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Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 2052/2003 of 17 November 2003 amending Regulation (EEC) No 1907/90 on certain marketing standards for eggs** 1
- Commission Regulation (EC) No 2053/2003 of 21 November 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables 3
- ★ **Commission Regulation (EC) No 2054/2003 of 21 November 2003 supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the Register of protected designations of origin and protected geographical indications (Mantequilla de l'Alt Urgell y la Cerdanya or Mantega de l'Alt Urgell i la Cerdanya)** 5
- Commission Regulation (EC) No 2055/2003 of 21 November 2003 fixing the maximum export refund on wholly milled and parboiled long grain B rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1877/2003 7
- Commission Regulation (EC) No 2056/2003 of 21 November 2003 concerning tenders submitted in response to the invitation to tender for the export of husked long grain B rice to the island of Réunion referred to in Regulation (EC) No 1878/2003 8
- Commission Regulation (EC) No 2057/2003 of 21 November 2003 fixing the maximum export refund on wholly milled round grain rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1875/2003 9
- Commission Regulation (EC) No 2058/2003 of 21 November 2003 fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1876/2003 10

Commission

2003/810/EC:

- ★ **Commission Decision of 17 November 2003 amending Decisions 94/984/EC, 2000/609/EC, 2001/751/EC in relation to imports of fresh poultrymeat, farmed ratite meat, live ratites and hatching eggs thereof from third countries with respect to Australia ⁽¹⁾ (notified under document number C(2003) 4117)** 11

2003/811/EC:

- ★ **Commission Decision of 17 November 2003 establishing a project for standard sera for the diagnosis of foot-and-mouth disease and the financial contribution by the Community for the year 2003** 16

2003/812/EC:

- ★ **Commission Decision of 17 November 2003 drawing up lists of third countries from which Member States are to authorise imports of certain products for human consumption subject to Council Directive 92/118/EEC ⁽¹⁾ (notified under document number C(2003) 4181)** 17

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2052/2003
of 17 November 2003
amending Regulation (EEC) No 1907/90 on certain marketing standards for eggs**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, and in particular Article 2(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) As from 1 January 2004, Community legislation provides for only two categories of eggs. It will therefore no longer be possible to sell class B eggs as table eggs. This creates a certain concern especially in some Member States where the washing of eggs is common and the consumer's preference is in favour of buying washed eggs. The Commission has therefore been asked to allow the practice of washing eggs to continue.
- (2) Pending an exhaustive scientific report to be drawn up by the European Food Safety Authority in order to identify any health risks connected with egg washing, it is appropriate to provide for a derogation enabling table eggs to be washed on a voluntary basis. In this case, washed eggs should conform to the criteria laid down for class A eggs but should be labelled as 'washed eggs' on the pack. This derogation should be subject to the adoption, by the competent authority, of strict standards and to the establishment of strict controls.
- (3) Likewise, in view of possible health hazards, the period of this derogation should be limited and the areas for the marketing of washed eggs restricted to those parts of the Community's territory in which the competent authorities responsible for issuing authorisations carry out their controls.
- (4) The provisions of Council Regulation (EEC) No 1907/90 ⁽²⁾ have in the past not been applied for egg sales by producers on local markets except auction markets. Control of this derogation has proved to be difficult in particular regarding its limitation to the farmers' own

production. In order to facilitate controls, producers should affix their distinctive code on table eggs intended for sale in local markets.

- (5) Following the merging of class B and C as from 1 January 2004, class B eggs can be sold only to the industry. Certain provisions regarding marking of these eggs and their packs should be adapted.
- (6) In view of the duration of transport and of climate conditions, the preservation of eggs intended for the retail trade in the French overseas departments presupposes the fulfilment of specific supply requirements; authorisation should therefore be given for eggs intended for that part of the Community's territory to be dispatched chilled.
- (7) Regulation (EEC) No 1907/90 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1907/90 is hereby amended as follows:

1. The following subparagraph shall be added to Article 2(3):

'However, eggs sold by the producer in a local public market shall carry the code defined in Article 7(1)(a).';

2. the following paragraphs shall be added to Article 6:

'4. Packing centres which, on 1 June 2003, were authorised to wash eggs for delivery to the final consumer may, for a transitional period until 31 December 2006, be authorised to continue to wash such eggs, under strict surveillance of the competent authority of the Member State concerned. Such eggs may be marketed throughout all parts of the Community's territory in which the Member States' authorities which issued the authorisations exercise their powers.'

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 173, 6.7.1990, p. 5. Regulation as last amended by Regulation (EC) No 5/2001 (OJ L 2, 5.1.2001, p. 1).

Washed eggs shall conform to the criteria of class A eggs but shall be graded as "washed eggs".

Member States shall inform the Commission and other Member States of the names and addresses of the authorised packing centres and the surveillance measures applied.

5. Eggs intended for the retail trade in the French overseas departments may be dispatched chilled to that part of the Community's territory. In that case, in view of the time required for transport, the maximum time limit for delivery to the consumer provided for in Article 3(1) of Council Decision 94/371/EC shall be established in accordance with the procedure laid down in Article 17 of Regulation (EEC) No 2771/75.;

3. point 1(a) of Article 7 shall be replaced by the following:

'(a) Class A eggs and washed eggs shall be stamped with a code designating the producer's distinguishing number and permitting the farming method to be identified.;

4. paragraphs (2) and (3) of Article 8 shall be replaced by the following:

'2. Class A eggs and washed eggs which no longer have the characteristics fixed for those grades shall be down-graded to class B. They shall be delivered directly to food industry undertakings approved in accordance with Directive 89/437/EEC or the non-food industry, and their packs shall be clearly marked to show this destination.;

5. points (e), (f) and (g) of Article 10(1) shall be replaced by the following:

'(e) the date of minimum durability followed by appropriate storage recommendations, for class A eggs and for washed eggs;

(f) the packing date for class B eggs;

(g) the farming method for class A eggs and for washed eggs. These particulars shall be used pursuant to rules to be determined in accordance with the procedure laid down in Article 20;

(h) particulars as to refrigeration, in uncoded form, in respect of eggs sold in the French overseas departments;

(i) the wording "washed eggs" for eggs authorised to be washed in accordance with Article 6(4).;

6. Article 13 shall be replaced by the following:

'Article 13

1. Eggs displayed or offered for sale in the retail trade shall be presented by quality and weight gradings and by farming method. The different quality and weight gradings as well as the farming method shall be indicated on the display shelves of the eggs in such a manner as to be clearly and unambiguously visible to the consumer.

2. The following additional information shall be given in the case of loose eggs displayed for sale:

(a) the identification number of the packing centre which graded the eggs or, in the case of imported eggs, the third country of origin;

(b) the date of minimum durability followed by appropriate storage recommendations;

(c) particulars as to refrigeration, in uncoded form, in respect of eggs sold in the French overseas departments;

3. Class A eggs, except for class A eggs marked "extra" in accordance with Article 12, may be sold in small packs which may be of different weight grading. In this case, the packs shall carry additional information giving the total net weight and shall either be marked "eggs of different sizes" or shall give an indication of the various weight gradings.;

7. point (ee) of Article 15(b) shall be replaced by the following:

'(ee) the date of packing and the date of minimum durability followed by appropriate storage recommendations, for class A eggs, and the packing date for class B eggs'.

Article 2

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

It shall apply from 1 January 2004, with the exception of Article 1(1) which shall apply as from 1 July 2005.

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

Done at Brussels, 17 November 2003.

For the Council

The President

G. ALEMANN

COMMISSION REGULATION (EC) No 2053/2003
of 21 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 22 November 2003.

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

Done at Brussels, 21 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 21 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	88,3
	096	54,2
	204	47,6
	999	63,4
0707 00 05	052	147,8
	220	139,2
	999	143,5
0709 90 70	052	122,5
	204	52,0
	999	87,3
0805 20 10	204	60,0
	999	60,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	80,9
	388	66,8
	464	140,7
	999	96,1
0805 50 10	052	77,3
	388	49,1
	400	46,9
	528	81,9
	600	71,8
	999	65,4
0808 10 20, 0808 10 50, 0808 10 90	060	38,3
	064	48,5
	400	90,1
	404	97,3
	720	48,3
	800	99,6
	999	70,4
0808 20 50	052	91,9
	060	52,5
	064	59,8
	400	77,9
	720	41,5
	999	64,7

⁽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 2054/2003
of 21 November 2003**

**supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the
Register of protected designations of origin and protected geographical indications (Mantequilla de
l'Alt Urgell y la Cerdanya or Mantega de l'Alt Urgell i la Cerdanya)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 6(3) and (4) thereof,

Whereas:

- (1) Under Article 5 of Regulation (EEC) No 2081/92, Spain has sent the Commission an application for the registration of the name 'Mantequilla de l'Alt Urgell y la Cerdanya' or 'Mantega de l'Alt Urgell i la Cerdanya' as a designation of origin.
- (2) In accordance with Article 6(1) of that Regulation, the application has been found to meet all the requirements laid down therein and in particular to contain all the information required in accordance with Article 4 thereof.
- (3) No statement of objection, within the meaning of Article 7 of Regulation (EEC) No 2081/92, has been sent to the Commission following the publication in the *Official Journal of the European Union* ⁽³⁾ of the name listed in the Annex to this Regulation.

- (4) The name consequently qualifies for inclusion in the 'Register of protected designations of origin and protected geographical indications' and to be protected at Community level as a protected designation of origin.

- (5) The Annex to this Regulation supplements the Annex to Commission Regulation (EC) No 2400/96 ⁽⁴⁾, as last amended by Regulation (EC) No 1979/2003 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The name listed in the Annex to this Regulation is hereby added to the Annex to Regulation (EC) No 2400/96 and entered as a protected designation of origin (PDO) in the 'Register of protected designations of origin and protected geographical indications' provided for in Article 6(3) of Regulation (EEC) No 2081/92.

Article 2

This Regulation shall enter into force on the 20th 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, 21 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ C 56, 11.3.2003, p. 2 (Mantequilla de l'Alt Urgell y la Cerdanya or Mantega de l'Alt Urgell i la Cerdanya).

⁽⁴⁾ OJ L 327, 18.12.1996, p. 11.

⁽⁵⁾ OJ L 294, 12.11.2003, p. 5.

ANNEX

PRODUCTS LISTED IN ANNEX I TO THE TREATY, INTENDED FOR HUMAN CONSUMPTION

Oils and other fats

SPAIN

Mantequilla de l'Alt Urgell y la Cerdanya or Mantega de l'Alt Urgell i la Cerdanya (PDO).

**COMMISSION REGULATION (EC) No 2055/2003
of 21 November 2003**

**fixing the maximum export refund on wholly milled and parboiled long grain B rice to certain
third countries in connection with the invitation to tender issued in Regulation (EC) No 1877/
2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1877/2003 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled and parboiled long grain B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1877/2003 is hereby fixed on the basis of the tenders submitted from 17 to 20 November 2003 at 290,00 EUR/t.

Article 2

This Regulation shall enter into force on 22 November 2003.

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

Done at Brussels, 21 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 275, 25.10.2003, p. 20.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 2056/2003
of 21 November 2003
concerning tenders submitted in response to the invitation to tender for the export of husked long
grain B rice to the island of Réunion referred to in Regulation (EC) No 1878/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 10(1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽³⁾, as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1878/2003 ⁽⁵⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to decide, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, to make no award.

(3) On the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy should not be fixed.

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders submitted from 17 to 20 November 2003 in response to the invitation to tender referred to in Regulation (EC) No 1878/2003 for the subsidy on exports to Réunion of husked long grain B rice falling within CN code 1006 20 98.

Article 2

This Regulation shall enter into force on 22 November 2003.

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

Done at Brussels, 21 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 275, 25.10.2003, p. 23.

COMMISSION REGULATION (EC) No 2057/2003**of 21 November 2003****fixing the maximum export refund on wholly milled round grain rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1875/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1875/2003 ⁽³⁾.(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1875/2003 is hereby fixed on the basis of the tenders submitted from 17 to 20 November 2003 at 155,00 EUR/t.

Article 2

This Regulation shall enter into force on 22 November 2003.

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

Done at Brussels, 21 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 275, 25.10.2003, p. 14.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 2058/2003
of 21 November 2003**

fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1876/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1876/2003 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1876/2003 is hereby fixed on the basis of the tenders submitted from 17 to 20 November 2003 at 158,00 EUR/t.

Article 2

This Regulation shall enter into force on 22 November 2003.

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

Done at Brussels, 21 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 275, 25.10.2003, p. 17.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 November 2003

amending Decisions 94/984/EC, 2000/609/EC, 2001/751/EC in relation to imports of fresh poultry-meat, farmed ratite meat, live ratites and hatching eggs thereof from third countries with respect to Australia

(notified under document number C(2003) 4117)

(Text with EEA relevance)

(2003/810/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries, of poultry and hatching eggs ⁽¹⁾, as last amended by Decision 806/2003/EC ⁽²⁾, and in particular Articles 23 and 24 thereof,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry-meat ⁽³⁾, as last amended by Directive 1999/89/EC ⁽⁴⁾, and in particular Articles 11 and 12, thereof,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(1) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽⁵⁾, as last amended by Commission Decision 2003/721/EC ⁽⁶⁾, and in particular Article 10(3) thereof,

- (1) Commission Decision 94/984/EC of 20 December 1994 laying down animal health conditions and veterinary certificates for the importation of fresh poultrymeat from third countries ⁽⁷⁾, as last amended by Decision 2002/477/EC ⁽⁸⁾, provides for health conditions and veterinary certificates for imports of fresh poultrymeat. Two different health attestations, models A and B, are set out. Their use depends on the Newcastle disease situation in the third country concerned.
- (2) Commission Decision 2000/609/EC of 29 September 2000 laying down animal and public health conditions and veterinary certification for imports of farmed ratite meat amending Decision 94/85/EC drawing up a list of third countries from which the Member States authorise imports of fresh poultrymeat ⁽⁹⁾, as last amended by Decision 2003/573/EC ⁽¹⁰⁾, lays down animal and public health conditions and veterinary certificates for imports of fresh meat of farmed ratites containing two different health attestations, models A and B. The attestation to be used takes into account the Newcastle disease situation in the third country concerned.
- (3) Commission Decision 2001/751/EC ⁽¹¹⁾, as last amended by Decision 2002/789/EC ⁽¹²⁾, lays down the animal health conditions and veterinary certificates for imports of live ratites and hatching eggs. The model health certificate to be used takes into account the Newcastle disease situation in the third country concerned.

⁽¹⁾ OJ L 303, 31.10.1990, p. 6.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 268, 24.9.1991, p. 35.

⁽⁴⁾ OJ L 300, 23.11.1999, p. 17.

⁽⁵⁾ OJ L 62, 15.3.1993, p. 49.

⁽⁶⁾ OJ L 260, 11.10.2003, p. 21.

⁽⁷⁾ OJ L 378, 31.12.1994, p. 11.

⁽⁸⁾ OJ L 164, 22.6.2002, p. 39.

⁽⁹⁾ OJ L 258, 12.10.2000, p. 49.

⁽¹⁰⁾ OJ L 194, 1.8.2003, p. 89.

⁽¹¹⁾ OJ L 281, 25.10.2001, p. 24.

⁽¹²⁾ OJ L 274, 11.10.2002, p. 36.

- (4) Australia has experienced several outbreaks of Newcastle disease in particular in the States of Victoria and New South Wales since 1998.
- (5) Since mid-November 2002 no further outbreaks of Newcastle disease have been notified in Australia and on the 26 June 2003 the Australian veterinary authorities declared Australia free of that disease to the OIE (Office International des Epizooties).
- (6) The Newcastle disease situation in Australia has been complicated by the fact that an endemic lentogenic strain of Newcastle disease virus appears to be circulating in Australia, which has shown the capacity to mutate into a velogenic strain. Australia is currently changing its control strategy for Newcastle disease from a non-vaccinating, ND-free country to a vaccinating country.
- (7) According to information received from the Australia Veterinary Authorities, live vaccines against Newcastle Disease are used which do not comply with Community legislation. It is therefore necessary to amend Decisions 94/984/EC, 2000/609/EC, and 2001/751/EC in relation to imports of fresh poultrymeat, farmed ratite meat, live ratites and hatching eggs thereof from third countries with respect to Australia taking into account the evolution of the epidemiological situation for Newcastle disease and the use of such live vaccines.
- (8) The Commission has adopted several Commission Decisions in relation to those outbreaks of Newcastle disease, in particular, Decision 2002/537/EC of 2 July 2002 concerning protection measures relating to Newcastle disease in Australia ⁽¹⁾, as amended by Decision 2002/942/EC ⁽²⁾, which applied from 6 July 2002 to 1 December 2002. Lastly, Commission Decision 2003/489/EC of 25 June 2003 concerning protection measures relating to Newcastle disease in Australia ⁽³⁾, which applies until 1 January 2004.
- (9) Given the certification requirements laid down in the present Decision, the safeguard measures provided for in Decision 2003/489/EC are no longer required and Decision 2003/489/EC should be repealed accordingly.
- (10) However, the Australian veterinary authorities have requested to be granted a derogation for fresh meat of poultry, ratites, farmed and wild feathered game, poultry meat products and poultry meat preparations consisting or containing meat of the abovementioned species, which have been obtained from birds slaughtered before 13 May 2002 as foreseen by Decision 2002/537/EC before the epidemic started.

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

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 94/984/EC is replaced by the text in Annex I to this Decision.

Article 2

Annex I to Decision 2000/609/EC is replaced by the text in Annex II to this Decision.

Article 3

By derogation from the Articles 1 and 2 Member States may still authorise imports of fresh meat of poultry and farmed ratites by using the model A certificates foreseen in Decisions 94/984/EC and 2000/609/EC until 31 May 2004, if

- the meat has been obtained from birds which have been slaughtered before 13 May 2002, and
- in the veterinary certificates accompanying consignments of fresh meat of poultry and farmed ratites the following words as appropriate to the species shall be included:
'Fresh poultrymeat/Fresh ratite meat (*) in accordance with Article 3 of Decision 2003/810/EC.

(*) Delete as appropriate.'

Article 4

Annex I to Decision 2001/751/EC is replaced by Annex III to this Decision.

Article 5

Decision 2003/489/EC is hereby repealed.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 17 November 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 173, 3.7.2002, p. 33.

⁽²⁾ OJ L 325, 30.11.2002, p. 49.

⁽³⁾ OJ L 167, 4.7.2003, p. 37.

ANNEX I

'ANNEX I

List of third countries or parts of third countries which are allowed to use the certificates laid down in Annex II for imports of fresh poultrymeat into the European Union

Note: the characters A and B refer to the models established in part 2 of Annex II.

ISO code	Country	Parts of the territory	Model certificate to be used (A or B)
AR	Argentina		A
AU	Australia		B
BG	Bulgaria		A
BR-1	Brazil	Distrito Federal and the States of Goiás, Minas Gerais, Mato Grosso, Mato Grosso do Sul, Paraná, Rio Grande do Sul, Santa Catarina and São Paulo	A
CA	Canada		A
CH	Switzerland		A
CL	Chile		A
CN-1	China	The municipality of Shanghai excluding the county of Chongming and the districts of Weifang, Linyi and Qingdao in the Province of Shandong	B
CY	Cyprus		A
CZ	Czech Republic		A
HR	Croatia		A
HU	Hungary		A
IL	Israel		A
LI	Lithuania		A
NZ	New Zealand		A
PL	Poland		A
RO	Romania		A
SI	Slovenia		A
SK	Slovak Republic		A
TH	Thailand		A
TN	Tunisia		A
US	United States of America		A'

ANNEX II

‘ANNEX I

List of third countries or parts of third countries which are allowed to export farmed ratite meat to the European Union

ISO code	Country	Parts of the territory	Model certificate to be used (A or B)
AR	Argentina	The States of Rio Grande do Sul, Santa Catarina, Paraná, São Paulo and Mato Grosso do Sul	A
AU	Australia		B
BG	Bulgaria		A
BR-1	Brazil		A
BW	Botswana		B
CA	Canada		A
CH	Switzerland		A
CL	Chile		A
CY	Cyprus		A
CZ	Czech Republic		A
HR	Croatia		A
HU	Hungary		A
IL	Israel		A
LI	Lithuania		A
NA	Namibia		B
NZ	New Zealand		A
PL	Poland		A
RO	Romania		A
SI	Slovenia		A
SK	Slovakia		A
TH	Thailand		A
TN	Tunisia		A
US	United States of America		A
ZA	South Africa		B
ZW	Zimbabwe		B'

ANNEX III

'ANNEX I

List of third countries or parts of third countries, which are allowed to export live ratites or hatching eggs thereof to the Community

ISO code	Country	Parts of the territory	Breeding and production ratites	Hatching eggs of ratites	Day-old-chicks of ratites	Slaughter ratites
AU	Australia		B	D	F	—
BW	Botswana		B	D	F	—
BR-1	Brazil	The States of Rio Grande do Sul, Santa Catarina, Paraná, São Paulo and Mato Grosso do Sul.	A	C	E	G
CA	Canada		A	C	E	G
CH	Switzerland		A	C	E	G
CL	Chile		A	C	E	G
CY	Cyprus		A	C	E	G
CZ	Czech Republic		A	C	E	G
HR	Croatia		A	C	E	G
HU	Hungary		A	C	E	G
IL	Israel		A	C	E	—
NA	Namibia		B	D	F	—
NZ	New Zealand		A	C	E	G
PL	Poland		A	C	E	G
RO	Romania		A	C	E	G
SI	Slovenia		A	C	E	G
SK	Slovak Republic		A	C	E	G
TN	Tunisia		A	C	E	—
US	United States of America		A	C	E	G
ZA	South Africa		B	D	F	—'

COMMISSION DECISION

of 17 November 2003

establishing a project for standard sera for the diagnosis of foot-and-mouth disease and the financial contribution by the Community for the year 2003

(2003/811/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 20 thereof,

Whereas:

- (1) Article 19 of Decision 90/424/EEC requires the Community to undertake the technical and scientific measures necessary for the development of veterinary legislation.
- (2) Since 1992, the Community has followed a strict policy of prohibiting prophylactic vaccination with regard to foot-and-mouth disease. Therefore, livestock in the Community are highly receptive to the foot-and-mouth disease virus. The epidemiological situation in some third countries neighbouring or trading with the Community makes it necessary to provide for measures allowing rapid diagnosis of the disease, emergency vaccination and subsequent testing of vaccinated animals to identify infected herds.
- (3) To carry out serological tests, it is necessary to make available standard reference sera to be used in laboratory tests for the detection of antibodies to both structural and non-structural proteins of the foot-and-mouth disease virus.
- (4) In accordance with Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease ⁽³⁾ repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC, serological surveillance carried out in the aftermath of an outbreak is a precondition for the withdrawal of restrictions imposed on trade in live animals of susceptible species and their products. Making standard sera available may consequently contribute to the development of Community legislation on foot-and-mouth disease.

(5) The financial resources necessary for the Community contribution to the production, storage and distribution of a first batch of standard sera for the diagnosis of foot-and-mouth disease in 2003 should therefore be engaged.

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

HAS ADOPTED THIS DECISION:

Article 1

The Community shall finance a project for the production, storage and distribution of a first batch of standard sera to be used in assays for the detection of antibodies against structural and non-structural proteins of different serotypes of the foot-and-mouth disease virus in different species of livestock susceptible to foot-and-mouth disease.

Article 2

The measures provided for in Article 1 shall be carried out by the body or institution designated by the Commission to coordinate the scientific and technical collaboration of laboratories and institutions.

Article 3

The maximum amount of Community financing for the project provided for in Article 1 shall not exceed EUR 800 000.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 17 November 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ Not yet published in the Official Journal.

COMMISSION DECISION

of 17 November 2003

drawing up lists of third countries from which Member States are to authorise imports of certain products for human consumption subject to Council Directive 92/118/EEC*(notified under document number C(2003) 4181)***(Text with EEA relevance)**

(2003/812/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(1) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽¹⁾, as last amended by Commission Decision 2003/721/EC ⁽²⁾, and in particular Article 10(2)(a) thereof,

Whereas:

(1) Directive 92/118/EEC sets out Community rules concerning animal and public health requirements governing trade in and imports into the Community of products of animal origin.

(2) Commission Decision 94/278/EC of 18 March 1994 drawing up a list of third countries from which Member States authorise imports of certain products subject to Council Directive 92/118/EEC ⁽³⁾, as last amended by Decision 2003/235/EC ⁽⁴⁾, sets out lists of third countries from which Member States are to authorise imports of certain products subject to Directive 92/118/EC, including products not intended for human consumption.

(3) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽⁵⁾, as last amended by Commission Regulation (EC) No 808/2003 ⁽⁶⁾, sets out Community rules on animal products not intended for human consumption. The date of application of the model health certificates provided for in Regulation (EC) No 1774/2002 is 1 January 2004.

(4) Directive 2002/33/EC of the European Parliament and of the Council of 21 October 2002 amending Council Directives 90/425/EEC and 92/118/EC as regards health requirements for animal by-products ⁽⁷⁾, has significantly amended Directive 92/118/EEC in order to limit its scope to products intended for human consumption.

(5) It is necessary to take into account that the Acceding States are scheduled to join as of 1 May 2004.

(6) In the interests of clarity and consistency of Community legislation, Decision 94/278/EC should be repealed and replaced by the provisions of this Decision.

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

HAS ADOPTED THIS DECISION:

Article 1

Member States shall authorise imports of certain animal products intended for human consumption subject to Directive 92/118/EEC from third countries or parts of third countries or territories appearing on the lists set out in the Annex to this Decision.

Article 2

Decision 94/278/EC is repealed.

Article 3

This Decision shall apply from 1 January 2004.

⁽¹⁾ OJ L 62, 15.3.1993, p. 49.

⁽²⁾ OJ L 260, 11.10.2003, p. 21.

⁽³⁾ OJ L 120, 11.5.1994, p. 44.

⁽⁴⁾ OJ L 87, 4.4.2003, p. 10.

⁽⁵⁾ OJ L 273, 10.10.2002, p. 1.

⁽⁶⁾ OJ L 117, 13.5.2003, p. 1.

⁽⁷⁾ OJ L 315, 19.11.2002, p. 14.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 17 November 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

The following lists are lists in principle and any importation shall fulfil the relevant animal health and public health requirements

Lists of third countries or parts of third countries from which Member States are to authorise imports of certain animal products intended for human consumption

PART I

List of third countries or parts of third countries from which Member States shall authorise imports of leporidae (rabbit and hare) meat and their meat products

Third countries or parts of third countries listed under the column 'Domestic rabbit and farmed leporidae' in the table set out in Part II of the Annex to Commission Decision 97/222/EC ⁽¹⁾ and under the column 'Leporidae (rabbit and hare)' in the table set out in Annex II to Commission Decision 2000/585/EC ⁽²⁾.

PART II

List of third countries or parts of third countries from which Member States shall authorise imports of furred farm game meat products

Third countries or parts of third countries listed under the appropriate column '2. farmed cloven hoofed game (excluding swine)' or 'wild cloven hoofed game (excluding swine)' in the table set out in Part II of the Annex to Decision 97/222/EC.

PART III

List of third countries or parts of third countries from which Member States shall authorise imports of feathered farm game meat products

Third countries or parts of third countries listed under the appropriate column '2. Farmed feathered game' or 'wild game birds' in the table set out in Part II of the Annex to Decision 97/222/EC.

PART IV

List of third countries or parts of third countries from which Member States shall authorise imports of eggs intended for human consumption

Third countries or parts of third countries listed in the Annex to Commission Decision 94/85/EC ⁽³⁾.

PART V

List of third countries or parts of third countries from which Member States shall authorise imports of egg products intended for human consumption

Third countries or parts of third countries listed in the Annex to Decision 94/85/EC and the following countries:

ISO code	Country
AL	Albania
EE	Estonia (*)
GL	Greenland
HK	Hong Kong
IN	India

⁽¹⁾ OJ L 89, 4.4.1997, p. 39.

⁽²⁾ OJ L 251, 6.10.2000, p. 1.

⁽³⁾ OJ L 44, 17.2.1994, p. 31.

ISO code	Country
MK (**)	Former Yugoslav Republic of Macedonia
MX	Mexico
NC	New Caledonia
RU	Russia
CS	Serbia and Montenegro
SG	Singapore

(*) Only applicable until this acceding State becomes a full Member State of the Community.

(**) Provisional ISO code which does not prejudice in any way the definitive nomenclature for this country, which is to be agreed following the conclusion of negotiations currently taking place on this subject at the United Nations.

PART VI

List of third countries or parts of third countries from which Member States shall authorise imports of snails intended for human consumption

Third countries or parts of third countries listed in Parts I and II of the Annex to Commission Decision 97/296/EC ⁽¹⁾ and the following countries:

ISO code	Country
BA	Bosnia and Herzegovina
MD	Moldova
MK (*)	Former Yugoslav Republic of Macedonia
SK	Slovakia (**)
SY	Syria
UA	Ukraine

(*) Provisional ISO code which does not prejudice in any way the definitive nomenclature for this country, which is to be agreed following the conclusion of negotiations currently taking place on this subject at the United Nations.

(**) Only applicable until this acceding State becomes a full member State of the Community.

PART VII

List of third countries or parts of third countries from which Member States shall authorise imports of frogs' legs intended for human consumption

Third countries or parts of third countries listed in Part I and II of the Annex to Decision 97/296/EC and the following countries:

ISO code	Country
BA	Bosnia and Herzegovina
EG	Egypt
MK (*)	Former Yugoslav Republic of Macedonia

(*) Provisional ISO code which does not prejudice in any way the definitive nomenclature for this country, which is to be agreed following the conclusion of negotiations currently taking place on this subject at the United Nations.

⁽¹⁾ OJ L 122, 14.5.1997, p. 21.

PART VIII

List of third countries or parts of third countries from which Member States shall authorise imports of gelatin intended for human consumption

Third countries or parts of third countries listed in Part 1 of Annex II to Council Decision 79/542/EEC ⁽¹⁾ and the following countries:

ISO code	Country
KR	The Republic of Korea
MY	Malaysia
PK	Pakistan
TW	Taiwan

PART IX

List of third countries or parts of third countries from which Member States shall authorise imports of honey and royal jelly intended for human consumption

The third countries or parts of third countries listed in the Annex to Commission Decision 2000/159/EC ⁽²⁾ with an 'X' in the column 'Honey'.

⁽¹⁾ OJ L 146, 14.6.1979, p. 15.

⁽²⁾ OJ L 51, 24.2.2000, p. 30.