (1) Product type: identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kg.
- (5) **RE-EXPORTER CERTIFICATION:** The person or company re-exporting the bigeye tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's licence number (if applicable).
- (6) **GOVERNMENT VALIDATION:** Fill in the name and full title of the official signing the certificate. The official must be employed by a competent Government authority of the re-exporting country/entity/fishing entity appearing on the certificate, or a person or institution authorised to validate such certificates by the competent Government authority.
- (7) **IMPORTER CERTIFICATION:** The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye tuna was imported, licence number (if applicable) and re-exported final point of import. This includes imports into intermediate countries/entities/fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting country/entity/fishing entity).

ANNEX XIII

INFORMATION CONCERNING THE VALIDATION OF ICCAT STATISTICAL DOCUMENTS

1. **Flag:**
2. **Statistical document** (Bluefin tuna, Swordfish, Bigeye tuna, all): _____
3. **Government/Government body(ies)** authorised to authenticate statistical documents

Name of body	Address of body	Model seal

Note: For each body, attach a list of the names, positions and addresses of persons authorised to authenticate documents.

4. **Other institutions accredited by the Government/body** to authenticate statistical documents

Name of body	Address of body	Model seal

Note: For each body, attach a list of the names, positions and addresses of persons authorised to authenticate documents.

Instructions:

Contracting Parties and cooperating non-contracting parties, entities or fishing entities whose vessels fish for species for which international trade requires the presentation of ICCAT Statistical Documents are asked to submit the information shown on this sheet to the ICCAT Executive Secretary^(*), and to ensure that any changes are forwarded to him in good time.

^(*) ICCAT: Calle Corazón de María 8 (6th floor), E-28002 Madrid, Spain.

ANNEX XIV

INFORMATION CONCERNING THE VALIDATION OF IOTC STATISTICAL DOCUMENTS

1. **Flag:**
2. **Government organisations/authority(ies) accredited** for the validation of statistical documents

Name of organisation	Address of organisation	Model stamp

NB: For each organisation, please attach a list showing the name, position and address of persons authorised to certify the documents.

3. **Other institutions accredited by the Government/authority** for the certification of statistical documents

Name of organisation	Address of organisation	Model stamp

NB: For each organisation, please attach a list showing the name, position and address of persons authorised to certify the documents.

Instructions:

Contracting Parties, non-contracting parties, entities and fishing entities some of whose vessels fish for species for which international trade requires the presentation of a statistical document are asked to submit information using this sheet and to ensure that any changes are forwarded to the Secretariat (*) in good time.

(*) IOTC, B.P. 1011, Port de pêche, Victoria, Seychelles.

ANNEX XV

HALF-YEARLY REPORT ON THE ICCAT BLUEFIN TUNA STATISTICAL DOCUMENT

Period from _____ to _____ IMPORTING COUNTRY

Month

Month

Year

Flag country	Area code	Gear code	Place of export	Product type		Weight (kg)
				F/FR	RD/GG/DR/FL/OT	

CODE	TYPE OF GEAR	CODE	PRODUCT TYPE
BB	Baitboat	F	Fresh
GILL	Gillnet	FR	Frozen
HAND	Handline	RD	Round
HARP	Harpoon	GG	Gilled and gutted
LL	Longline	DR	Dressed
MWT	Mid-water trawl	FL	Fillet
PS	Purse seine	OT	Other
RR	Rod and reel		
SPHL	Sport hand line		
SPOR	Sport fisheries unclassified		
SURF	Surface fisheries unclassified		
TL	Tended line	AREA	CODE
TRAP	Trap	WA	West Atlantic
TROL	Troll	EA	East Atlantic
UNCL	Unclassified methods	MED	Mediterranean
OT	Other type (indicate gear type: _____)	PAC	Pacific

HALF-YEARLY REPORT ON THE ICCAT BLUEFIN TUNA RE-EXPORT LICENCE

From _____ to _____, _____ IMPORTING COUNTRY

Month

Month

Year

Flag country	Re-exporting country	Place of export	Product type		Weight (kg)
			F/FR	RD/GG/DR/FL/OT	

CODE	TYPE OF GEAR	CODE	PRODUCT TYPE
BB	Baitboat	F	Fresh
GILL	Gillnet	FR	Frozen
HAND	Handline	RD	Round
HARP	Harpoon	GG	Gilled and gutted
LL	Longline	DR	Dressed
MWT	Mid-water trawl	FL	Fillets
PS	Purse seine	OT	Other
RR	Rod and reel		
SPHL	Sport handline		
SPOR	Sport fisheries unclassified		
SURF	Surface fisheries unclassified		
TL	Tended line	CODE	ZONE
TRAP	Trap	WA	West Atlantic
TROL	Troll	EA	East Atlantic
UNCL	Unspecified methods	MED	Mediterranean
OT	Other (give details: _____)	PAC	Pacific

ANNEX XVI

HALF-YEARLY REPORT ON THE ICCAT SWORDFISH STATISTICAL DOCUMENT

From _____ to _____ IMPORTING COUNTRY/ENTITY/FISHING ENTITY

Month

Month

year

Flag country/entity/ fishing entity	Area code	Gear code	Place of export	Product type		Weight of product (kg)
				F/FR	RD/GG/DR/FL/ OT	

GEAR CODE	TYPE OF GEAR	CODE	PRODUCT TYPE
BB	Baitboat	F	Fresh
GILL	Gillnet	FR	Frozen
HAND	Handline	RD	Round
HARP	Harpoon	GG	Gilled and gutted
LL	Longline	DR	Dressed
MWT	Mid-water trawl	FL	Fillets
PS	Purse seine	ST	Steak
RR	Rod and reel	OT	Other form; describe the type of products in the shipment
SPHL	Sport handline		
SPOR	Sport fisheries unclassified		
SURF	Surface fisheries unclassified		
TL	Tended line	CODE	AREA CODE
TRAP	Trap	NAT	North Atlantic
TROL	Troll	SAT	South Atlantic
UNCL	Unclassified methods	MED	Mediterranean
OT	Other (give details): _____)	PAC	Pacific Ocean
		ID	Indian Ocean

HALF-YEARLY REPORT ON THE ICCAT SWORDFISH RE-EXPORT LICENCE

From _____ to _____ IMPORTING COUNTRY

Month

Month

Year

Flag country	Re-exporting country	Place of re-export	Product type		Weight of product (kg)
			F/FR	RD/GG/DR/FL/OT	

PRODUCT TYPE

F	Fresh
FR	Frozen
RD	Round
GG	Gilled and gutted
DR	Dressed
ST	Steak
FL	Fillets
OT	Other form; describe the type of products in the shipment

ANNEX XVII

HALF-YEARLY REPORT ON THE ICCAT BIGEYE TUNA STATISTICAL DOCUMENT

From _____ to _____ IMPORTING COUNTRY/ENTITY/FISHING ENTITY

Month

Month

Year

Flag country/entity/ fishing entity	Area code	Gear code	Place of export	Product type		Weight of product (kg)
				F/FR	RD/GG/DR/FL/ OT	

GEAR CODE	TYPE OF GEAR	PRODUCT	TYPE
BB	Baitboat	F	Fresh
GILL	Gillnet	FR	Frozen
HAND	Handline	RD	Round
HARP	Harpoon	GG	Gilled and gutted
LL	Longline	DR	Dressed
MWT	Mid-water trawl	FL	Fillets
PS	Purse seine	OT	Other form; describe the type of products in the shipment
RR	Rod and reel		
SPHL	Sport handline		
SPOR	Sport fisheries unclassified		
SURF	Surface fisheries unclassified		
TL	Tended line	AREA	CODE
TRAP	Trap	ID	Indian Ocean
TROL	Troll	PA	Pacific Ocean
UNCL	Unclassified methods	AT	Atlantic Ocean
OT	Other (give details)		

HALF-YEARLY REPORT ON THE ICCAT BIGEYE TUNA RE-EXPORT LICENCE

From _____ to _____ IMPORTING COUNTRY/ ENTITY /FISHING ENTITY

Month

Month

Year

Flag country/entity/ fishing entity	Country/ entity /fishing entity carrying out re- export	Place of re-export	Product type		Weight of product (kg)
			F/FR	RD/GG/DR/FL/ OT	

PRODUCT	TYPE
---------	------

F	Fresh
FR	Frozen
RD	Round
GG	Gilled and gutted
DR	Dressed
FL	Fillets
OT	Other form; describe the type of products in the shipment

ANNEX XVIII

HALF-YEARLY REPORT ON THE IOTC BIGEYE TUNA STATISTICAL DOCUMENT

From _____ to _____ IMPORTING COUNTRY/ENTITY/FISHING ENTITY

Month

Month

Year

Flag country/entity/ fishing entity	Area code	Gear code	Place of export	Product type		Weight of product (kg)
				F/FR	RD/GG/DR/FL/ OT	

GEAR CODE	TYPE OF GEAR	CODE	PRODUCT TYPE
BB	Baitboat	F	Fresh
GILL	Gillnet	FR	Frozen
HAND	Handline	RD	Round
HARP	Harpoon	GG	Gilled and gutted
LL	Longline	DR	Dressed
MWT	Mid-water trawl	FL	Fillets
PS	Purse seine	OT	Other form. Describe the type of products in the shipment
RR	Rod and reel		
SPOR	Sport fisheries unclassified		
SPHL	Sport handline		
SURF	Surface fisheries unclassified		
TL	Tended line		
TRAP	Trap		
TROL	Troll		
UNCL	Unspecified methods		
OT	Other (give details)		

HALF-YEARLY REPORT ON THE IOTC BIGEYE TUNA RE-EXPORT LICENCE

From _____ to _____ IMPORTING COUNTRY/ENTITY/FISHING ENTITY

Month

Month

Year

Flag country/entity/ fishing entity	Country/ entity /fishing entity carrying out re- export	Place of re-export	Product type		Weight of product (kg)
			F/FR	RD/GG/DR/FL/ OT	

CODE

PRODUCT TYPE

CODE	PRODUCT TYPE
F	Fresh
FR	Frozen
RD	Round
GG	Gilled and gutted
DR	Dressed
FL	Fillets
OT	Other type; describe the type of products in the shipment

ANNEX XIX

Regulation (EC) No 858/94	This Regulation
— Article 1	— Article 2
— Article 2	— Article 4
— Article 2a	— Article 5
— Article 3(1), (2) and (3)	— Article 4
— Article 3(4)	— Article 6
— Article 3a	— Article 6
— Article 4	—
— Article 5	— Article 9
— Annex I	— Annex IVa
— Annex II	— Annex IVb
— Annex III	— Annex IX

**COUNCIL REGULATION (EC) No 1985/2003
of 10 November 2003
amending Regulation (EC) No 427/2003 on a transitional product-specific safeguard mechanism for
imports originating in the People's Republic of China**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) Regulation (EC) No 427/2003 ⁽¹⁾ lays down quantitative quotas for certain products originating in the People's Republic of China.
- (2) Commission Regulation (EC) No 1351/2003 ⁽²⁾ established administrative procedures for the first tranche of the 2004 quantitative quotas for certain products originating in the People's Republic of China.
- (3) In view of the enlargement of the European Community on 1 May 2004 it is appropriate to increase the quotas in accordance with Article XXVIII of the GATT 1994 and the Understanding of the interpretation of this Article.

- (4) It is therefore appropriate to amend Annex I to Regulation (EC) No 427/2003,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 427/2003 shall be replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 10 November 2003.

For the Council
The President
A. MARZANO

⁽¹⁾ OJ L 65, 8.3.2003, p. 1.

⁽²⁾ OJ L 192, 31.7.2003, p. 8.

ANNEX

'ANNEX I

Phasing-out timetable of industrial (non-textile) quotas on imports originating in China

Product description	HS/CN code	January to December 2003	January to April 2004	May to December 2004	2005
Footwear	ex 6402 99 ⁽¹⁾	47 480 959	18 201 035	58 538 970	Removal
	6403 51 6403 59	3 712 459	1 423 109	3 183 457	Removal
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	14 698 530	5 634 436	13 992 904	Removal
	ex 6404 11 ⁽²⁾	22 106 953	8 474 332	18 901 998	Removal
	6404 19 10	38 683 955	14 828 849	33 502 413	Removal
Tableware, kitchenware of porcelain or china	6911 10	73 139	28 036	67 905	Removal
Ceramic tableware, kitchen- ware, other than of porcelain or china	6912 00	55 334	21 212	58 124	Removal

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

COMMISSION REGULATION (EC) No 1986/2003
of 12 November 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 13 November 2003.

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

Done at Brussels, 12 November 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 12 November 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	55,6
	096	47,8
	204	49,4
	999	50,9
0707 00 05	052	143,2
	999	143,2
0709 90 70	052	111,0
	204	101,6
	999	106,3
0805 20 10	204	61,1
	512	116,3
	999	88,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	81,8
	388	66,8
	504	97,5
	528	66,8
	999	78,2
0805 50 10	052	84,8
	388	67,9
	524	60,1
	528	81,9
	600	88,1
0806 10 10	999	76,6
	052	110,9
	400	205,6
	508	301,2
0808 10 20, 0808 10 50, 0808 10 90	999	205,9
	052	73,0
	060	38,7
	064	47,1
	096	84,1
	388	71,4
	400	72,1
	404	78,5
	720	36,1
	800	142,7
	804	238,9
	999	88,3
0808 20 50	052	105,8
	060	52,0
	064	59,9
	720	52,4
	999	67,5

⁽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 1987/2003
of 12 November 2003**

amending Regulation (EC) No 98/2003 as regards the forecast supply balance for the Azores for cereals and oilseeds, the forecast supply balance for Madeira for vegetable oils, sugar and meats and the forecast supply balance for the Canary Islands for cereals, oilseeds, hops, livestock feed, milk and milk products and meats

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1453/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (Poseima) ⁽¹⁾, and in particular Article 3(6) thereof,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican) ⁽²⁾, and in particular Article 3(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 98/2003 of 20 January 2003 establishing the supply balances and Community aid for the supply of certain essential products for human consumption, for processing and as agricultural inputs and for the supply of live animals and eggs to the outermost regions under Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 ⁽³⁾, establishes a forecast supply balance and Community aid for the products covered by the specific supply arrangements for the Azores, Madeira and the Canary Islands.
- (2) Current execution of the annual supply balance for the Azores, Madeira and the Canary Islands in cereals, vegetable oils, sugar, fresh or chilled beef, pigmeat, livestock feed, hops, poultrymeat and butter indicates that the quantities fixed for the supply of the abovementioned products are below requirements. On the other hand, the consumption of oilseed products, frozen beef, olive oil, milk and cream (whether concentrated or with added sugar) as well as milk preparations, is below the forecasts.
- (3) The quantities of the above products should therefore be adjusted in line with the actual needs of the outermost regions concerned and, in the case of the supply of cereals, oilseeds and livestock feeds, the quotas should be aggregated with a view to their more flexible use.
- (4) Regulation (EC) No 98/2003 should be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

⁽¹⁾ OJ L 198, 21.7.2001, p. 26. Regulation as amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 198, 21.7.2001, p. 45. Regulation as amended by Regulation (EC) No 1782/2003.

⁽³⁾ OJ L 14, 21.1.2003, p. 32. (Regulation as last amended by Regulation (EC) No 1756/2003 (OJ L 252, 4.10.2003, p. 7).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 98/2003 is amended as follows:

1. In Annex III, part 1, the table concerning the Azores is replaced by the following table:

'AZORES'

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Common wheat of bread-making quality, durum wheat, barley, maize, rye, malt, soya seeds and sunflower seeds	1001 90 99, 1001 10 00, 1003 00 90, 1005 90 00, 1002, 1107 10, 1201 00 90, 1206 00 99	195 300		37	(¹)

(¹) The amount shall be equal to the amount of the refund for products falling within the same CN code which may have been granted under Article 7 of Commission Regulation (EC) No 1501/95 (OJ L 147, 30.6.1995, p. 7).'

2. In Annex III, part 3, the table concerning Madeira is replaced by the following table:

'MADEIRA'

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Vegetable oils (except olive oil):					
— Vegetable oil	1507 to 1516 (¹)	2 500	52	70	(²)
Olive oil:					
— Virgin olive oil, or	1509 10 90	300	52	—	(²)
— Olive oil	1509 90 00			—	

(¹) Except 1509 and 1510.

(²) The amount shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Council Regulation No 136/66/EEC (OJ L 172, 30.9.1966, p. 3025/66).'

3. In Annex III, part 5, the table concerning Madeira is replaced by the following table:

'MADEIRA'

Description	CN code	Quantity (tonnes of white sugar)	Aid (EUR/100 kg)		
			I	II	III
Sugar	1701 and 1702 (except glucose and isoglucose)	7 000	7,4	9,2	(¹)

(¹) For white sugar, the amount shall be equal to the maximum export refund fixed for white sugar under the standing invitations to tender for the export of white sugar. Where two standing invitations to tender are issued simultaneously, the maximum to take into consideration is that most recently fixed for the standing invitation to tender for export in the forthcoming marketing year. The amount for raw sugar shall be equal to 92 % of that applicable to white sugar. If the raw sugar dispatched produces a yield different from 92 %, the amount shall be adjusted by applying Annex I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

For sucrose syrups the amount shall be equal to 1 % of the amount applicable to white sugar for each percentage point of sucrose content per 100 kilograms net of syrup. Article 7(3) of Regulation (EC) No 1260/2001 shall not apply.'

4. In Annex III, part 7, the table concerning Madeira is replaced by the following table:

***MADEIRA**

Description	CN code	Quantity	Aid (EUR/tonne)		
			I	II	III
Meat:					
— meat of bovines, fresh or chilled	0201 0201 10 00 9110 ⁽¹⁾ 0201 10 00 9120 0201 10 00 9130 ⁽¹⁾ 0201 10 00 9140 0201 20 20 9110 ⁽¹⁾ 0201 20 20 9120 0201 20 30 9110 ⁽¹⁾ 0201 20 30 9120 0201 20 50 9110 ⁽¹⁾ 0201 20 50 9120 0201 20 50 9130 ⁽¹⁾ 0201 20 50 9140 0201 20 90 9700	4800	144	162	(*)
	0201 30 00 9100 ⁽²⁾ ⁽⁶⁾ 0201 30 00 9120 ⁽²⁾ ⁽⁶⁾ 0201 30 00 9060 ⁽⁶⁾		120	138	(*)
— meat of bovines, frozen	0202 0202 10 00 9100 0202 10 00 9900 0202 20 10 9000 0202 20 30 9000 0202 20 50 9100 0202 20 50 9900 0202 20 90 9100	1000	130	148	(*)
	0202 30 90 9200 ⁽⁶⁾		108	126	(*)

NB: The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

(*) The amount shall be equal to the refund for products falling within the same CN code granted under Article 33 of Council Regulation (EC) No 1254/1999 (OJ L 160, 26.6.1999, p. 21). Where the refunds granted under Article 33 of Regulation (EC) No 1254/1999 have differentiated amounts, the amount of the aid shall be equal to the amount of the refund granted for products falling within the same code of the agricultural product nomenclature for export refunds for destination B03 in force when the aid is applied for.'

5. In Annex III, part 8, the table concerning Madeira is replaced by the following table:

***MADEIRA**

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat of domestic swine, fresh, chilled or frozen:	ex 0203	2 300			—
— carcasses and half-carcasses	0203 11 10 9000		85	103	⁽¹⁾
— hams and cuts thereof	0203 12 11 9100		128	146	⁽¹⁾
— shoulders and cuts thereof	0203 12 19 9100		85	103	⁽¹⁾

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
— fore-ends and cuts thereof	0203 19 11 9100		85	103	(¹)
— loins and cuts thereof	0203 19 13 9100		128	146	(¹)
— bellies (streaky) and cuts thereof	0203 19 15 9100		85	103	(¹)
— other: boned	0203 19 55 9110		157	175	(¹)
— other: boned	0203 19 55 9310		157	175	(¹)
— carcasses and half-carcasses	0203 21 10 9000		85	103	(¹)
— hams and cuts thereof	0203 22 11 9100		128	146	(¹)
— shoulders and cuts thereof	0203 22 19 9100		85	103	(¹)
— fore-ends and cuts thereof	0203 29 11 9100		85	103	(¹)
— loins and cuts thereof	0203 29 13 9100		128	146	(¹)
— bellies (streaky) and cuts thereof	0203 29 15 9100		85	103	(¹)
— other: boned	0203 29 55 9110		157	175	(¹)

(¹) The amount shall be equal to the refund for products falling within the same CN code, where applicable, granted under Article 13 of Regulation (EEC) No 2759/75 (OJ L 282, 1.11.1975, p. 1).

NB: The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87.

6. In Annex V, part 1, the table concerning the Canary Islands is replaced by the following table:

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Common wheat, barley, hay, maize, durum wheat meal, maize meal, malt and glucose (²), lucerne (alfalfa) meal and pellets, oil-cake and other solid residues resulting from the extraction of soya, soya-bean oil, and other forms of lucerne	1001 90 99, 1003 00 90, 1004 00 00, 1005 90 00, 1103 11 10, 1103 13, 1107, 1702 30, 1702 40, 1214 10 00, 2304 00 and ex 1214 90 99	441 800	—	35	(¹)

(¹) The amount shall be equal to the amount of the refund for products falling within the same CN code granted under Article 7 of Regulation (EC) No 1501/95.

(²) Except products falling within CN codes 1702 30 10 and 1702 40 10.

7. In Annex V, part 3, the table concerning the Canary Islands is replaced by the following table:

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Vegetable oils (except olive oil):					
— vegetable oils (processing and/or packaging sector)	1507 to 1516 (¹)	20 000	—	25	(²)
— vegetable oils (direct consumption)	1507 to 1516 (²)	9 000	6	—	(²)

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Olive oil:					
— virgin olive oil	1509 10 90				
— olive oil	1509 90 00	17 500	45	63	(²)
— olive-residue oil	1510 00 90				

(¹) Except 1509 and 1510.

(²) The amount shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Regulation No 136/66/EEC.

8. In Annex V, part 6, the table concerning the Canary Islands is replaced by the following table:

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Hops	1210	50	—	64'	

9. In Annex V, part 8, the table concerning the Canary Islands is replaced by the following table:

Description	CN code	Quantity	Aid (EUR/tonne)		
			I	II	III
Meat:					
— meat of bovines, fresh or chilled	0201 0201 10 00 9110 (¹) 0201 10 00 9120 0201 10 00 9130 (¹) 0201 10 00 9140 0201 20 20 9110 (¹) 0201 20 20 9120 0201 20 30 9110 (¹) 0201 20 30 9120 0201 20 50 9110 (¹) 0201 20 50 9120 0201 20 50 9130 (¹) 0201 20 50 9140 0201 20 90 9700	21 200	133	151	(*)
	0201 30 00 9100 (²) (⁶) 0201 30 00 9120 (²) (⁶) 0201 30 00 9060 (⁶)		111	129	(*)
— meat of bovines, frozen	0202 0202 10 00 9100 0202 10 00 9900 0202 20 10 9000 0202 20 30 9000 0202 20 50 9100 0202 20 50 9900 0202 20 90 9100	14 500	104	122	(*)
	0202 30 90 9200 (⁶)		87	105	(*)

NB: The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87.

(*) The amount shall be equal to the refund for products falling within the same CN code granted under Article 33 of Regulation (EC) No 1254/1999. Where the refunds granted under Article 33 of Regulation (EC) No 1254/1999 have differentiated amounts, the amount of the aid shall be equal to the amount of the refund granted for products falling within the same code of the agricultural product nomenclature for export refunds for destination B03 in force when the aid is applied for.

10. In Annex V, part 10, the table concerning the Canary Islands is replaced by the following table:

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat:					
— ex 0207; frozen meat and offal of fowl under CN code 0105, excluding products coming under subheading 0207 23	0207 12 10 9900 0207 12 90 9190 0207 12 90 9990 0207 14 20 9900 0207 14 60 9900 0207 14 70 9190 0207 14 70 9290	40 200 ⁽¹⁾	85	103	⁽²⁾
Eggs:					
— ex 0408 birds' eggs, not in shell, and egg yolks, dried, whether or not containing added sugar or other sweetening matter, fit for human consumption	0408 11 80 9100 0408 91 80 9100	40	46	64	⁽³⁾

⁽¹⁾ Including 200 tonnes for the processing and/or packaging sector.

⁽²⁾ The amount shall be equal to the amount of the refund granted for products falling within the same CN code under Article 8 of Council Regulation (EC) No 2777/75 (OJ L 282, 1.11.1975, p. 77). Where the refunds granted under Article 8 of Regulation (EC) No 2777/75 have differentiated amounts, the amount shall be equal to the highest amount of the refund for products falling within the same CN code (Commission Regulation (EEC) No 3846/87).

⁽³⁾ The amount shall be equal to the amount of the refund granted for products falling within the same CN code under Article 8 of Council Regulation (EC) No 2771/75 (OJ L 282, 1.11.1975, p. 49). Where the refunds granted under Article 8 of Regulation (EEC) No 2771/75 have differentiated amounts, the amount shall be equal to the highest amount of the refund for products falling within the same CN code for export refunds (Regulation (EEC) No 3846/87).'

11. In Annex V, part 11, the table concerning the Canary Islands is replaced by the following table:

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III ⁽¹⁾
Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽²⁾	0401	114 800 ⁽³⁾	41	59	⁽⁴⁾
Milk and cream, concentrated or containing added sugar or other sweetening matter ⁽²⁾ :	0402	28 000 ⁽³⁾	41	59	⁽⁴⁾
Milk and cream, concentrated or containing added sugar or other sweetening matter of a non-fat milk solid content of 15 % or more by weight and a fat content by weight not exceeding 3 % ⁽⁶⁾	0402 91 19 9310		—	97	—
Butter and other fats and oils derived from milk; dairy spreads ⁽²⁾	0405	4 000	72	90	⁽⁴⁾

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III ⁽¹⁾
Cheese ⁽²⁾	0406 0406 30 0406 90 23 0406 90 25 0406 90 27 0406 90 76 0406 90 78 0406 90 79 0406 90 81	15 000	72	—	⁽⁴⁾
	0406 90 86 0406 90 87 0406 90 88	1 900			
Fat-free milk preparations	1901 90 99	650	—	59	⁽⁷⁾
Milk preparations for children containing no milk fat etc.	2106 90 92	45			

⁽¹⁾ In EUR/100 kg net weight, unless otherwise specified.

⁽²⁾ The products concerned and the related footnotes are the same as those covered by the Commission Regulation fixing the export refunds under Article 31 of Council Regulation (EC) No 1255/1999 (OJ L 160, 26.6.1999, p. 48).

⁽³⁾ Including 1 300 tonnes for the processing and/or packaging sector.

⁽⁴⁾ The amount shall be equal to the amount of the refund for products falling within the same CN code granted under Article 31 of Regulation (EC) No 1255/1999.

Where the refunds granted under Article 31 of Regulation (EC) No 1255/1999 have differentiated amounts, the amount shall be equal to the highest amount of the refund for products falling within the same CN code of the agricultural product nomenclature for export refunds (Regulation (EEC) No 3846/87).

⁽⁵⁾ To be allocated as follows:

- 7 250 tonnes falling within CN codes 0402 91 and/or 0402 99 for direct consumption,
- 4 750 tonnes falling within CN codes 0402 91 and/or 0402 99 for the processing and/or packaging sector,
- 16 000 tonnes falling within CN codes 0402 10 and/or 0402 21 for the processing and/or packaging sector.

⁽⁶⁾ Where the milk protein content (nitrogen content x 6,38) in the non-fatty milk solid of a product under this position is less than 34 %, no aid shall be granted. Where the water content by weight of the powdered products under this position is greater than 5 %, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose the minimum milk protein content in the non-fatty milk solid, and the maximum water content for powdered products.

⁽⁷⁾ The amount shall be equal to the refund set in the Commission Regulation fixing the refund rates applicable to certain milk products exported in the form of goods not covered by Annex I, granted under Regulation (EC) No 1520/2000.'

Article 2

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

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

Done at Brussels, 12 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 1988/2003
of 12 November 2003**

establishing the allocation of export licences for cheeses to be exported in 2004 to the United States of America under certain quotas resulting from the GATT Agreements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1787/2003 ⁽²⁾, and in particular Article 30 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1471/2003 ⁽³⁾ opens the procedure for the allocation of export licences for cheeses to be exported in 2004 to the United States of America under certain quotas resulting from the GATT Agreements.
- (2) Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2003 ⁽⁵⁾, lays down in Article 20(3) the criteria to be applied for allocating provisional licences where applications for those licences are submitted in respect of a quantity of products in excess of one of the relevant quotas for the year in question.
- (3) The demand for export licences for some quotas and product groups has shown a significant increase and exceeds, sometimes by far, the quantities available. This may lead to a substantial reduction in the quantities allocated per applicant, thereby reducing the efficiency and effectiveness of the scheme. In addition, where the quantities allocated to each operator are very small, experience has shown that there is a risk of an operator in such circumstances being unable to fulfil his obligation to export with the consequent loss of the security.
- (4) In order to deal with that situation, it is appropriate to apply a combination of the three criteria referred to in Article 20(3) of Regulation (EC) No 174/1999. In accordance with points (a) and (b) of that Article, licences should be allocated in preference to applicants which have already been engaged in the United States of America whose designated importers are subsidiaries and which have exported quantity of the concerned products to that destination in the past. In addition a reduction coefficient should be applied pursuant to point (c) of the said Article 20(3).

- (5) In the case of product groups and quotas for which the quantities applied for exceed only slightly those available, the application of a combination of the criteria provided for in Article 20(3)(b) and (c) of Regulation (EC) No 174/1999 is sufficient to allocate economically viable quantities. Therefore preference should be accorded in such circumstances to applicants whose importers are subsidiaries, while applying a reduction coefficient.
- (6) In the case of product groups and quotas for which the applications lodged are for quantities less than those available, it is appropriate, in accordance with Article 20(5) of Regulation (EC) No 174/1999, to provide for the allocation of the remaining quantities to the applicants in proportion to the quantities applied for. The allocation of such further quantities should be conditional upon the interested operator making a request and lodging a security.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. Each application for provisional export licences lodged pursuant to Regulation (EC) No 1471/2003 in respect of the product groups and quotas identified by 16-Tokyo, 16-, 17-, 20- and 21-Uruguay, 25-Tokyo and 25-Uruguay in column 3 of the Annex hereto:

- by applicants which show an export to the United States of America of the products in question during at least one of the preceding three years and whose designated importers are subsidiaries shall be accepted in accordance with the allocation coefficients in column 5 of the Annex,
- by applicants other than those provided for under the first indent which show an export to the United States of America of the products in question during each of the preceding three years shall be accepted in accordance with the allocation coefficients in column 6 of the Annex,
- by applicants other than those provided for under the first and second indents above shall be rejected.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 270, 21.10.2003, p. 121.

⁽³⁾ OJ L 211, 21.8.2003, p. 5.

⁽⁴⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁵⁾ OJ L 287, 5.11.2003, p. 13.

2. If the allocated quantity resulting from the application of Article 1(1) is less than two tonnes, applicants may withdraw their application. In such cases, they shall notify the competent authorities within five working days of the publication of this Regulation whereupon their security shall be immediately released. The competent authority shall notify the Commission within eight working days of the publication of this Regulation, of the quantity for which applications have been withdrawn and for which the security has been released.

3. Applications for provisional export licences lodged pursuant to Regulation (EC) No 1471/2003 in respect of the product group and quota identified by 18-Uruguay in column 3 of the Annex hereto:

- by applicants whose designated importers are subsidiaries shall be accepted in accordance with the allocation coefficient in column 7 of the Annex,
- by applicants other than those provided for under the first indent shall be accepted in accordance with the allocation coefficient in column 8 of the Annex.

4. Applications for provisional export licences lodged pursuant to Regulation (EC) No 1471/2003 in respect of the product group and quotas identified by 22-Tokyo and 22-Uruguay in column 3 of the Annex shall be accepted for the quantities requested. On the further application of the trader within 20 working days of the entry into force of this Regulation and subject to the lodging of the security applicable, provisional export licences may be issued for further quantities in accordance with the allocation coefficient in column 9 of the Annex.

Article 2

This Regulation shall enter into force on the third 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, 12 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonised Tariff Schedule of the United States of America		Identification of group and quota	Quantity available for 2004 (t)	Allocation coefficient provided for under Article 1(1)		Allocation coefficient provided for under Article 1(3)		Allocation coefficient provided for under Article 1(4)
Note No	Group			First indent	Second indent	First indent	Second indent	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
16	Not specifically provided for (NSPF)	16-Tokyo	908,877	0,1965479	0,0655160	—	—	—
		16-Uruguay	2 346,000	0,1513203	0,0504401	—	—	—
17	Blue mould	17-Uruguay	300,000	0,2147971	0,0715990	—	—	—
18	Cheddar	18-Uruguay	1 000,000	—	—	1,0000000	0,6671750	—
20	Edam/Gouda	20-Uruguay	1 000,000	0,3259807	0,1086602	—	—	—
21	Italian type	21-Uruguay	700,000	0,2350571	0,0783524	—	—	—
22	Swiss or Emmenthaler cheese other than with eye formation	22-Tokyo	393,006	—	—	—	—	1,1089209
		22-Uruguay	380,000	—	—	—	—	1,1377246
25	Swiss or Emmenthaler cheese with eye formation	25-Tokyo	4 003,172	0,4294560	0,1431520	—	—	—
		25-Uruguay	1 220,000	0,4484195	0,1494732	—	—	—

COMMISSION REGULATION (EC) No 1989/2003
of 6 November 2003
amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-pomace oil and
on the relevant methods of analysis

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 1513/2001 ⁽²⁾, and in particular Article 35a thereof,

Whereas:

- (1) Commission Regulation (EC) No 2568/91 ⁽³⁾, as last amended by Regulation (EC) No 796/2002 ⁽⁴⁾, defines the physical, chemical and organoleptic characteristics of olive oils and olive-pomace oils and lays down methods of assessing these characteristics. The characteristics of the oils in question must be adjusted to take into account new descriptions and definitions of olive oil and olive-pomace oil applicable from 1 November 2003 following an amendment of the Annex to Regulation No 136/66/EEC, and in particular the inclusion of the category of ordinary virgin olive oil in the category of lampante olive oil and the reduction of the free acidity of all the categories.
- (2) To continue the process of harmonisation with the international standards laid down by the International Olive Oil Council and the Codex Alimentarius, certain limits concerning the characteristics of olive oil and olive-pomace oil laid down in Regulation (EEC) No 2568/91 should be adjusted.
- (3) To reduce the number of analyses required to classify the samples of olive oils concerned, it is preferable that the control laboratories carry out the analyses of the quality and purity of the oils in the order laid down in a decision tree to be adopted for verifying whether a sample is consistent with the category declared. It is also necessary to delete the methods of analysis provided for in Annexes VIII and XIII to Regulation (EEC) No 2568/91, which have been replaced by other, more reliable analyses already set out in that Regulation.
- (4) Sampling of batches of olive oils and oil-pomace oils put up in small packages, in accordance with Annex Ia to Regulation (EEC) No 2568/91, involves a number of practical difficulties for the control laboratories. To resolve these difficulties and reduce the quantities taken as much as possible, the content of the primary sample should be amended.

- (5) In order to allow a period of adjustment to the new standards and to give time for introducing the means of applying them and to avoid disturbance to commercial transactions, the amendments to this Regulation should not apply until 1 November 2003. For the same reasons, it should be laid down that olive oil and olive-pomace oil packaged prior to that date may be sold until the stocks concerned are used up.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2568/91 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

1. Oils, the characteristics of which comply with those set out in points 1 and 2 of Annex I to this Regulation, shall be deemed to be virgin olive oils within the meaning of point 1(a) and (b) of the Annex to Regulation No 136/66/EEC.
2. Oil, the characteristics of which comply with those set out in point 3 of Annex I to this Regulation, shall be deemed to be lampante olive oil within the meaning of point 1(c) of the Annex to Regulation No 136/66/EEC.
3. Oil, the characteristics of which comply with those set out in point 4 of Annex I to this Regulation, shall be deemed to be refined olive oil within the meaning of point 2 of the Annex to Regulation No 136/66/EEC.
4. Oil, the characteristics of which comply with those set out in point 5 of Annex I to this Regulation, shall be deemed to be olive oil composed of refined olive oils and virgin olive oils within the meaning of point 3 of the Annex to Regulation No 136/66/EEC.
5. Oil, the characteristics of which comply with those set out in point 6 of Annex I to this Regulation, shall be deemed to be crude olive-pomace oil within the meaning of point 4 of the Annex to Regulation No 136/66/EEC.

⁽¹⁾ OJ L 72, 30.9.1966, p. 3025/1966.

⁽²⁾ OJ L 201, 26.7.2001, p. 4.

⁽³⁾ OJ L 248, 5.9.1991, p. 1.

⁽⁴⁾ OJ L 128, 15.5.2002, p. 8.

6. Oil, the characteristics of which comply with those set out in point 7 of Annex I to this Regulation, shall be deemed to be refined olive-pomace oil within the meaning of point 5 of the Annex to Regulation No 136/66/EEC.
7. Oil, the characteristics of which comply with those set out in point 8 of Annex I to this Regulation, shall be deemed to be olive-pomace oil within the meaning of point 6 of the Annex to Regulation No 136/66/EEC.
2. In Article 2(1), the seventh and 12th indents are deleted.
3. The first subparagraph of Article 2(4) is replaced by the following:
'For the purposes of the verification provided for in paragraph 3, the analyses referred to in Annexes II, III, IX, X and XII and, where applicable, any counter-analyses required under national law, shall be carried out before the minimum durability date. Where sampling is done more than four months before the minimum durability date, the analyses shall be carried out no later than the fourth month after the month in which the sample was taken. No time limit shall apply to the other analyses provided for in that Regulation.'
4. The following Article 2a is inserted:
'Article 2a
The national authorities or their representatives may verify whether a sample is consistent with the category declared:
(a) either by carrying out, in any order, the analyses provided for in Annex I;
- (b) or by following the order set out in Annex Ib on the decision tree until one of the decisions appearing in the decision tree is reached.'
5. Article 7 is replaced by the following:
'Article 7
The Community provisions concerning the presence of contaminants shall apply.
As regards halogenated solvents, the limits for all categories of olive oils are as follows:
— maximum content of each halogenated solvent detected: 0,1 mg/kg,
— maximum total content of halogenated solvents detected: 0,2 mg/kg.'
6. The Annexes are amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 November 2003.

However, products which have been legally manufactured and labelled in the Community or legally imported into the Community and put into free circulation before 1 November 2003 may be marketed until all stocks are used up.

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

Done at Brussels, 6 November 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

The Annexes to Regulation (EEC) No 2568/91 are amended as follows:

1. The summary is amended as follows:
 - (a) the following line is inserted after the line corresponding to Annexe Ia:
'Annexe Ib: Decision tree';
 - (b) the lines corresponding to Annexes VIII and XIII are deleted.
2. Annex I is replaced by the following tables and texts:

CHARACTERISTICS OF OLIVE OIL TYPES

Category	Acidity (%) (*)	Peroxide value mEq O ₂ /kg (*)	Waxes mg/kg (**)	Saturated acids in 2-position of the triglyceride (%)	Stigmastadienes mg/kg ⁽¹⁾	Difference between HPLC ECN42 and theoretical ECN42	K ₂₃₂ (*)	K ₂₇₀ (*)	Delta-K (*)	Organoleptic assessment Median of defects (Md) (*)	Organoleptic assessment Median of fruity (Mf) (*)
1. Extra virgin olive oil	≤ 0,8	≤ 20	≤ 250	≤ 1,5	≤ 0,15	≤ 0,2	≤ 2,50	≤ 0,22	≤ 0,01	Md = 0	Mf > 0
2. Virgin olive oil	≤ 2,0	≤ 20	≤ 250	≤ 1,5	≤ 0,15	≤ 0,2	≤ 2,60	≤ 0,25	≤ 0,01	Md ≤ 2,5	Mf > 0
3. Lampante olive oil	> 2,0	—	≤ 300 ⁽³⁾	≤ 1,5	≤ 0,50	≤ 0,3	—	—	—	Md > 2,5 ⁽²⁾	—
4. Refined olive oil	≤ 0,3	≤ 5	≤ 350	≤ 1,8	—	≤ 0,3	—	≤ 1,10	≤ 0,16	—	—
5. Blended olive oil composed of refined olive oils & virgin olive oils	≤ 1,0	≤ 15	≤ 350	≤ 1,8	—	≤ 0,3	—	≤ 0,90	≤ 0,15	—	—
6. Crude olive-pomace oil	—	—	> 350 ⁽⁴⁾	≤ 2,2	—	≤ 0,6	—	—	—	—	—
7. Refined olive-pomace oil	≤ 0,3	≤ 5	> 350	≤ 2,2	—	≤ 0,5	—	≤ 2,00	≤ 0,20	—	—
8. Olive-pomace oil	≤ 1,0	≤ 15	> 350	≤ 2,2	—	≤ 0,5	—	≤ 1,70	≤ 0,18	—	—

⁽¹⁾ Sum of isomers that could (or could not) be separated by capillary column.

⁽²⁾ Or if the median of defects is less than or equal to 2,5 and the median of fruity is 0.

⁽³⁾ Oils with a wax content of between 300 mg/kg and 350 mg/kg are considered to be lampante olive oil if the total aliphatic alcohol content is less than or equal to 350 mg/kg or if the erythrodiol and uvaol content is less than or equal to 3,5 %.

⁽⁴⁾ Oils with a wax content of between 300 mg/kg and 350 mg/kg are considered to be crude olive-pomace oil if the total aliphatic alcohol content is above 350 mg/kg and if the erythrodiol and uvaol content is greater than 3,5 %.

Category	Fatty acids content ⁽¹⁾						Sum of transoleic isomers (%)	Sum of translino- leic and translino- lenic isomers (%)	Sterols composition						Total sterols (mg/kg)	Erythro- diol and uvaol (%) (**)
	Myristic (%)	Linolenic (%)	Arachidic (%)	Eicose- noic (%)	Behenic (%)	Ligno- ceric (%)			Choles- terol (%)	Brassicas- terol (%)	Campes- terol (%)	Stigmas- terol (%)	Beta- sitosterol (%) ⁽²⁾	Delta-7- Stigma- sterol (%)		
1. Extra virgin olive oil	≤ 0,05	≤ 1,0	≤ 0,6	≤ 0,4	≤ 0,2	≤ 0,2	≤ 0,05	≤ 0,05	≤ 0,5	≤ 0,1	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5	≥ 1 000	≤ 4,5
2. Virgin olive oil	≤ 0,05	≤ 1,0	≤ 0,6	≤ 0,4	≤ 0,2	≤ 0,2	≤ 0,05	≤ 0,05	≤ 0,5	≤ 0,1	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5	≥ 1 000	≤ 4,5
3. Lampante olive oil	≤ 0,05	≤ 1,0	≤ 0,6	≤ 0,4	≤ 0,2	≤ 0,2	≤ 0,10	≤ 0,10	≤ 0,5	≤ 0,1	≤ 4,0	—	≥ 93,0	≤ 0,5	≥ 1 000	≤ 4,5 ⁽³⁾
4. Refined olive oil	≤ 0,05	≤ 1,0	≤ 0,6	≤ 0,4	≤ 0,2	≤ 0,2	≤ 0,20	≤ 0,30	≤ 0,5	≤ 0,1	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5	≥ 1 000	≤ 4,5
5. Blended olive oil composed of refined olive oils & virgin olive oils	≤ 0,05	≤ 1,0	≤ 0,6	≤ 0,4	≤ 0,2	≤ 0,2	≤ 0,20	≤ 0,30	≤ 0,5	≤ 0,1	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5	≥ 1 000	≤ 4,5
6. Crude olive-pomace oil	≤ 0,05	≤ 1,0	≤ 0,6	≤ 0,4	≤ 0,3	≤ 0,2	≤ 0,20	≤ 0,10	≤ 0,5	≤ 0,2	≤ 4,0	—	≥ 93,0	≤ 0,5	≥ 2 500	> 4,5 ⁽⁴⁾
7. Refined olive-pomace oil	≤ 0,05	≤ 1,0	≤ 0,6	≤ 0,4	≤ 0,3	≤ 0,2	≤ 0,40	≤ 0,35	≤ 0,5	≤ 0,2	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5	≥ 1 800	> 4,5
8. Olive-pomace oil	≤ 0,05	≤ 1,0	≤ 0,6	≤ 0,4	≤ 0,3	≤ 0,2	≤ 0,40	≤ 0,35	≤ 0,5	≤ 0,2	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5	≥ 1 600	> 4,5

⁽¹⁾ Other fatty acids present (%): palmitic: 7,5 to 20,0; palmitoleic: 0,3 to 3,5; heptadecanoic: ≤ 0,3; heptadecenoic: ≤ 0,3; stearic: 0,5 to 5,0; oleic: 55,0 to 83,0; linoleic: 3,5 to 21,0.

⁽²⁾ Sum of: Delta-5-23-Stigmastadienol + Chlerosterol + Beta-Sitosterol + Sitostanol + Delta-5-Avenasterol + Delta-5-24-Stigmastadienol.

⁽³⁾ Oils with a wax content of between 300 mg/kg and 350 mg/kg are considered to be lampante olive oil if the total aliphatic alcohol content is less than or equal to 350 mg/kg or if the erythrodiol and uvaol content is less than or equal to 3,5 %.

⁽⁴⁾ Oils with a wax content of between 300 mg/kg and 350 mg/kg are considered to be crude olive-pomace oil if the total aliphatic alcohol content is above 350 mg/kg and if the erythrodiol and uvaol content is greater than 3,5 %.

Notes:

(a) The results of the analyses must be expressed to the same number of decimal places as used for each characteristic. The last digit must be increased by one unit if the following digit is greater than 4.

(b) If just a single characteristic does not match the values stated, the category of an oil can be changed or the oil declared impure for the purposes of this Regulation.

(c) If a characteristic is marked with an asterisk (*), referring to the quality of the oil, this means the following:

— for lampante olive oil, it is possible for both the relevant limits to be different from the stated values at the same time,

— for virgin olive oils, if at least one of these limits is different from the stated values, the category of the oil will be changed, although they will still be classified in one of the categories of virgin olive oil.

(d) If a characteristic is marked with two asterisks (**) this means that for all types of olive-pomace oil, it is possible for both the relevant limits to be different from the stated values at the same time.

3. Annex Ia is replaced by the following:

'ANNEX Ia

Sampling of olive oil or olive-pomace oil delivered in immediate packaging not exceeding 100 litres

This method of sampling applies to deliveries of olive oil or olive-pomace oil not exceeding 125 000 litres, put up in immediate packaging not exceeding 100 litres.

If the delivery exceeds 125 000 litres, it is to be subdivided into batches of 125 000 litres or under. If the delivery is less than 125 000 litres it shall constitute one batch. The method shall then be applied to each batch.

The minimum number of primary samples to be taken is determined by the size of the batch in accordance with the table set out in point 1.

The size of the primary sample is determined on the basis of the capacity of the immediate packaging, in accordance with the table set out in point 2.1.

Delivery, primary sample and laboratory sample shall mean the definitions given in standard EN ISO 5555.

"Batch" shall mean a set of sales units which are produced, manufactured and packed in circumstances such that the oil contained in each sales unit is considered to be homogenous in terms of all analytical characteristics.

1. NUMBER OF PRIMARY SAMPLES TO BE TAKEN

The minimum number of primary samples to be taken will be determined by the size of the batch in accordance with the following table:

Size of batch (litres) less than	Minimum number of primary samples
7 500	2
25 000	3
75 000	4
125 000	5

The immediate packs selected to form a primary sample must be adjacent to each other in the batch.

In cases of doubt, Member States shall increase the number of primary samples to be taken.

2. CONTENT OF PRIMARY SAMPLES

2.1 Primary samples must comprise the following:

Where the immediate packaging has a capacity of:	The primary sample shall comprise the oil from:
(a) 5 litres or more	(a) 3 immediate packs
(b) 3 litres or more but less than 5 litres	(b) 3 immediate packs
(c) 2 litres or more but less than 3 litres	(c) 3 immediate packs
(d) 1 litre or more but less than 2 litres	(d) 6 immediate packs
(e) 0,75 litres or more but less than 1 litre	(e) 6 immediate packs
(f) less than 0,75 litres	(f) three times the oil from the minimum number of packs with a total capacity of more than 1,5 litres

- 2.2 **The primary samples are to be kept in the immediate packaging up to the time of analysis. The oil in the primary samples shall then, as applicable, be subdivided into three laboratory samples in order to carry out:**
- (a) the analyses referred to in Annexes II, III, IX and X,
 - (b) the analysis referred to in Annex XII,
 - (c) the other analyses.
- 2.3 **The packs constituting a primary sample shall be subdivided in accordance with the control procedures provided for in national law.**
3. ANALYSES AND RESULTS
- (a) Each of the primary samples referred to in point 1 shall be subdivided into laboratory samples, in accordance with point 2.5 of standard EN ISO 5555, and analysed as follows:
 - determination of free fatty acids, as referred to in the first indent of Article 2(1),
 - determination of the peroxide value, as referred to in the second indent of Article 2(1),
 - spectrophotometric analysis, as referred to in the eighth indent of Article 2(1),
 - determination of the fatty acid composition, as referred to in the ninth indent of Article 2(1).
 - (b) Where one of the results of the analyses referred to in (a) for at least one of the primary samples taken from the same batch does not comply with the characteristics of the category of oil declared, the whole of the batch concerned is to be declared not to comply.

Where the results of the analyses referred to in (a) for each of the primary samples taken from the same batch are not all uniform, given the repeatability characteristics of the methods concerned, the entire batch is to be declared non-uniform and each primary sample is to be subject to the other analysis required. Otherwise, one primary sample from that batch is to be subject to the other analysis required.
 - (c) Where one of the results of the analyses referred to in the second paragraph of point (b) does not comply with the characteristics of the category of oil declared, the whole of the batch concerned is to be declared not to comply.

Where all the results of the analyses referred to in the second paragraph of point (b) comply with the characteristics of the category of oil declared, the whole batch is to be declared to comply.'
4. The following Annex Ib is inserted after Annex Ia.

'ANNEX Ib

DECISION TREE FOR VERIFYING WHETHER AN OLIVE OIL SAMPLE IS CONSISTENT WITH THE CATEGORY DECLARED

The analysis to verify whether an olive oil or olive-pomace oil is consistent with the category declared may be undertaken:

- (a) either by carrying out in any random order the analyses envisaged for the purpose of verifying compliance with the characteristics specified in Annex I; or
- (b) by carrying out in the order shown in the decision tree the analyses specified therein until one of the decisions appearing in the decision tree is reached.

The analyses relating to contaminants required for verifying compliance with European Community standards are to be carried out separately.

The decision tree applies to all categories of olive oil and olive-pomace oil. It consists of tables numbered 1 to 11 which must be approached on the basis of the declared category of oil concerned in the order set out in the general table.

Key to general tables to 11:

- the double line (=) indicates the route to be followed in case of compliance (positive answer) with the criteria specified in the preceding box. The dotted line (...) indicates the alternative route to be followed in case of non-compliance,
- the headings in the boxes in tables 1 to 11 refer to the analyses provided for in this Regulation on the basis of the table of equivalence set out in Appendix 1 to this Annex,
- the letters in brackets appearing in the negative decision circles in tables 1 to 11 cross-refer to indicative information given in Appendix 2 to this Annex. The letters in themselves do not entail the obligation to pursue the analyses or imply the veracity of the assumptions stated.

General table

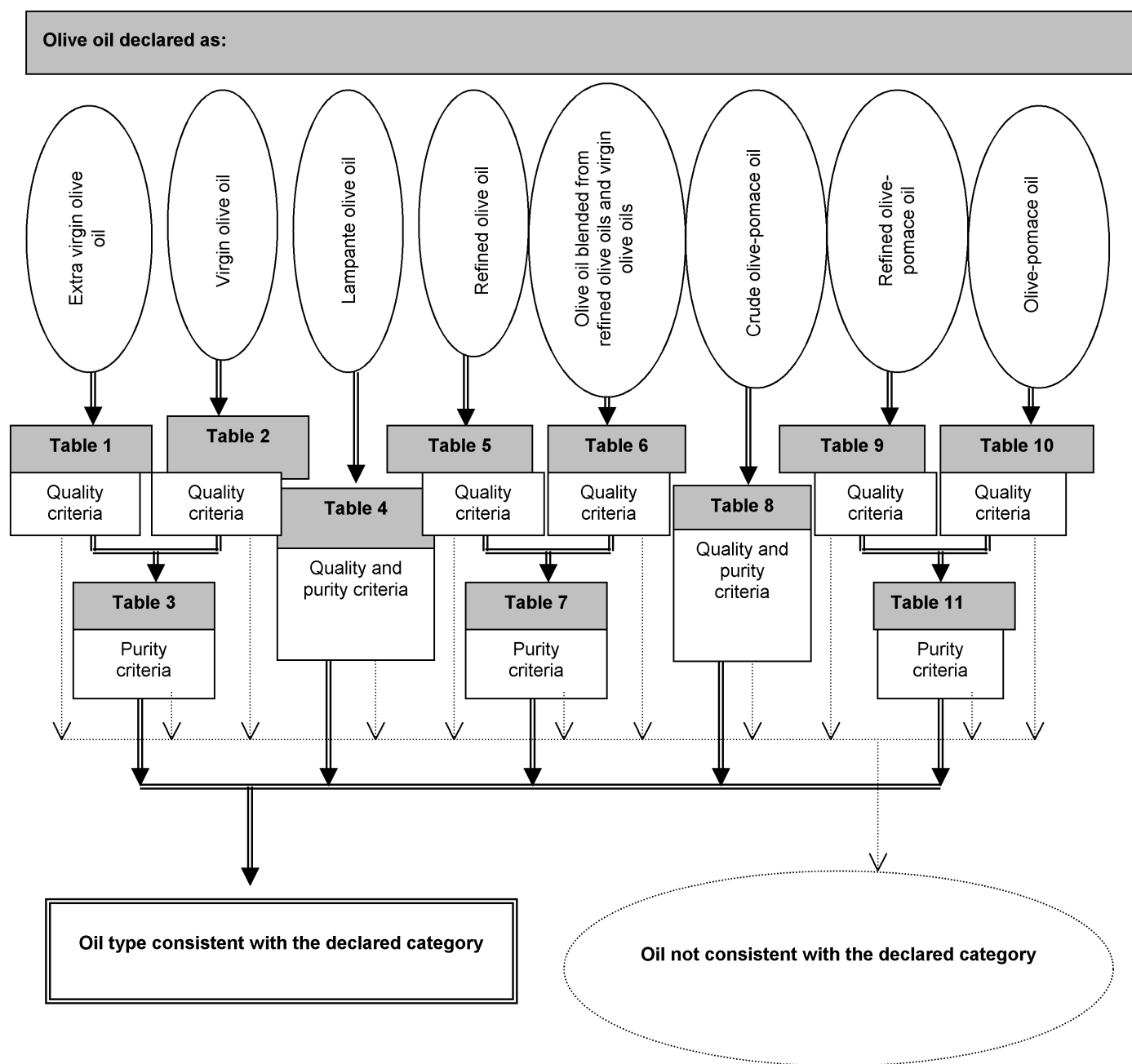


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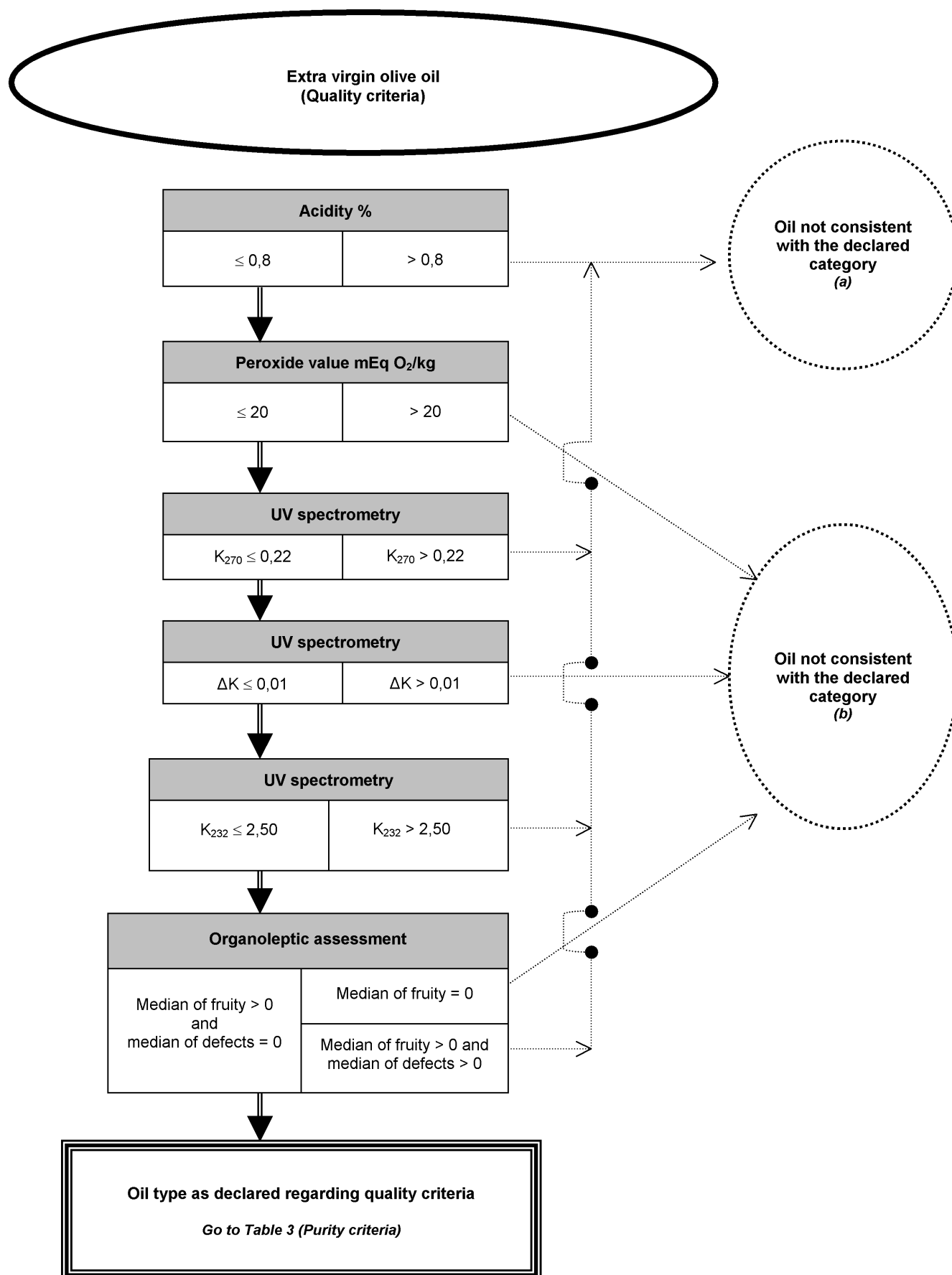


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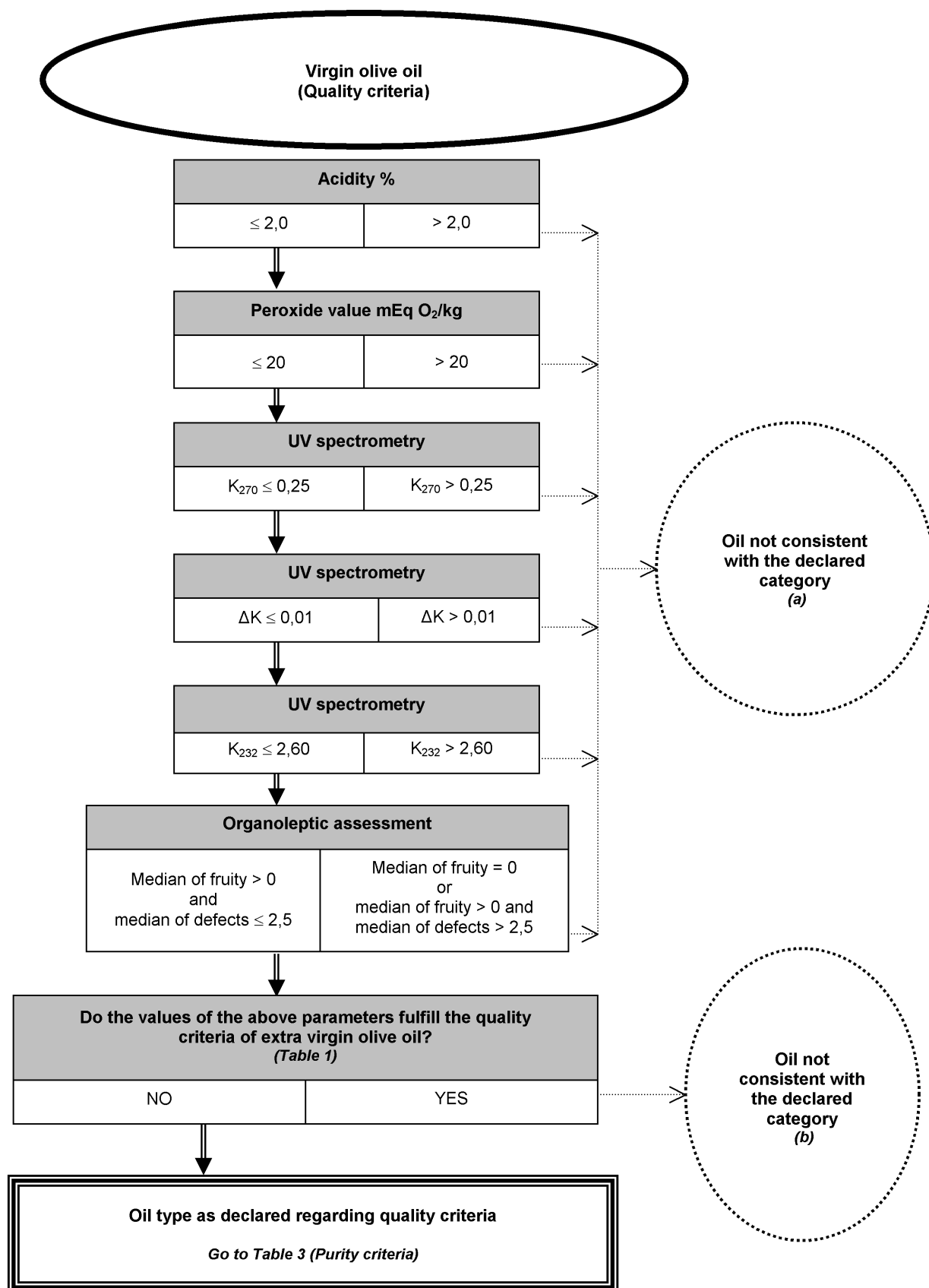


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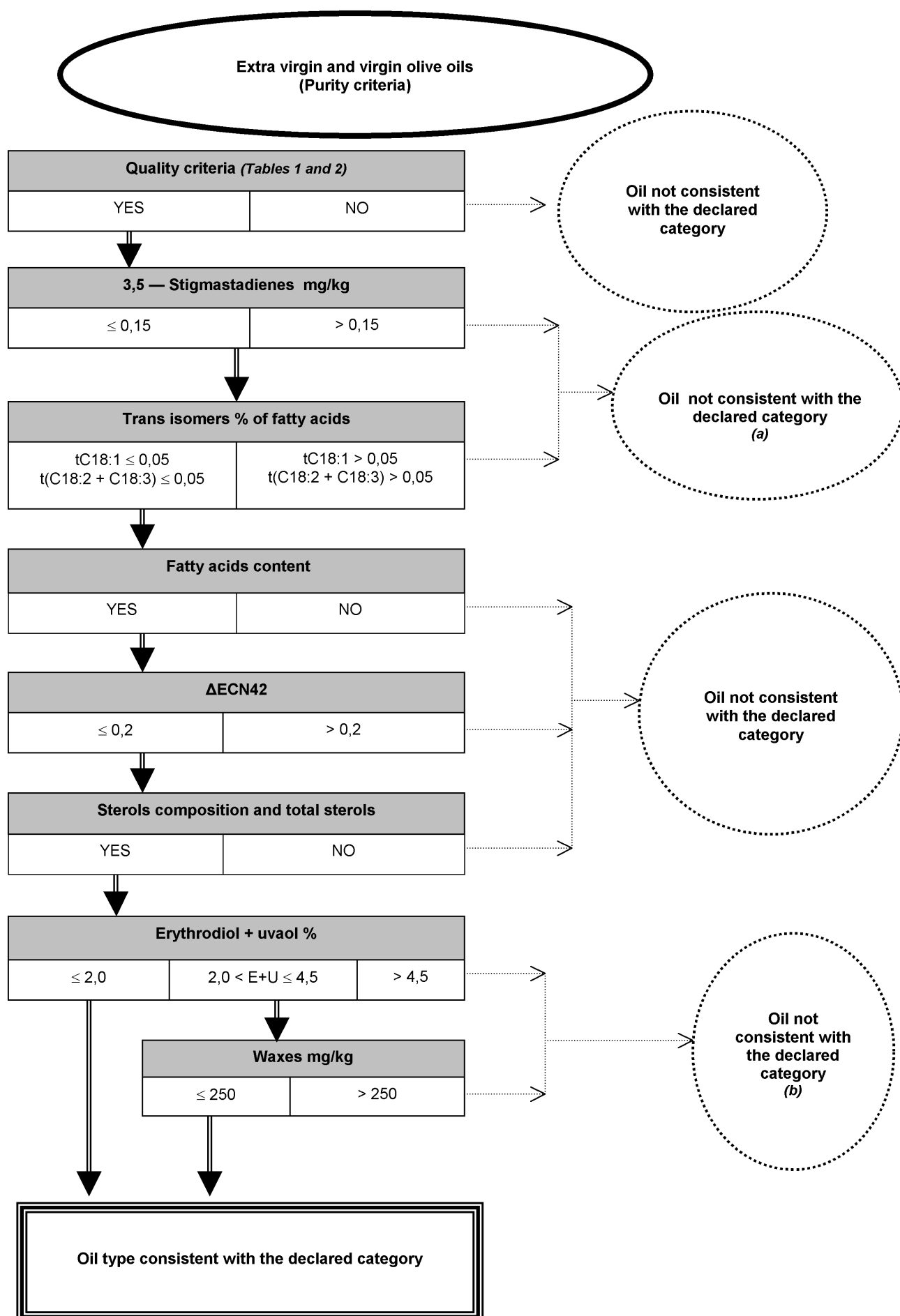


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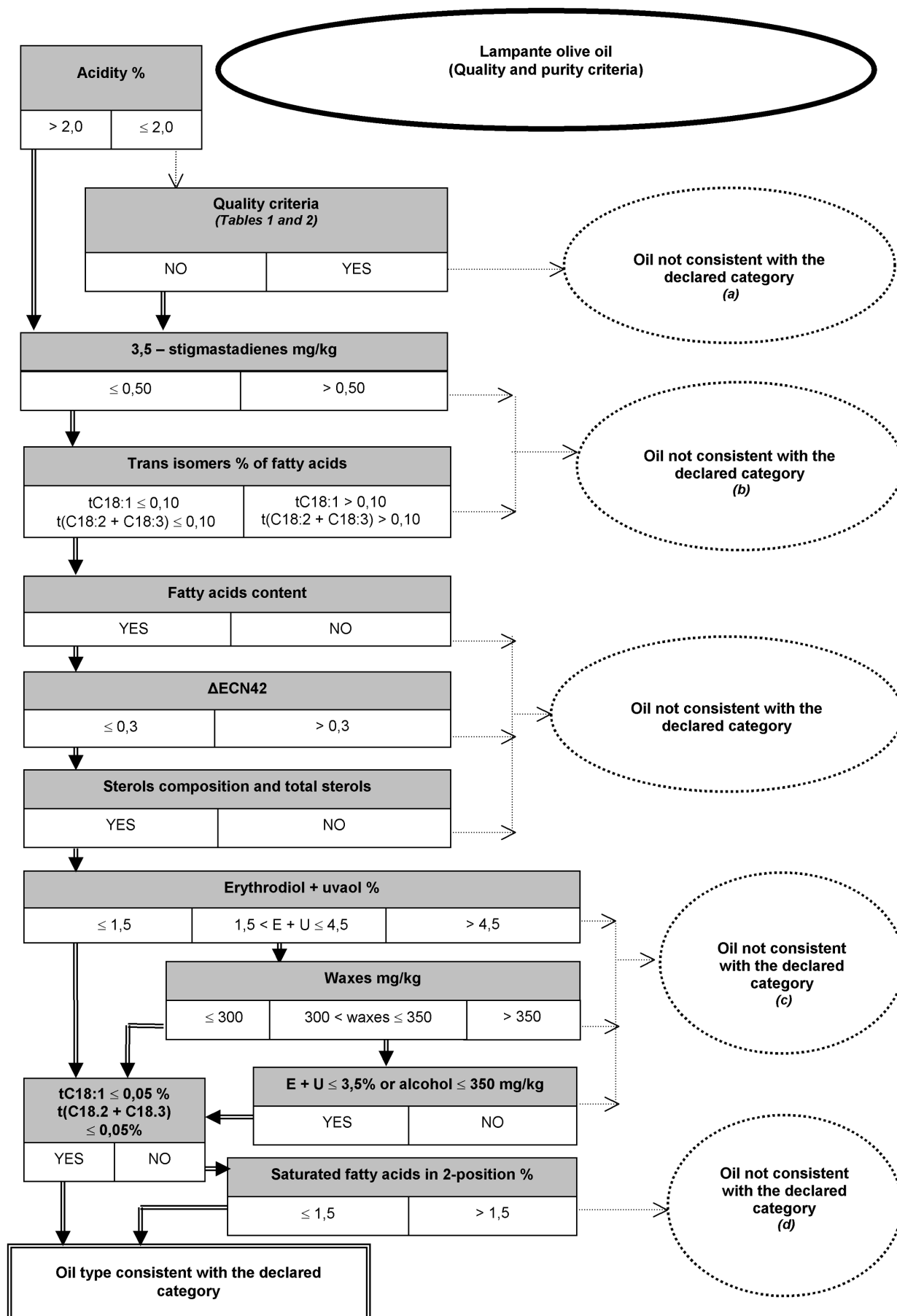


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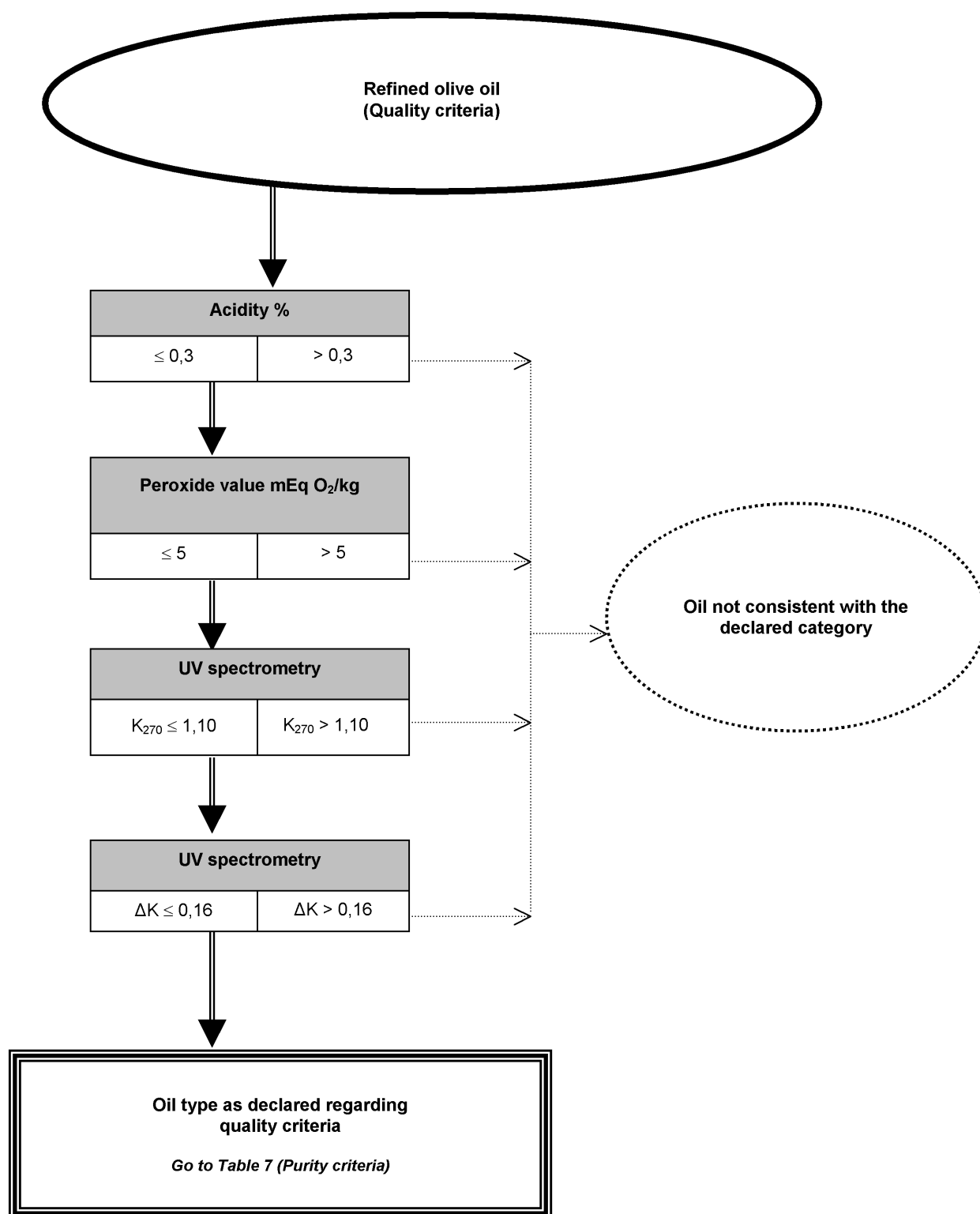


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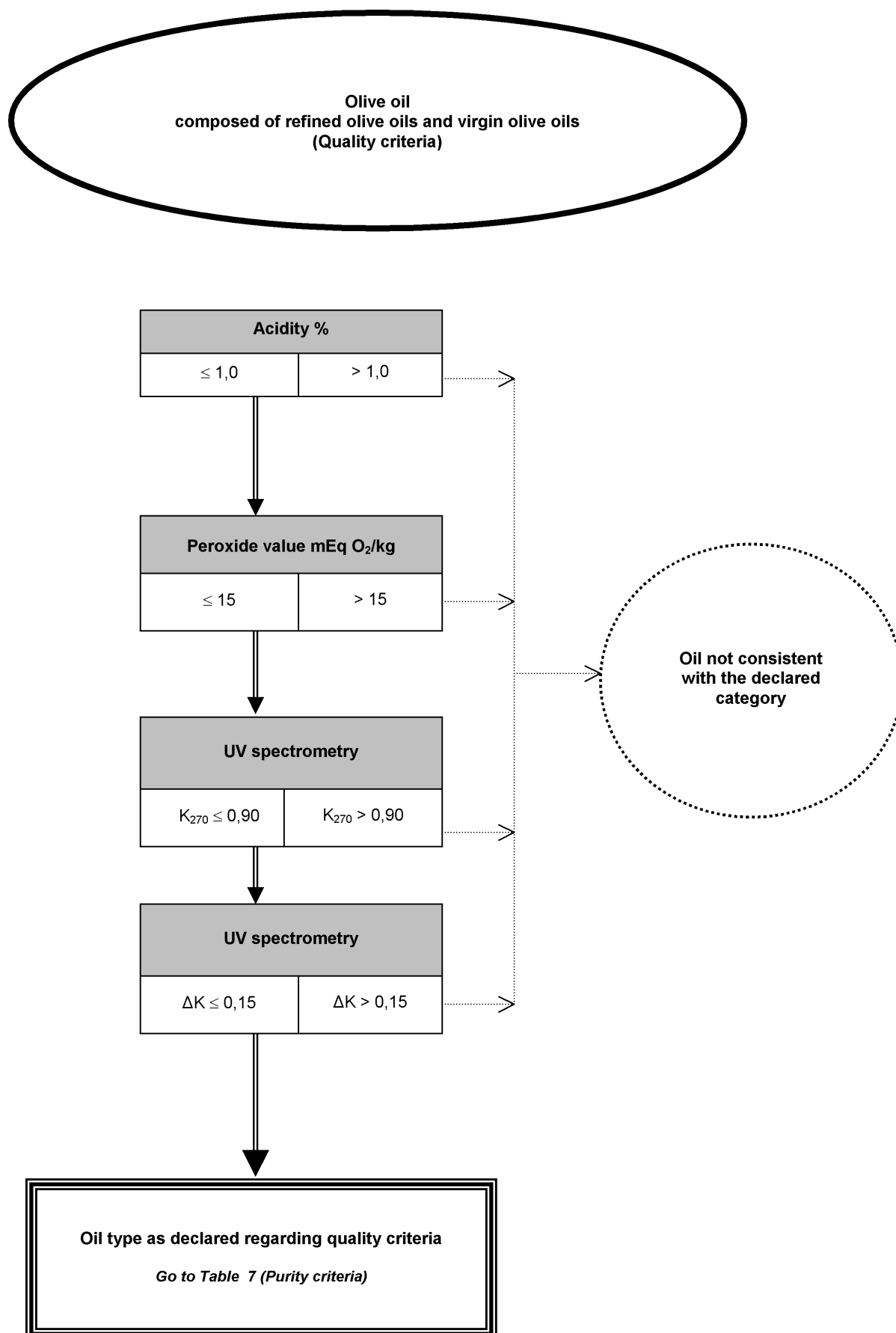


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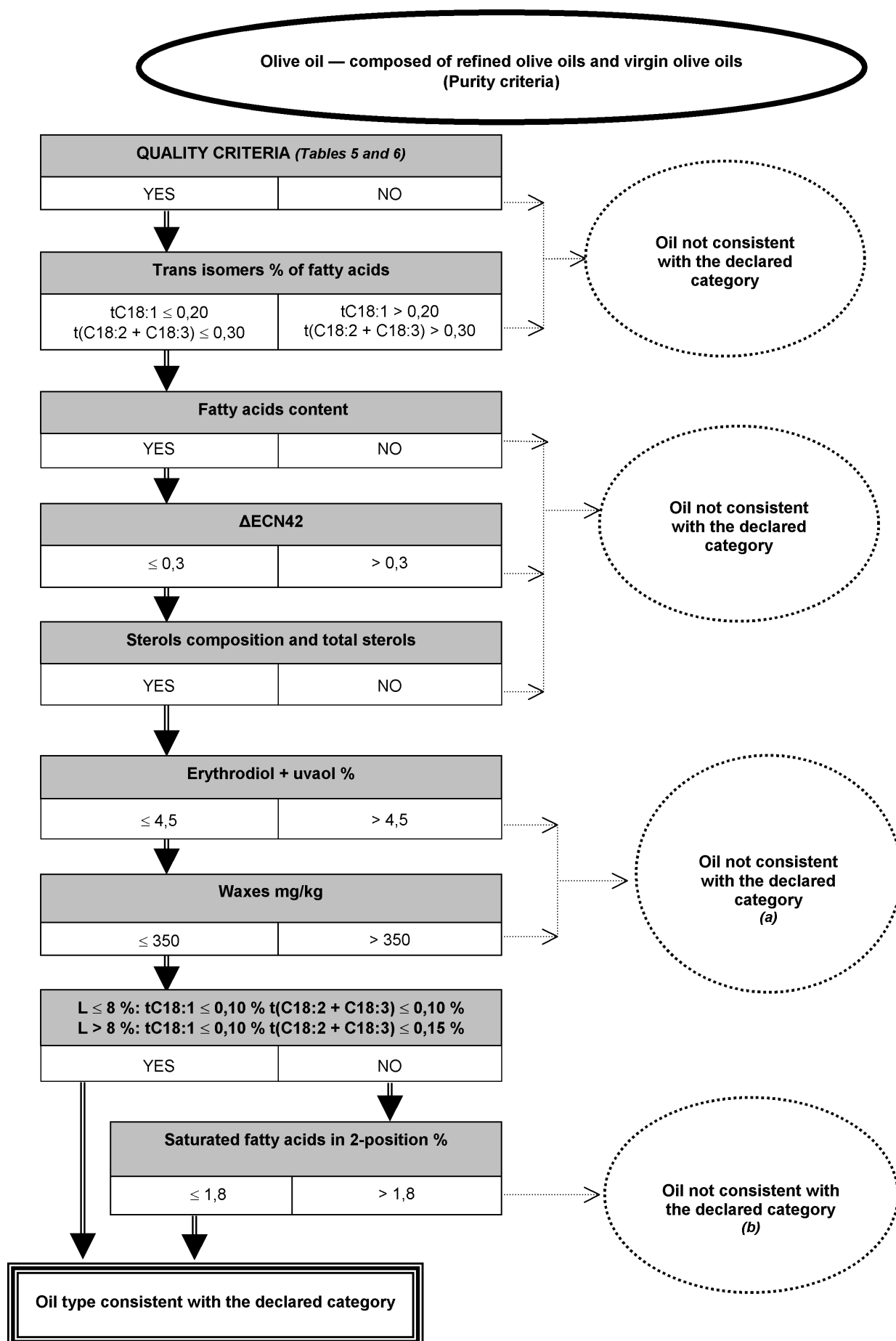


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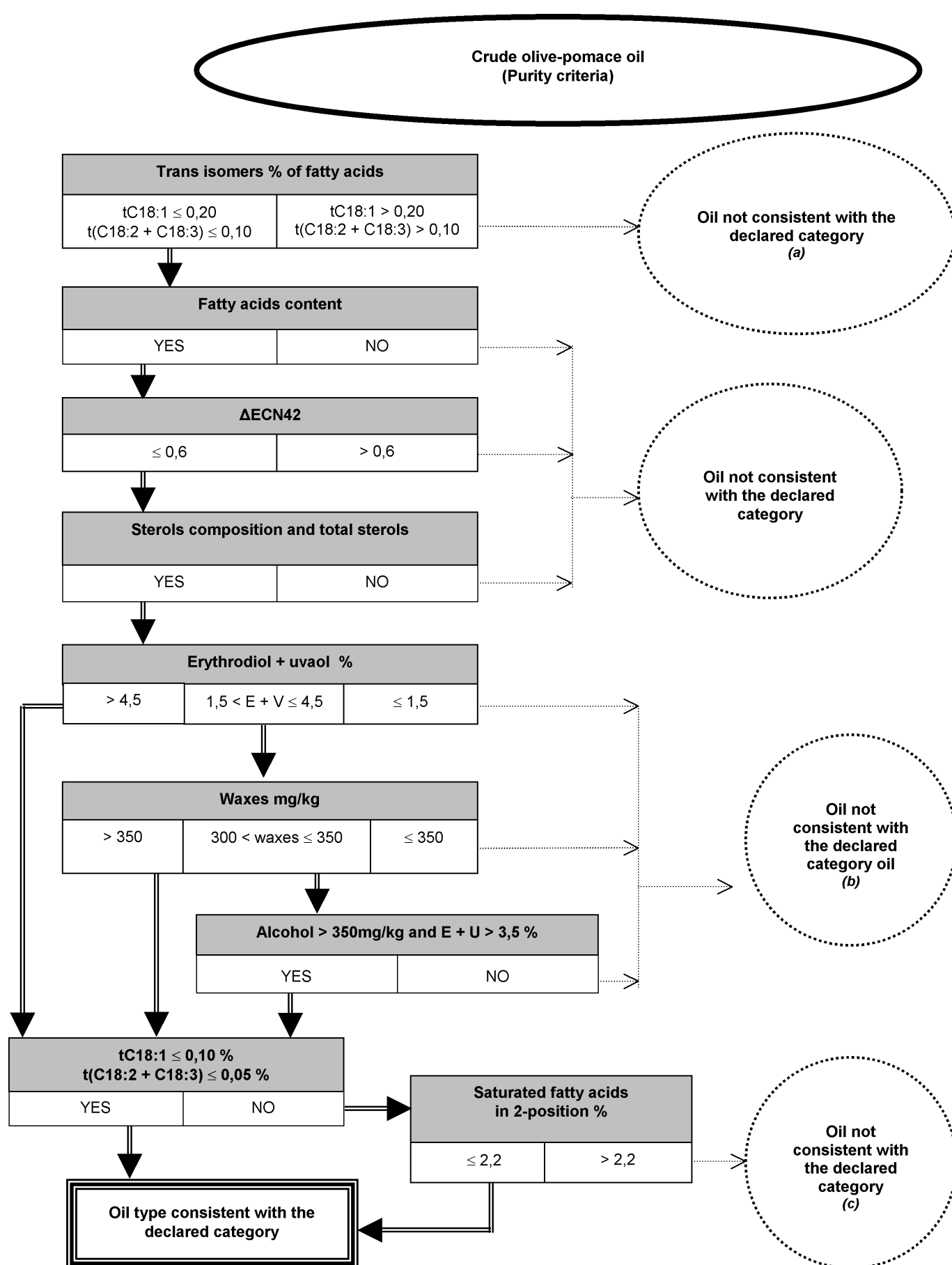


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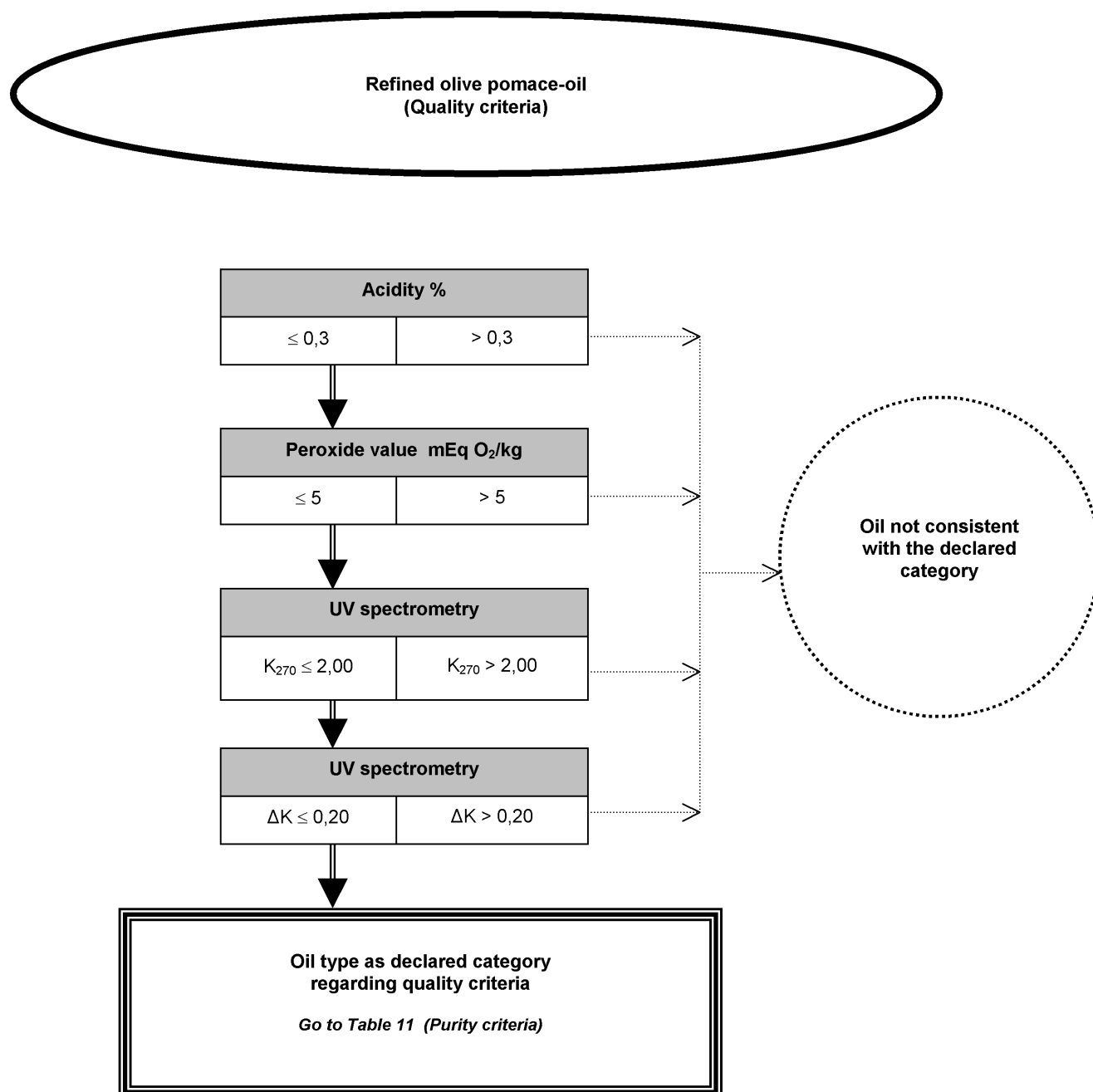


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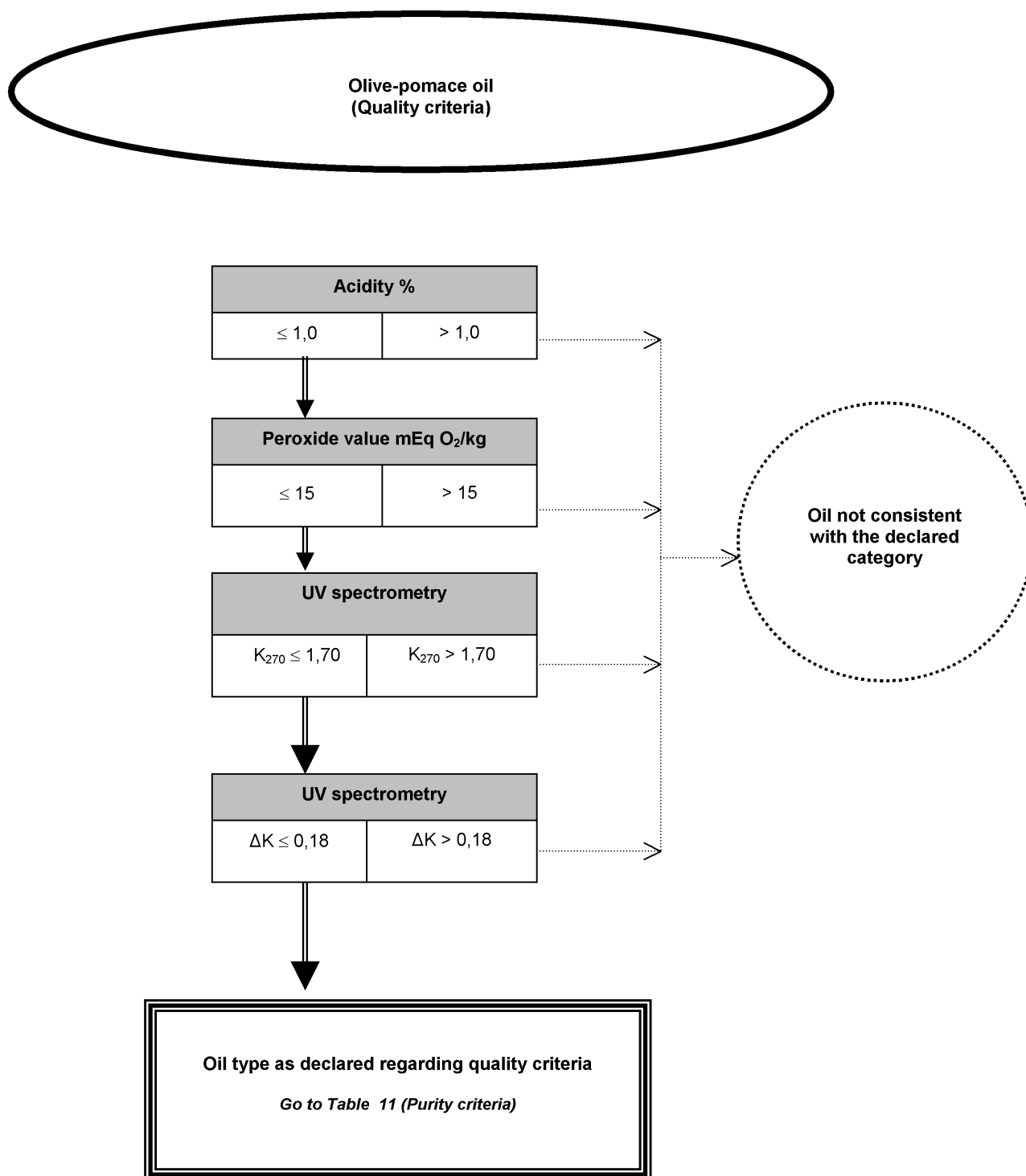
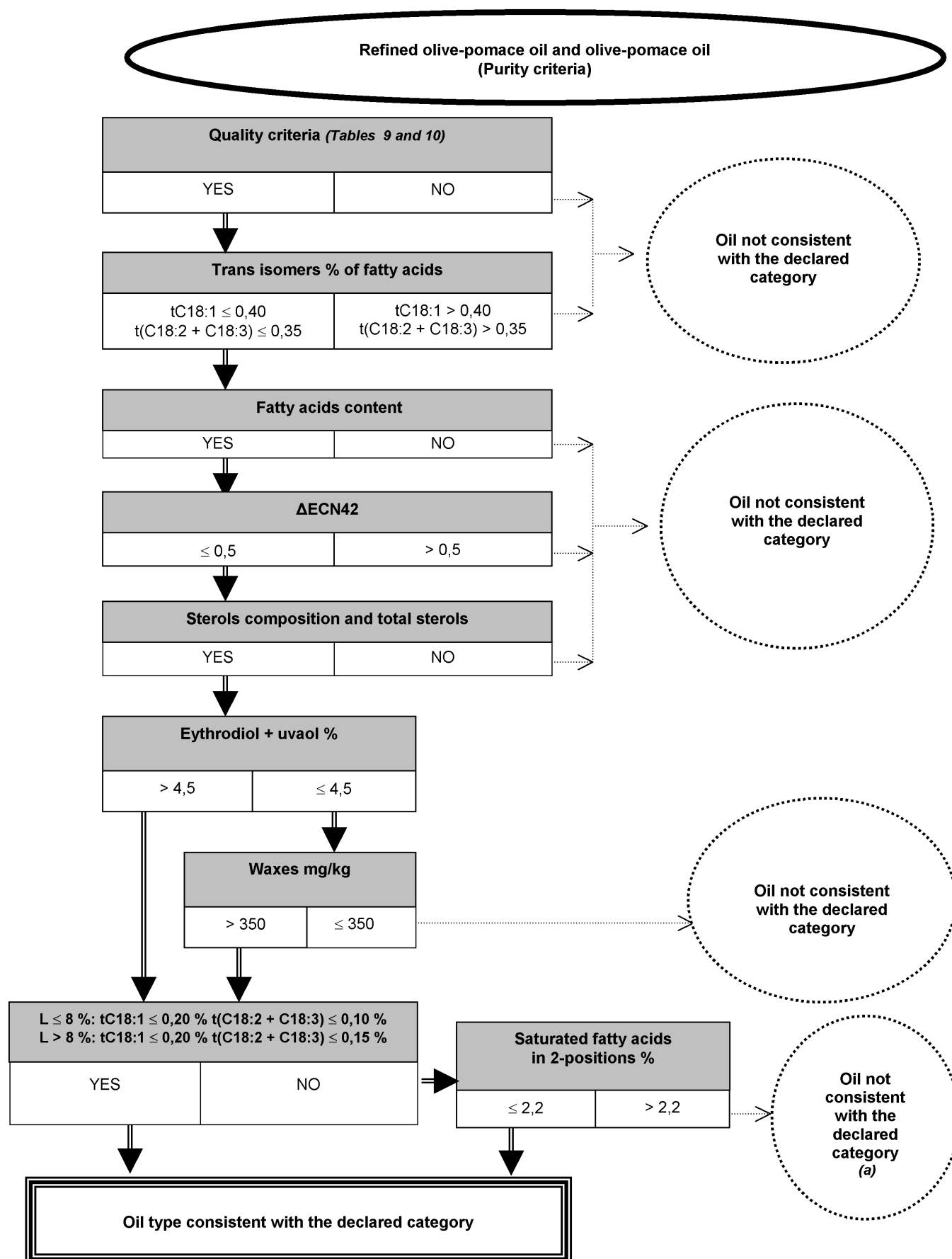


Table 11



Appendix 1

Table of equivalence between the annexes to this Regulation and the analyses specified in the decision tree

— Acidity	Annex II	Determination of the free fatty acids
— Peroxide value	Annex III	Determination of peroxide value
— UV spectrometry	Annex IX	Spectrophotometric analysis
— Organoleptic assessment	Annex XII	Organoleptic assessment of virgin olive oil
— 3,5-Stigmastadienes	Annex XVII	Method of determining stigmastadienes in vegetable oils
— Trans isomers of fatty acids	Annex Xa and	Analysis by gas chromatography of methyl esters of fatty acids
	Annex Xb	Preparation of methyl esters of fatty acids
— Fatty acids content	Annex Xa and	Analysis by gas chromatography of methyl esters of fatty acids
	Annex Xb	Preparation of methyl esters of fatty acids
— ΔECN42	Annex XVIII	Determination of the composition of triglycerides with ECN42 (difference between the HPLC data and theoretical content)
— Sterols composition and total sterols	Annex V	Determination of the composition and content of sterols by capillary-column gas chromatography
— Erythrodiol and Uvaol	Annex VI	Determination of erythrodiol and uvaol
— Waxes	Annex IV	Determination of wax content by capillary-column gas chromatography
— Aliphatic alcohols	Annex XIX	Determination of aliphatic alcohols content by capillary-column gas chromatography
— Saturated fatty acids in 2-position	Annex VII	Determination of saturated fatty acids in position 2 of the triglyceride

*Appendix 2***Table 1**

- (a) See virgin or lampante olive oil (Quality criteria *Table 2*, or Quality and purity criteria *Table 4*)
- (b) See lampante olive oil (Quality and purity criteria *Table 4*)

Table 2

- (a) See lampante olive oil (Quality and purity criteria *Table 4*)
- (b) See extra virgin olive oil (Quality criteria *Table 1*)

Table 3

- (a) Presence of refined oil (olive or others)
- (b) Presence of olive-pomace oil

Table 4

- (a) See extra virgin olive oil and virgin olive oil (Quality criteria *Table 1* and *Table 2*)
- (b) Presence of refined oil (olive or others)
- (c) Presence of olive-pomace oil
- (d) Presence of esterified oils

Table 7

- (a) Presence of olive-pomace oil
- (b) Presence of esterified oils

Table 8

- (a) Presence of refined oil (olive or others)
- (b) See lampante olive oil (Quality and purity criteria *Table 4*)
- (c) Presence of esterified oils

Table 11

- (a) Presence of esterified oils'

5. Annex VIII is deleted.

6. Annex XIII is deleted.

COMMISSION REGULATION (EC) No 1990/2003
of 12 November 2003
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 1298/2002 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.
- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.

- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of the second subparagraph of Article 4(1) of Regulation (EC) No 1503/96 results in an adjustment of the import duties that have been fixed as from 15 May 2003 by Commission Regulation (EC) No 832/2003 ⁽⁵⁾ as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be adjusted in compliance with Article 4 of Regulation (EC) No 1503/96 and fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 13 November 2003.

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

Done at Brussels, 12 November 2003.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 189, 18.7.2002, p. 8.

⁽⁵⁾ OJ L 120, 15.5.2003, p. 15.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽⁵⁾				
	Third countries (except ACP and Bangla- desh) ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾	Egypt ⁽⁸⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	227,51	75,29	109,42		170,63
1006 20 13	227,51	75,29	109,42		170,63
1006 20 15	227,51	75,29	109,42		170,63
1006 20 17	261,87	87,32	126,60	11,87	196,41
1006 20 92	227,51	75,29	109,42		170,63
1006 20 94	227,51	75,29	109,42		170,63
1006 20 96	227,51	75,29	109,42		170,63
1006 20 98	261,87	87,32	126,60	11,87	196,41
1006 30 21	377,40	119,70	173,79		283,05
1006 30 23	377,40	119,70	173,79		283,05
1006 30 25	377,40	119,70	173,79		283,05
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	377,40	119,70	173,79		283,05
1006 30 44	377,40	119,70	173,79		283,05
1006 30 46	377,40	119,70	173,79		283,05
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	377,40	119,70	173,79		283,05
1006 30 63	377,40	119,70	173,79		283,05
1006 30 65	377,40	119,70	173,79		283,05
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	377,40	119,70	173,79		283,05
1006 30 94	377,40	119,70	173,79		283,05
1006 30 96	377,40	119,70	173,79		283,05
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 2286/2002 (OJ L 348, 21.12.2002, p. 5) and amended Commission Regulation (EC) No 638/2003 (OJ L 93, 10.4.2003, p. 3).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	261,87	416,00	227,51	377,40	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	275,16	201,56	333,39	419,19	—
(b) fob price (EUR/tonne)	—	—	—	307,30	393,10	—
(c) Sea freight (EUR/tonne)	—	—	—	26,09	26,09	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

**COMMISSION REGULATION (EC) No 1991/2003
of 12 November 2003**

amending for the 24th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan⁽¹⁾, as last amended by Commission Regulation (EC) No 1724/2003⁽²⁾, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 3 November 2003, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Therefore, Annex I should be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 12 November 2003.

For the Commission

Christopher PATTEN

Member of the Commission

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

⁽²⁾ OJ L 247, 30.9.2003, p. 18.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

1. The following entry shall be added under the heading 'Natural persons':

'Ibrahim DAWOOD (alias (a) Ebrahim Dawood; (b) Sheikh Dawood Hassan). Date of birth: 1955. Place of birth: Ratnagiri, India. Nationality: Indian. Passport No: A-333602, issued in Bombay, India, on 6 April 1985.'

2. The entry 'Al Taqwa Trade, Property and Industry Company Limited (fka Al Taqwa Trade, Property and Industry) (fka Al Taqwa Trade, Property and Industry Establishment) (fka Himmat Establishment), c/o Asat Trust Reg., Altenbach 8, FL-9490 Vaduz, Liechtenstein' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'WALDENBERG AG (alias: (a) Al Taqwa Trade, Property and Industry; (b) Al Taqwa Trade, Property and Industry Company Limited; (c) Al Taqwa Trade, Property and Industry Establishment; (d) Himmat Establishment). Address: (a) Asat Trust Reg., Altenbach 8, FL-9490 Vaduz, Liechtenstein; (b) Via Posero, 2, 22060 Campione d'Italia, Italy'.

COMMISSION DIRECTIVE 2003/104/EC
of 12 November 2003
authorising isopropyl ester of the hydroxylated analogue of methionine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition ⁽¹⁾, as last amended by Directive 1999/20/EC ⁽²⁾, and in particular Article 6 thereof,

Whereas:

- (1) Directive 82/471/EEC provides that amendments to be made to the Annex to that Directive as a result of developments in scientific or technical knowledge shall be adopted by the procedure laid down in Article 13.
- (2) An application for authorisation has been submitted for isopropyl ester of the hydroxylated analogue of methionine which belongs to the group 'analogues of aminoacids' referred to in the Annex to Directive 82/471/EEC.
- (3) The Scientific Committee on Animal Nutrition (SCAN) delivered an opinion on the use of this product in feedingstuffs on 25 April 2003, which concludes that the isopropyl ester of the hydroxylated analogue of methionine does not present a risk on human health, animal health or the environment.
- (4) The assessment of the request for authorisation submitted in respect of the isopropyl ester of the hydroxylated analogue of methionine shows that this product meets the requirements laid down in Article 6(2) of Directive 82/471/EEC, under the conditions set out in the Annex to this Directive. This product should therefore be authorised.
- (5) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 82/471/EEC is amended as provided in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 20 May 2004 at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

2. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 12 November 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 213, 21.7.1982, p. 8.

⁽²⁾ OJ L 80, 23.3.1999, p. 20.

ANNEX

The following is added to the list of analogues of aminoacids in the Annex to Directive 82/421/EEC under the heading '4.1 Analogues of methionine'

Name of product group	Name of product	Designation of nutritive principle or identity of micro-organism	Culture substrat (identifications, if any)	Composition characteristics of the product	Animal species	Special provisions
'4.1 Analogues of methionine	4.1.3 isopropyl ester of the hydroxylated analogue of methionine	$\text{CH}_3\text{-S-(CH}_2\text{)}_2\text{-CH(OH) - COO-CH-(CH}_3\text{)}_2$	—	— Monomer esters: 90 % minimum — Humidity: maximum 1 %	Dairy cows	Statement to be included on the label or the packaging of the product: — Isopropyl ester of 2- hydroxy-4-methylthiobutanoic acid Statements to be included on the labelling or the packaging of the compounded feed: — Analogue of methionine: Isopropyl ester of 2- hydroxy-4-methylthiobutanoic acid — Percentage of incorporation of analogue of methionine in the feed.'