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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 55/2004

of 17 December 2003

amending Regulation (EC) No 1453/2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (Poseima) with respect to the application of the supplementary levy in the milk and milk products sector in the Azores

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 299(2) thereof,

Having regard to the proposal from the Commission,

Article 1

Having regard to the opinion of the European Parliament ⁽¹⁾,

Article 23 of Council Regulation (EC) No 1453/2001 shall be replaced by the following:

Whereas:

'Article 23

- (1) Article 23 of Council Regulation (EC) No 1453/2001 ⁽²⁾ introduced for a period of four marketing years beginning in 1999/2000 a derogation from certain provisions of Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector ⁽³⁾ as regards the Azores. Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers ⁽⁴⁾ has amended Article 23 of Regulation (EC) No 1453/2001 in order to extend the aforementioned period to six marketing years and has fixed the amounts of that extension.
- (2) However, restructuring of the milk sector in the Azores has not yet been achieved. In order to take account of the high level of dependence on milk production in the Azores, combined with other handicaps linked to their outermost location and the absence of viable alternative production, the relevant period should be extended and the amounts of this further extension fixed.
- (3) This measure is restricted to milk producers in the Azores. Over the period of its application, this measure should enable the sector in the Azores to continue being restructured without interfering with the milk market and without appreciably affecting the sound working of the levy scheme at the Portuguese or Community level.

1. As from marketing year 1999/2000, for the purposes of sharing the additional levy between the producers referred to in the second sentence of Article 2(1) of Regulation (EEC) No 3950/92, only producers as defined in Article 9(c) of that Regulation, established and producing in the Azores, who market quantities exceeding their reference quantity increased by the percentage referred to in the third subparagraph shall be deemed to have contributed to the overrun.

The additional levy shall be due on quantities exceeding the increased reference quantity after reallocation of the unused quantities within the margin resulting from this increase among the producers referred to in the first paragraph and in proportion to the reference quantity available to each producer.

The percentage referred to in the first paragraph shall be equal to the ratio between the quantities respectively of 73 000 tonnes for the period 1999/2000 to 2004/2005 and 23 000 tonnes as from marketing year 2005/2006 and the total of the reference quantities available on each holding on 31 March 2000. It shall apply for each producer only to the reference quantities available to that producer on 31 March 2000.

2. The quantities of milk or milk equivalent marketed which exceed the reference quantities but which comply with the percentage referred to in paragraph 1 of this Article, after the reallocation referred to in that same paragraph, shall not be taken into account in establishing any overrun in Portugal as calculated in accordance with the first sentence of Article 2(1) of Regulation (EEC) No 3950/92.'

⁽¹⁾ Opinion delivered on 16 December 2003 (not yet published in the Official Journal).

⁽²⁾ OJ L 198, 21.7.2001, p. 26. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽³⁾ OJ L 405, 31.12.1992, p. 1. Regulation repealed by Regulation (EC) No 1788/2003 (OJ L 270, 21.10.2003, p. 123).

⁽⁴⁾ OJ L 270, 21.10.2003, p. 1.

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 apply as from 1 April 2003.

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

Done at Brussels, 17 December 2003.

For the Council

The President

G. ALEMANNIO

ADDENDUM TO REGULATION (EC) No 2327/2003 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 22 DECEMBER 2003 ESTABLISHING A TRANSITIONAL POINTS SYSTEM APPLICABLE TO HEAVY GOODS VEHICLES TRAVELLING THROUGH AUSTRIA FOR 2004 WITHIN THE FRAMEWORK OF A SUSTAINABLE TRANSPORT POLICY ⁽¹⁾

STATEMENT BY THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION

The European Parliament, the Council and the Commission declare that they agree on the number of transit points to be attributed to each of the acceding countries for use during the period of application of the Regulation. This agreement will be finalised in accordance with the appropriate legal procedure.

The calculation of the transit points will be based on the total number of transit journeys through Austria made in 2002, as listed below, multiplied by the NO_x factor of 2003. For the period from 1 May 2004 to 31 December 2004, when the Regulation will apply in the acceding countries concerned, the number of transit points will be reduced correspondingly by 33,33 %. For 2005 and 2006, if the Regulation is extended, the evolution of these transit points will be aligned with the evolution of the transit points agreed for the current Member States.

Czech Republic (CZ)	80 078
Cyprus (CY)	500
Estonia (EE)	2 764
Lithuania (LT)	6 914
Latvia (LV)	3 564
Hungary (HU)	120 100
Malta (MT)	2 400
Poland (PL)	54 684
Slovakia (SK)	23 725
Slovenia (SI)	Slovenia will receive the same number of points as in 2003.

⁽¹⁾ OJ L 345, 31.12.2003, p. 30.

COMMISSION REGULATION (EC) No 56/2004
of 13 January 2004
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 14 January 2004.

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

Done at Brussels, 13 January 2004.

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 13 January 2004 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	90,6
	204	37,3
	624	193,8
	999	107,2
0707 00 05	052	128,2
	204	122,9
	220	255,9
	999	169,0
0709 90 70	052	91,3
	204	72,8
	999	82,1
0805 10 10, 0805 10 30, 0805 10 50	052	56,5
	204	49,4
	212	59,4
	220	29,7
	388	23,8
	421	33,9
	999	42,1
0805 20 10	052	77,9
	204	98,4
	999	88,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	94,1
	204	86,3
	464	94,3
	624	72,5
	999	86,8
0805 50 10	052	76,4
	600	63,1
	999	69,8
0808 10 20, 0808 10 50, 0808 10 90	060	64,4
	400	106,0
	404	80,5
	720	72,3
	800	131,2
	999	90,9
0808 20 50	052	41,8
	060	57,4
	064	60,0
	400	82,1
	528	96,9
	720	36,7
	999	62,5

⁽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'.

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 2/2003 OF THE EU-SLOVENIA ASSOCIATION COUNCIL

of 18 February 2003

amending, through the setting up of a Joint Consultative Committee between the Committee of the Regions and the Slovenian Liaison Committee for Cooperation with the Committee of the Regions, Decision No 1/1999 adopting the rules of procedure of the Association Council

(2004/35/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part ⁽¹⁾ and in particular Article 115 thereof,

Whereas:

- (1) Dialogue and cooperation between the regional and local authorities in the Community and those in Slovenia can make a major contribution to the development of their relations and to the integration of Europe.
- (2) It seems appropriate that such cooperation should be organised at the level of the Committee of the Regions, of the one part, and of the Slovenian Liaison Committee for Cooperation with the Committee of the Regions, of the other part, by setting up of a Joint Consultative Committee.
- (3) It follows that the rules of procedure of the Association Council, adopted by Decision No 1/1999, need to be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 1/1999 shall be amended by adding the following Articles:

'Article 18

A Joint Consultative Committee (hereinafter referred to as the Committee) is hereby established with the task of assisting the Association Council with a view to promoting

dialogue and cooperation between the regional and local authorities in the Community and those in Slovenia. Such dialogue and cooperation shall be aimed in particular at:

1. preparing Slovenian regional and local authorities for activity in the framework of future membership of the European Union;
2. preparing Slovenian regional and local authorities for their participation in the work of the Committee of the Regions after the accession of Slovenia;
3. exchanging information on current issues of mutual interest, in particular on up-to-date state of play concerning Community regional policy and accession process as well as preparation of Slovenian regional and local authorities for these policies;
4. encouraging multilateral structured dialogue between (a) Slovenian regional and local authorities and (b) regions from Member States, including through networking in specific areas where direct contacts and cooperation between Slovenian regional and local authorities and regional and local authorities from Member States might prove the most effective way of solving particular problems;
5. providing regular exchange of information on inter-regional cooperation between Slovenian regional and local authorities and regional and local authorities from Member States;
6. encouraging exchange of experience and knowledge in the field of regional policy and structural interventions, between (a) Slovenian regional and local authorities and (b) regional and local authorities from Member States, in particular know-how and techniques concerning preparation of regional and local development plans or strategies and most efficient use of Structural Funds;

⁽¹⁾ OJ L 51, 26.2.1999, p. 3.

7. assisting Slovenian regional and local authorities by means of information exchange in practical implementation of the principle of subsidiarity in all aspects of life on regional and local level;
8. discussing any other relevant matters proposed by any side, as they can arise in the context of implementation of the Europe Agreement and in the framework of the Pre-accession Strategy.

Article 19

The Committee shall comprise eight representatives of the Committee of the Regions, on the one hand, and eight representatives of the Slovenian Liaison Committee for Cooperation with the Committee of the Regions, on the other hand. An equal number of alternate members shall be appointed.

The Committee shall carry out its activities on the basis of consultation by the Association Council or, as concerns the promotion of the dialogue between the regional and local authorities, on its own initiative.

The Committee may make recommendations to the Association Council.

Members shall be chosen to ensure that the Committee is as faithful a reflection as possible of the various levels of regional and local authorities in both the Community and Slovenia.

The Committee shall adopt its Rules of Procedure.

The Committee shall meet at intervals, which it shall itself determine in its Rules of Procedure.

The Committee shall be co-chaired by a member of the Committee of the Regions and a member of the Slovenian Liaison Committee for Cooperation with the Committee of the Regions.

Article 20

The Committee of the Regions, on the one hand, and the Slovenian Liaison Committee for Cooperation with the Committee of the Regions, on the other hand, shall each defray the expenses they incur by reason of their participation in the meetings of the Committee with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents shall be borne by the Committee of the Regions, with the exception of expenditure in connection with interpreting or translation into or from Slovenian, which shall be borne by the Slovenian Liaison Committee for Cooperation with the Committee of the Regions.

Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.'

Article 2

This Decision shall enter into force on the first day of the second month following the date of its adoption.

Done at Brussels, 18 February 2003.

For the Association Council

The President

G. PAPANDREOU

COMMISSION

COMMISSION DECISION

of 23 December 2003

amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, with respect to Guyana, Kenya, Serbia and Montenegro and Egypt

(notified under document number C(2003) 5007)

(Text with EEA relevance)

(2004/36/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs ⁽¹⁾, and in particular Article 2(2) and (3) thereof,

Whereas:

(1) Commission Decision 97/296/EC of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorised for human consumption ⁽²⁾ lists the countries and territories from which imports of fishery products for human consumption is authorised. Part I of the Annex to that Decision lists the countries and territories covered by a specific Decision under Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽³⁾, and part II of that Annex lists the countries and territories meeting the conditions set out in Article 2(2) of Decision 95/408/EC.

(2) Commission Decisions 2004/40/EC ⁽⁴⁾, 2004/39/EC ⁽⁵⁾, 2004/37/EC ⁽⁶⁾ and 2004/38/EC ⁽⁷⁾ set specific import conditions for fishery products originating in Guyana, Kenya, Serbia and Montenegro and Egypt, respectively. These countries should therefore be added to the list in part I of the Annex to Decision 97/296/EC.

(3) Decision 97/296/EC should therefore be amended accordingly.

(4) This Decision should take effect on the same day as Decisions 2004/40/EC and 2004/38/EC as regards the import of fishery products from Guyana and Egypt.

(5) As regards the import of fishery products from Kenya and Serbia and Montenegro this Decision should take effect on the same day as Decisions 2004/39/EC and 2004/37/EC.

(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 Annex to Decision 97/296/EC is replaced by the Annex to this Decision.

⁽¹⁾ OJ L 243, 11.10.1995, p. 17; Decision as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 122, 14.5.1997, p. 21, Decision as last amended by Decision 2003/764/EC (OJ L 273, 24.10.2003, p. 43).

⁽³⁾ OJ L 268, 24.9.1991, p. 15; Directive as last amended by Regulation (EC) No 806/2003.

⁽⁴⁾ See page 27 of this Official Journal.

⁽⁵⁾ See page 22 of this Official Journal.

⁽⁶⁾ See page 12 of this Official Journal.

⁽⁷⁾ See page 17 of this Official Journal.

Article 2

This Decision shall apply from 28 February 2004, as regards the imports of fishery products from Kenya and Serbia and Montenegro.

This Decision shall apply from 17 January 2004, as regards the import of fishery products from Guyana and Egypt.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

LIST OF COUNTRIES AND TERRITORIES FROM WHICH IMPORTATION OF FISHERY PRODUCTS IN ANY FORM INTENDED FOR HUMAN CONSUMPTION IS AUTHORISED**I. Countries and territories covered by a specific Decision under Directive 91/493/EEC**

AE — UNITED ARAB EMIRATES	LV — LATVIA
AL — ALBANIA	MA — MOROCCO
AN — NETHERLANDS ANTILLES	MG — MADAGASCAR
AR — ARGENTINA	MR — MAURITANIA
AU — AUSTRALIA	MU — MAURITIUS
BD — BANGLADESH	MV — MALDIVES
BG — BULGARIA	MX — MEXICO
BR — BRAZIL	MY — MALAYSIA
BZ — BELIZE	MZ — MOZAMBIQUE
CA — CANADA	NA — NAMIBIA
CH — SWITZERLAND	NC — NEW CALEDONIA
CI — CÔTE D'IVOIRE	NG — NIGERIA
CL — CHILE	NI — NICARAGUA
CN — CHINA	NZ — NEW ZEALAND
CO — COLOMBIA	OM — OMAN
CR — COSTA RICA	PA — PANAMA
CS — SERBIA and MONTENEGRO ⁽¹⁾	PE — PERU
CU — CUBA	PG — PAPUA NEW GUINEA
CV — CAPE VERDE	PH — PHILIPPINES
CZ — CZECH REPUBLIC	PF — FRENCH POLYNESIA
EC — ECUADOR	PM — ST PIERRE AND MIQUELON
EE — ESTONIA	PK — PAKISTAN
EG — EGYPT	PL — POLAND
FK — FALKLAND ISLANDS	RU — RUSSIA
GA — GABON	SC — SEYCHELLES
GH — GHANA	SG — SINGAPORE
GL — GREENLAND	SI — SLOVENIA
GM — GAMBIA	SK — SLOVAKIA
GN — GUINEA	SN — SENEGAL
GT — GUATEMALA	SR — SURINAME
GY — GUYANA	TH — THAILAND
HN — HONDURAS	TN — TUNISIA
HR — CROATIA	TR — TURKEY
ID — INDONESIA	TW — TAIWAN
IN — INDIA	TZ — TANZANIA
IR — IRAN	UG — UGANDA
JM — JAMAICA	UY — URUGUAY
JP — JAPAN	VE — VENEZUELA
KE — KENYA	VN — VIETNAM
KR — SOUTH KOREA	YE — YEMEN
KZ — KAZAKHSTAN	YT — MAYOTTE
LK — SRI LANKA	ZA — SOUTH AFRICA
LT — LITHUANIA	

⁽¹⁾ Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999.

II. Countries and territories meeting the terms of Article 2(2) of Decision 95/408/EC

AM — ARMENIA ⁽²⁾	GD — GRENADA
AO — ANGOLA	HK — HONG KONG
AG — ANTIGUA AND BARBUDA ⁽³⁾	HU — HUNGARY ⁽⁶⁾
AZ — AZERBAIJAN ⁽⁴⁾	IL — ISRAEL
BJ — BENIN	MM — MYANMAR
BS — BAHAMAS	MT — MALTA
BY — BELARUS	RO — ROMANIA
CG — REPUBLIC OF CONGO ⁽⁵⁾	SB — SOLOMON ISLANDS
CM — CAMEROON	SH — ST HELENA
CY — CYPRUS	SV — EL SALVADOR
DZ — ALGERIA	TG — TOGO
ER — ERITREA	US — UNITED STATES OF AMERICA
FJ — FIJI	ZW — ZIMBABWE.

⁽²⁾ Authorised only for imports of live crayfish (*Astacus leptodactylus*) intended for direct human consumption.

⁽³⁾ Authorised only for imports of fresh fish.

⁽⁴⁾ Authorised only for imports of caviar.

⁽⁵⁾ Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.

⁽⁶⁾ Authorised only for import of live animals intended for direct human consumption.

COMMISSION DECISION

of 23 December 2003

laying down special conditions governing imports of fishery products from Serbia and Montenegro

(notified under document number C(2003) 5008)

(Text with EEA relevance)

(2004/37/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, and in particular Article 11 thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Serbia and Montenegro to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The above conditions do not pertain to Kosovo, as defined by the United Nations Security Council Resolution 1244 of 10 June 1999, which is the subject to international civil administration by the United Nations Mission in Kosovo (UNMIK). It is therefore not possible to include the imports of fishery products from Kosovo in this Decision.
- (3) The requirements in the legislation of Serbia and Montenegro on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (4) In particular, the Ministry of Agriculture, Forestry and Water Management of the Republic of Montenegro (MAFWM), is capable of effectively verifying the implementation of the legislation in force.
- (5) The MAFWM has provided official assurances regarding compliance with the standards for health controls and monitoring of wild, whole fresh seawater fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (6) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Serbia and Montenegro, in accordance with Directive 91/493/EEC. These provisions should include that only wild, whole fresh seawater fishery products may be authorised for imports into the Community.

(7) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC⁽²⁾. Those lists should be drawn up on the basis of a communication from the MAFWM to the Commission.

(8) It is appropriate for this Decision to be applied 45 days after its publication providing for the necessary transitional period.

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

HAS ADOPTED THIS DECISION:

Article 1

The Ministry of Agriculture, Forestry and Water Management of the Republic of Montenegro (MAFWM), shall be the competent authority in Serbia and Montenegro⁽³⁾ identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Serbia and Montenegro shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Fishery products shall be whole fresh fish from wild seawater catches.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15; Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 187, 7.7.1992, p. 41.

⁽³⁾ Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999.

2. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.

3. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

4. The health certificate shall bear the name, capacity and signature of the representative of the MAFWM, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

Article 5

All packages shall bear the words 'SERBIA AND MONTE-NEGRO' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

Article 6

This Decision shall apply from 28 February 2004.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Serbia and Montenegro and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: SERBIA AND MONTENEGRO

Competent authority: Ministry of Agriculture, Forestry and Water Management of the Republic of Montenegro (MAFWM)

I. Details identifying the fishery products

— Description of fishery products:

— Species (scientific name):

— Presentation of product:

— Code number (where available):

— Type of packaging:

— Number of packages:

— Net weight:

— Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by MAFWM for export to the EC:

.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:

Name and address of dispatcher:
.....

Name of consignee and address at place of destination:
.....

IV. Health attestation

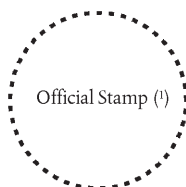
The official inspector hereby certifies that the fishery products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled, packaged and, where appropriate, stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;

3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 2004/37/EC.

Done at ,
(Place) (Date)



.....
Signature of official inspector (1)

.....
(name in capital letters, capacity and qualifications of person
signing)

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City/Region	Approval limit	Category
79	Antivari d.o.o	Bar		PP
331	Albamont Rozafa d.o.o	Bar		PP

Category Legend:

PP: Processing plant.

COMMISSION DECISION
of 23 December 2003
laying down special conditions governing imports of fishery products from Egypt

(notified under document number C(2003) 5018)

(Text with EEA relevance)

(2004/38/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, and in particular Article 11 thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Egypt to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Egypt on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the General Organisation of Veterinary Services (GOVS), is capable of effectively verifying the implementation of the legislation in force.
- (4) The GOVS has provided official assurances regarding compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Egypt, in accordance with Directive 91/493/EEC.
- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board of certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC ⁽²⁾. Those lists should be drawn up on the basis of a communication from the GOVS to the Commission.

(7) Since the imports of fishery products from Egypt will be authorized for the first time by the present decision there is no need for a transitional period, and a period of three days is sufficient to ensure the publicity of the authorisation. Therefore, imports from this country may be permitted three days after the publication of this Decision in the *Official Journal of the European Union*.

(8) 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 General Organisation of Veterinary Services (GOVS), shall be the competent authority in Egypt identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Egypt shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

3. The health certificate shall bear the name, capacity and signature of the representative of the GOVS, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 187, 7.7.1992, p. 41.

Article 5

All packages shall bear the word 'EGYPT' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

Article 6

This Decision shall apply from 17 January 2004.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Egypt and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: EGYPT

Competent authority: General Organisation of Veterinary Services (GOVS)

I. Details identifying the fishery products

— Description of fishery/aquaculture ⁽¹⁾ products:

— Species (scientific name):

— Presentation of product and type of treatment ⁽²⁾:

— Code number (where available):

— Type of packaging:

— Number of packages:

— Net weight:

— Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by GOVS for export to the EC:

.....

III. Destino dos produtos

Os produtos são expedidos:

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

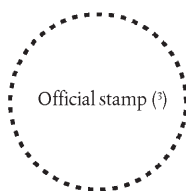
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery products specified above:
- 1) were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 - 2) were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 - 3) have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 - 4) are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 - 5) do not come from toxic species or species containing biotoxins;
 - 6) have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 2004/38/EC.

Done at , on
(Place) (Date)



.....
Signature of official inspector (3)

.....
(Name in capital letters, capacity and qualifications of person signing)

.....
(3) The color of the stamp and signature must be different from that of the other particulars in the certificate..

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

N° d'agrément/ Approval No	Nom/Name	Ville/City Région/Region	Date limite d'agrément/ Approval limit	Catégorie/ Category
066.F.I	Sala Company (Mahmoud El-Sala Mahmoud Dorgam)	Port Said	25 March 2004	PP

Category legend:

PP: Processing plant/Etablissement

COMMISSION DECISION

of 23 December 2003

laying down special conditions governing imports of fishery products from Kenya, and repealing Decision 2000/759/EC

(notified under document number C(2003) 5027)

(Text with EEA relevance)

(2004/39/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, and in particular Article 11 thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Kenya to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Kenya on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the Fisheries Department (FD), is capable of effectively verifying the implementation of the legislation in force.
- (4) The FD has provided official assurances regarding compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Kenya, in accordance with Directive 91/493/EEC.
- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board of certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC ⁽²⁾. Those lists should be drawn up on the basis of a communication from the FD to the Commission.

- (7) Commission Decision 2000/759/EC of 1 December 2000 repealing Decision 1999/253/EC on protective measures with regard to certain fishery products from or originating in Kenya and Tanzania and amending the health certification for fishery products originating or proceeding from Kenya ⁽³⁾, provides for the addition of a certain mention to the health certificate accompanying the fishery products imported from Kenya. Since this Decision provides for a new model of health certificate, it is appropriate to repeal Decision 2000/759/EC.

- (8) It is appropriate for this Decision to be applied 45 days after its publication providing for the necessary transitional period.

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

HAS ADOPTED THIS DECISION:

Article 1

The Fisheries Department (FD), shall be the competent authority in Kenya identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Kenya shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 187, 7.7.1992, p. 41.

⁽³⁾ OJ L 304, 5.12.2000, p. 18.

3. The health certificate shall bear the name, capacity and signature of the representative of the FD, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

Article 5

All packages shall bear the word 'KENYA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

Article 6

Decision 2000/759/EC is repealed.

Article 7

This Decision shall apply from 28 February 2004.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Kenya and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: KENYA

Competent authority: Fisheries Department (FD)

I. Details identifying the fishery products— Description of fishery/aquaculture products ⁽¹⁾:

— Species (scientific name):

— Presentation of product and type of treatment ⁽²⁾:

— Code number (where available):

— Type of packaging:

— Number of packages:

— Net weight:

— Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by FD for export to the EC:

.....

.....

III. Destination of products

The products are dispatched:

from:

(place of dispatch)

to:

(country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....

.....

Name of consignee and address at place of destination:

.....

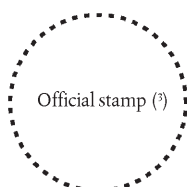
.....

⁽¹⁾ Delete where applicable.⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The official inspector hereby certifies that any person working on and/or handling the fishery or aquaculture products above described have satisfactorily undergone the medical supervision laid down in Chapter III, point II B of the Annex to Directive 91/493/EEC.
- The official inspector hereby certifies that the fishery products specified above were produced under a system of monitoring checks as laid down in chapter V, point II.3.B of the Annex to the Directive 91/493/EEC, and the results of these checks are satisfactory.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 2004/39/EC.

Done at , on
(Place) (Date)



.....
Signature of official inspector (°)

.....
(Name in capital letters, capacity and qualifications of person signing)

(°) The color of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

N° d'agrément/ Approval No	Nom/Name	Ville/City Région/Region	Date limite d'agrément/ Approval limit	Catégorie/ Category
02/LA/KEN	W.E. Tilley (Muthaiga) Ltd	PO Box 11880 — Nairobi		PP
03/LC/KEN	East African Sea Foods Ltda	PO Box 2354 — Kisumu		PP
04/LC/KEN	Afro Meat Ltd	PO Box 1163 — Kisumu		PP
09/LE/KEN	Prinsal Enterprises Ltd	PO Box 590 — Migori		PP
10/LB/KEN	Transafrica Fisheries Ltd	PO Box 80492 — Mombasa		PP
08/LC/KEN	Pêche Foods	PO Box 1064 — Kisumu		PP
05/LD/KEN	Capital Fish (K) Ltd	PO Box 607 — Homa Bay		PP
16/LC/KEN	Fish Processors (Two Thousand) Ltd	PO Box 9083 — Kisumu		PP
18//LA/KEN	Samlaki (2000) Ltd	PO Box 31567 — Nairobi		PP
19/LB/KEN	Sea Harvest (K) Ltd	PO Box 2175 — Mombasa		PP
12/WB/KEN	MV. Alpha Manyara (East African Sea Food Ltd)	PO Box 40268 — Mombasa		ZV
13/WB/KEN	MV. Alpha Serengeti (East African Sea Food Ltd)	PO Box 40268 — Mombasa		ZV
14/WB/KEN	MV. Alpha Amboseli (East African Sea Food Ltd)	PO Box 40268 — Mombasa		ZV
15/WB/KEN	MV. Venture II (Basta and Sons Ltd)	PO Box 80782 — Mombasa		ZV

Category Legend:

PP: Processing plant/Etablissement.

ZV: Navire congelateur/Freezer Vessel.

COMMISSION DECISION

of 23 December 2003

laying down special conditions governing imports of fishery products from Guyana

(notified under document number C(2003) 5044)

(Text with EEA relevance)

(2004/40/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, and in particular Article 11 thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Guyana to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Guyana on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the Veterinary Public Health Unit (VPHU), is capable of effectively verifying the implementation of the legislation in force.
- (4) The VPHU has provided official assurances regarding compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Guyana, in accordance with Directive 91/493/EEC.
- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board of certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC ⁽²⁾. Those lists should be drawn up on the basis of a communication from the VPHU to the Commission.

(7) Since the imports of fishery products from Guyana will be authorized for the first time by the present decision there is no need for a transitional period, and a period of three days is sufficient to ensure the publicity of the authorization. Therefore, imports from this country may be permitted three days after the publication of the present Decision in the *Official Journal of the European Union*.

(8) 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 Veterinary Public Health Unit (VPHU), shall be the competent authority in Guyana identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Guyana shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.
2. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.
3. The health certificate shall bear the name, capacity and signature of the representative of the VPHU, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 187, 7.7.1992, p. 41.

Article 5

All packages shall bear the word 'GUYANA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

Article 6

This Decision shall apply from 17 January 2004.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Guyana and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: GUYANA

Competent authority: Veterinary Public Health Unit (VPHU)

I. Details identifying the fishery products

— Description of fishery/aquaculture ⁽¹⁾ products:

— Species (scientific name):

— Presentation of product and type of treatment ⁽²⁾:

— Code number (where available):

— Type of packaging:

— Number of packages:

— Net weight:

— Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by VPHU for export to the EC:

.....

.....

III. Destination of products

The products are dispatched:

from:

(place of dispatch)

to:

(country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....

.....

Name of consignee and address at place of destination:

.....

.....

⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

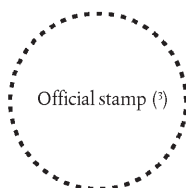
IV. Health attestation

— The official inspector hereby certifies that the fishery products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 2004/40/EC.

Done at , on
(Place) (Date)



.....
Signature of official inspector (3)

.....
(Name in capital letters, capacity and qualifications of person signing)

.....
(3) The color of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

N° d'agrément/ Approval No	Nom/Name	Ville/City Région/Region	Date limite d'agrément/ Approval limit	Catégorie/ Category
SP/002	Noble House Seafoods	East Bank Demerara		PP

Category Legend:

PP: Processing plant/Etablissement.