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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 211/2004
of 6 February 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⁾, 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 7 February 2004.

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

Done at Brussels, 6 February 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to the Commission Regulation of 6 February 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	115,6
	204	57,0
	212	129,8
	999	100,8
0707 00 05	052	129,4
	204	37,1
	220	204,2
	999	123,6
0709 10 00	204	13,5
	220	13,5
	999	13,5
0709 90 70	052	111,0
	204	39,0
	999	75,0
0805 10 10, 0805 10 30, 0805 10 50	052	50,1
	204	47,3
	212	43,2
	220	49,5
	400	44,5
	624	54,9
	999	48,3
0805 20 10	052	71,8
	204	93,1
	999	82,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	71,0
	204	97,9
	220	76,9
	464	71,3
	600	76,8
	624	75,9
	999	78,3
0805 50 10	052	73,5
	600	58,8
	999	66,2
0808 10 20, 0808 10 50, 0808 10 90	052	65,0
	060	61,0
	400	80,5
	404	88,8
	512	73,4
	528	93,3
	720	56,4
	999	74,1
0808 20 50	060	66,7
	388	92,7
	400	86,5
	528	77,2
	720	34,5
	999	71,5

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 212/2004
of 6 February 2004
suspending the buying-in of butter in certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾,

Having regard to Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾, and in particular Article 2 thereof,

Whereas:

- (1) Article 2 of Regulation (EC) No 2771/1999 lays down that buying-in by invitation to tender is to be opened or suspended by the Commission in a Member State, as appropriate, once it is observed that, for two weeks in succession, the market price in that Member State is below or equal to or above 92 % of the intervention price.

- (2) Commission Regulation (EC) No 176/2004 suspending the buying-in of butter in certain Member States ⁽³⁾ establishes the most recent list of Member States in which intervention is suspended. This list must be adjusted as a result of the market prices communicated by Italy pursuant to Article 8 of Regulation (EC) No 2771/1999. In the interests of clarity, the list in question should be replaced and Regulation (EC) No 176/2004 should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter by invitation to tender as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, Denmark, Greece, the Netherlands, Austria, Luxembourg, Finland and the United Kingdom.

Article 2

Regulation (EC) No 176/2004 is hereby repealed.

Article 3

This Regulation shall enter into force on 7 February 2004.

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

Done at Brussels, 6 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 359/2003 (OJ L 53, 28.2.2003, p. 17).

⁽³⁾ OJ L 28, 31.1.2004, p. 9.

COMMISSION REGULATION (EC) No 213/2004

of 5 February 2004

suspending for an additional period of six months, with regard to sugar of CN codes 1701 and 1702 imported from Serbia and Montenegro, the arrangements provided for in Council Regulation (EC) No 2007/2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's stabilisation and association process

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2007/2000 of 18 September 2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's stabilisation and association process, amending Regulation (EC) No 2820/98 and repealing Regulations (EC) No 1763/1999 and (EC) No 6/2000 ⁽¹⁾, and in particular Article 12(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 764/2003 ⁽²⁾ suspended, for a period of three months, the preferential arrangements provided for in Regulation (EC) No 2007/2000 for sugar of CN codes 1701 and 1702 imported from Serbia and Montenegro. At the basis of this decision were findings made in Serbia and Montenegro according to which the system of certification and control of the preferential origin of sugar of CN codes 1701 and 1702 did not allow the competent authorities of this beneficiary country to verify the originating status of the products and to provide administrative cooperation as required for the verification of evidence of origin.

(2) Since there had been no significant change in the situation in Serbia and Montenegro, Commission Regulation (EC) No 1343/2003 ⁽³⁾ suspended, for an additional period of six months, the preferential arrangements provided for in Regulation (EC) No 2007/2000 for sugar of CN codes 1701 and 1702 imported from Serbia and Montenegro.

(3) Both suspension measures were decided in application of the provisions laid down in Article 12(1) of Regulation (EC) No 2007/2000.

(4) Article 12(3) of Regulation (EC) No 2007/2000 states that, on conclusion of the period of suspension, the Commission shall decide either to terminate or to extend the suspension measure.

(5) Despite considerable efforts by the authorities in Serbia and Montenegro to redress the situation, deficiencies persist in their system of certification and control of preferential origin.

(6) The Commission therefore considers that the suspension measure should be extended for an additional period of six months, in so far as sugar of CN codes 1701 or 1702 declared as originating in Serbia and Montenegro is concerned, in application of Article 12(3) of Council Regulation (EC) No 2007/2000.

(7) The Customs Code Committee has been informed accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The preferential arrangements provided for in Council Regulation (EC) No 2007/2000 for sugar of CN codes 1701 and 1702 imported from Serbia and Montenegro are suspended for an additional period of six months.

Article 2

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

It is applicable from 8 February 2004.

⁽¹⁾ OJ L 240, 23.9.2000, p. 1. Regulation last amended by Commission Regulation (EC) No 607/2003 (OJ L 86, 3.4.2003, p. 18).

⁽²⁾ OJ L 109, 1.5.2003, p. 13.

⁽³⁾ OJ L 189, 29.7.2003, p. 30.

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

Done at Brussels, 5 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 214/2004
of 6 February 2004
laying down the marketing standard for cherries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Cherries are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted. In the interest of clarity, Commission Regulation (EEC) No 899/87 of 30 March 1987 laying down quality standards for cherries ⁽²⁾, which has been amended several times, should be repealed and replaced by a new regulation. To that end, and in the interest of preserving transparency on the world market, account should be taken of the UN/ECE standard FFV-13 concerning marketing and quality control of cherries recommended by the Working Party on Standardisation of Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UN/ECE).
- (2) Application of these new standards should remove products of unsatisfactory quality from the market, bring production into line with consumer requirements and facilitate trade based on fair competition, thereby helping to improve profitability.
- (3) The standards are applicable at all marketing stages. Long-distance transport, storage over a certain period and the various processes the products undergo may cause some degree of deterioration owing to the biological development of the products or their perishable

nature. Account should be taken of such deterioration when applying the standard at the marketing stages following dispatch.

- (4) As products in the 'Extra' class have to be particularly carefully sorted and packaged, only lack of freshness and turgidity is to be taken into account in their case.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The marketing standard for cherries falling within CN code 0809 20 shall be as set out in the Annex.

The standards shall apply at all marketing stages under the conditions laid down in Regulation (EC) No 2200/96.

However, at stages following dispatch, products may show, in relation to the requirements of the standard, a slight lack of freshness and turgidity; products graded in classes other than the 'Extra' class may show in addition slight deteriorations due to their development and their tendency to perish.

Article 2

Regulation (EEC) No 899/87 is repealed

Article 3

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 6 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 200, 21.7.1987, p. 18. Regulation as last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61).

ANNEX

STANDARD FOR CHERRIES

I. DEFINITION OF PRODUCE

This standard applies to cherries, of varieties (cultivars) derived from *Prunus avium* L., *Prunus cerasus* L., or hybrids thereof, to be supplied fresh to the consumer, cherries for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of this standard is to define the quality requirements for cherries, after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the cherries must be:

- intact,
- fresh in appearance,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- firm (according to the variety),
- clean, practically free of any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- free from abnormal external moisture,
- free of any foreign smell and/or taste,
- with the stem attached ⁽¹⁾.

The cherries must be carefully picked.

They must be sufficiently developed and display satisfactory ripeness. The development and the condition must be such as to enable them:

- to withstand transport and handling and
- to arrive in satisfactory condition at the place of destination.

B. Classification

Cherries are classified into three classes, defined below:

(i) 'Extra' Class

Cherries in this class must be of superior quality. They must be well developed and have all the characteristics and the typical colouring of the variety.

They must be free from defects with the exception of very slight superficial skin defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) Class I

Cherries in this class must be of good quality. They must be characteristic of the variety.

⁽¹⁾ Missing stems are allowed provided the skin is not damaged and there is no severe leakage of juice in the case of sour cherries and cherries of the type 'Picota' or equivalent denominations, which naturally lose the stem at harvest.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- a slight defect in colouring.

They must be free of burns, cracks, bruises or defects caused by hail.

(iii) *Class II*

This class includes cherries which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The following defects may be allowed provided the cherries retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape and colouring, on condition that they retain the characteristics of the variety,
- small, healed surface scars, not likely to impair significantly the appearance or the keeping quality of the fruit.

III. PROVISIONS CONCERNING SIZING

Size is determined by the maximum diameter of the equatorial section. Cherries must have the following minimum sizes:

- 'Extra' Class: 20 mm,
- Classes I and II: 17 mm.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements of the class indicated.

A. **Quality tolerances**

(i) *'Extra' Class*

5 % by number or weight of cherries not satisfying the requirements of the class but meeting those of Class I, or exceptionally, coming within the tolerances of that class, with the exception of overripe fruit. Within this tolerance, not more than 2 % in total may consist of split and/or worm-eaten fruit.

(ii) *Class I*

10 % by number or weight of cherries not satisfying the requirements of the class but meeting those of Class II or, exceptionally, coming within the tolerances of that class. Within this tolerance, not more than 4 % may consist of split and/or worm-eaten fruit.

In addition to this, 10 % of cherries without stem are allowed provided that the skin is not damaged and there is no severe leakage of juice.

(iii) *Class II*

10 % by number or weight of cherries satisfying neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption. Within this tolerance, not more than 4 % in total may consist of overripe and/or split and/or worm-eaten fruit. Not more than 2 % in total may consist of overripe fruit.

In addition to this, 20 % of cherries without stem are allowed provided that the skin is not damaged and there is no severe leakage of juice.

B. Size tolerances

For all classes: 10 % by number or weight of cherries not conforming to the minimum size specified, provided, however, that the diameter is not less than:

- 17 mm in the 'Extra' Class,
- 15 mm in Classes I and II.

V. PROVISIONS CONCERNING PRESENTATION**A. Uniformity**

The contents of each package must be uniform and contain only cherries of the same origin, variety and quality. The fruit must be of uniform size.

In addition, cherries in the 'Extra' Class must be of uniform colouring and ripeness.

The visible part of the contents of the package must be representative of the entire contents.

Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages of a net weight of three kilograms or less, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 ⁽¹⁾.

B. Packaging

The cherries must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials and particularly of paper or stamps bearing trade specifications is allowed provided that the printing or labelling has been done with non-toxic ink or glue.

The packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Packer and/or dispatcher: name and address or officially issued or accepted code mark. However, in the case where a code mark is used, the reference 'packer and/or dispatcher' (or equivalent abbreviations) has to be indicated in close connection with the code mark.

B. Nature of produce

- 'Cherries', where the contents are not visible from the outside,
- 'Sour Cherries', where appropriate,
- 'Picota' or equivalent denomination where appropriate,
- name of the variety (optional).

C. Origin of produce

Country of origin and, optionally, district where grown or national, regional or local place name.

D. Commercial specifications

Class.

E. Official control mark (optional)

⁽¹⁾ OJ L 7, 11.1.2003, p. 65.

COMMISSION REGULATION (EC) No 215/2004**of 6 February 2004****establishing the quantities to be allocated to importers from the second tranche of the 2004 Community quantitative quotas on certain products originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas ⁽¹⁾, and in particular Articles 9 and 13 thereof,

Having regard to Commission Regulation (EC) No 2044/2003 of 20 November 2003 establishing administration procedures for the second tranche of the 2004 quantitative quotas for certain products originating in the People's Republic of China ⁽²⁾, and in particular Article 6 thereof,

Whereas:

- (1) Regulation (EC) No 2044/2003 established the portion of each of the quotas concerned reserved for traditional and other importers and the conditions and methods for participating in the allocation of the quantities available. Importers have lodged applications for import licences with the competent national authorities between 22 November 2003 and 15.00, Brussels time, on 31 December 2003, in accordance with Article 3 of Regulation (EC) No 2044/2003.
- (2) The Commission has received from the Member States and the acceding States, pursuant to Article 5 of Regulation (EC) No 2044/2003, particulars of the numbers and aggregate volume of import licence applications submitted and the total volume imported by traditional importers in 1998 or 1999 (Member States) and in 2001 or 2002 (acceding States), the reference years.
- (3) The Commission is now able, on the basis of that information, to establish uniform quantitative criteria by which the competent national authorities may satisfy licence applications submitted by importers in the Member States and the acceding States for the second tranche of the 2004 quantitative quotas.
- (4) Examination of the figures supplied by Member States and the acceding States shows that the aggregate volume of applications submitted by traditional importers for the products listed in Annex I to this Regulation exceeds or is lower than the portion of the quota set aside for them. The applications must therefore be met by applying the uniform rate of reduction or increase

shown in Annex I to the volume of each importer's imports, expressed in quantity or value terms, over the reference period.

- (5) Examination of the figures supplied by Member States and the acceding States shows that the aggregate volume of applications submitted by non-traditional importers for the products listed in Annex II to this Regulation exceeds the portion of the quota set aside for them. The applications must therefore be met by applying the uniform rate of reduction shown in Annex II to the amounts requested by each importer, as limited by Regulation (EC) No 2044/2003.
- (6) Quantities not taken up by non-traditional importers were transferred to traditional importers,

HAS ADOPTED THIS REGULATION:

Article 1

In response to licence applications in respect of the products listed in Annex I duly submitted by traditional importers, the competent national authorities shall allocate each importer a quantity or value equal to his imports for 1998 or 1999 (Member States) and for 2001 or 2002 (acceding States), as indicated by the importer, adjusted by the rate of reduction/increase specified in the said Annex for each quota.

Where the use of this quantitative criterion would entail allocating an quantity greater than that applied for, the quantity allocated shall be limited to that specified in the application.

Article 2

In response to licence applications in respect of the products listed in Annex II duly submitted by non-traditional importers, the competent national authorities shall allocate each importer a quantity or value equal to the amount requested within the limits set by Regulation (EC) No 2044/2003, adjusted by the rate of reduction specified in the said Annex for each quota.

Article 3

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

⁽¹⁾ OJ L 66, 10.3.1994, p. 1. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 22, 16.5.2003, p. 1).

⁽²⁾ OJ L 303, 21.11.2003, p. 3.

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

Done at Brussels, 6 February 2004.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

Rate of reduction (-)/increase (+) applicable to imports (traditional importers)

Product description	HS/CN code	Rate of reduction/increase
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	- 15,55 %
	6403 51 6403 59	+ 20,10 %
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	- 34,75 %
	ex 6404 11 ⁽²⁾	- 23,64 %
	6404 19 10	+ 25,75 %
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	- 18,79 %
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	- 9,07 %

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

⁽²⁾ Excluding:

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

ANNEX II

Rate of reduction (-) applicable to the volume requested within the limits of the maximum amounts fixed by Regulation (EC) No 2044/2003**(non-traditional importers)**

Product description	HS/CN code	Rate of reduction
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	- 49,49 %
	6403 51 6403 59	- 95,87 %
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	- 87,91 %
	ex 6404 11 ⁽²⁾	- 82,76 %
	6404 19 10	- 67,84 %
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	- 36,12 %
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	- 42,04 %

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

⁽²⁾ Excluding:

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

COMMISSION REGULATION (EC) No 216/2004

of 6 February 2004

amending Regulation (EEC) No 1722/93 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 7(3) thereof,

Having regard to Council Regulation (EEC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽²⁾, and in particular Article 8(e) thereof,

Whereas:

(1) Commission Regulation (EEC) No 1722/93 ⁽³⁾ stipulates how the refund is to be calculated. The market situation for potato starch, being particularly influenced by the minimum price for potatoes, can differ from that for cereal starch. It should therefore be possible to set a different refund for potato starch.

(2) Applications for refund certificates can be lodged each working day before 3 p.m. Brussels time. As this time limit may fall after commencement of a meeting of the Management Committee for Cereals at which refund rates are being decided there is a risk of speculative applications. The time limit should therefore be brought forward.

(3) Regulation (EEC) No 1722/93 stipulates that production refund certificates are valid until the last day of the fifth month following that of issue. This carries a risk that certificates will be issued for over-large volumes; since the Commission can neither reject certificate applications in the event of speculation nor set a different refund rate without consulting the Management Committee for Cereals, the validity of licences should be shortened to end on the last day of the third month following that of issue.

(4) The Commission does not have detailed information on the quantities on which production refunds have been granted until three months after the end of each quarter of the calendar year. To make a better picture of the situation Member States should notify monthly the quantities of starch for which certificate applications have been made.

(5) Regulation (EEC) No 1722/93 should be amended accordingly.

(6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1722/93 is hereby amended as follows:

1. In Article 3(2) the following subparagraph is added:

‘For potato starch a different rate may be set that reflects the minimum price indicated in Article 8(1) of Regulation (EEC) No 1766/92.’

2. In Article 5(1) the second sentence is replaced by:

‘Applications may be lodged every working day before 13.00 Brussels time.’

3. In Article 6(3) the first subparagraph is replaced by:

‘3. The refund certificate shall include the information required in accordance with Article 5(2) and state the refund rate and the last day of validity of the licence, which shall be the last day of the third month following the month of issue.’

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 329, 30.12.1995, p. 18. Regulation last amended by Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽³⁾ OJ L 159, 1.7.1993, p. 112. Regulation last amended by Regulation (EC) No 1786/2001 (OJ L 242, 12.9.2001, p. 3).

4. Article 12 is replaced by:

'Article 12

Member States shall notify to the Commission:

- (a) by the end of the first week of each month, the quantities of starch for which certificate applications as indicated in Article 5(1) were made during the previous month;

- (b) within three months of the end of each quarter of the calendar year the type, quantities and origin of starch (maize, wheat, potatoes, barley, oats or rice) on which refunds were paid and the quantities of products for which the starch was used.'

Article 2

This Regulation shall enter into force on the third 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, 6 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 217/2004**of 6 February 2004****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 2 to 5 February 2004 at 279,00 EUR/t.

Article 2

This Regulation shall enter into force on 7 February 2004.

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

Done at Brussels, 6 February 2004.

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 218/2004**of 6 February 2004****fixing the maximum subsidy on exports of husked long grain rice B to Réunion pursuant to the invitation to tender 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 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 subsidy.

(3) The criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy. Successful tenderers shall be those whose bids are at or below the level of the maximum subsidy.

(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

A maximum subsidy on exports to Réunion of husked long grain rice B falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 2 to 5 February 2004 at 285,00 EUR/t pursuant to the invitation to tender referred to in Regulation (EC) No 1878/2003.

Article 2

This Regulation shall enter into force on 7 February 2004.

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

Done at Brussels, 6 February 2004.

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 219/2004**of 6 February 2004****concerning tenders submitted in response to the invitation to tender for the export to certain third countries of wholly milled round grain A rice 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 under 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 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 Article 13 of Regulation (EC) No 3072/95 a maximum refund should not be fixed.

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders submitted from 2 to 5 February 2004 in response to the invitation to tender for the export refund on wholly milled round grain A rice to certain third countries issued in Regulation (EC) No 1875/2003.

Article 2

This Regulation shall enter into force on 7 February 2004.

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

Done at Brussels, 6 February 2004.

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 220/2004**of 6 February 2004****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 2 to 5 February 2004 at 128,10 EUR/t.

Article 2

This Regulation shall enter into force on 7 February 2004.

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

Done at Brussels, 6 February 2004.

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.

COMMISSION REGULATION (EC) No 221/2004
of 6 February 2004
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 ⁽³⁾, as amended by Regulation (EC) No 1486/2002 ⁽⁴⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable

offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 29,780/100 kg.

Article 2

This Regulation shall enter into force on 7 February 2004.

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

Done at Brussels, 6 February 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

⁽⁴⁾ OJ L 223, 20.8.2002, p. 3.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 January 2004

amending Decisions 92/260/EEC, 93/197/EEC and 97/10/EC as regards the temporary admission and imports into the European Union of registered horses from South Africa

(notified under document number C(2004) 50)

(Text with EEA relevance)

(2004/117/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae⁽¹⁾, and in particular Article 12(2), Article 13(2), Articles 14, 15, 16 and Article 19(i) thereof,

Whereas:

- (1) Commission Decision 92/260/EEC⁽²⁾ lays down the animal health conditions and veterinary certification for temporary admission of registered horses.
- (2) Commission Decision 93/197/EEC⁽³⁾, lays down the animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production.
- (3) Annex I to Commission Decision 97/10/EC of 12 December 1996 amending Council Decision 79/542/EEC and Commission Decisions 92/160/EEC, 92/260/EEC and 93/197/EEC in relation to the temporary admission and imports into the Community of registered horses from South Africa⁽⁴⁾ provides for additional guarantees which apply to the regionalisation of South Africa for imports of registered horses into the European Community.

- (4) Those additional guarantees prohibit the use of vaccination against African horse sickness within the African horse sickness free area. Consequently, the vaccination status of registered horses which have been resident in the African horse sickness free area for more than 24 months can no longer be certified under the current import conditions.

- (5) In addition it is necessary to make the transportation of registered horses into the free area subject to authorisation in cases where such horses have not been vaccinated or where for veterinary reasons such vaccination was not carried out in compliance with all instructions of the manufacturer.

- (6) It is necessary to adapt the additional guarantees for the regionalisation of South Africa for imports into the Community of registered horses in the light of the animal health situation in that country, and to reflect these modifications in the animal health conditions and veterinary certification applicable to such importation.

- (7) Decisions 92/260/EEC, 93/197/EEC and 97/10/EC should therefore be amended accordingly.

- (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,

⁽¹⁾ OJ L 224, 18.8.1990, p. 42. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 22, 16.5.2003, p. 1).

⁽²⁾ OJ L 130, 15.5.1992, p. 67. Decision as last amended by Decision 2003/541/EC (OJ L 185, 24.7.2003, p. 41).

⁽³⁾ OJ L 86, 6.4.1993, p. 16. Decision as last amended by Decision 2003/541/EC.

⁽⁴⁾ OJ L 3, 7.1.1997, p. 9. Decision as last amended by Decision 2003/541/EC.

HAS ADOPTED THIS DECISION:

Article 3

Annex I to Decision 97/10/EC is amended in accordance with Annex III to this Decision.

Article 1

In Annex II to Decision 92/260/EEC the animal health certificate F is replaced by the text in Annex I to this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 19 January 2004.

Article 2

In Annex II to Decision 93/197/EEC the animal health certificate F is replaced by the text in Annex II to this Decision.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

— F —

HEALTH CERTIFICATE

for the temporary admission of registered horses into the European Union from South Africa for a period of less than 90 days

Certificate No:

Third country of dispatch ⁽¹⁾:

Ministry responsible:

I. Identification of the horse

(a) Identification document No (passport):

(b) Validated by:.....

(Name of competent authority)

II. Origin and destination of the horse

The horse is to be sent from:

(Place of export)

directly to:

(Member State and place of destination)

by aircraft ⁽³⁾:

(indicate flight number)

or

by vessel ⁽³⁾:.....

(indicate name of vessel)

Name and address of consignor:

.....

Name and address of consignee:

.....

III. Health information

I, the undersigned official veterinarian of

(insert name of country)

certify that the horse described above:

(a) comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis of all types including Venezuelan equine encephalomyelitis, equine infectious anaemia, vesicular stomatitis, rabies, anthrax;

(b) has been examined today and shows no clinical signs of disease ⁽²⁾;

(c) is not intended for slaughter under a national programme of infectious or contagious disease eradication;

- (d) has been resident during the 60 days immediately preceding the exportation on holdings under veterinary supervision:
- on the territory of the country ⁽¹⁾ of dispatch,
 - and
 - in a Member State of the European Union, if it was imported into the country ⁽¹⁾ of dispatch directly from a Member State of the European Union ⁽³⁾,
 - and
 - on the territory of a third country ⁽¹⁾ approved for temporary admission or permanent imports into the European Union of registered horses, if it was imported directly into the country ⁽¹⁾ of dispatch under conditions at least as strict as those laid down for the temporary admission or permanent imports of registered horses from the third country concerned directly into the European Union ⁽³⁾;
- (e) has undergone pre-export isolation during the last 40 days immediately preceding the exportation from ⁽⁵⁾ to ⁽⁵⁾ in the approved quarantine station at under the following conditions:
- (i) either horse was accommodated permanently under vector-protected conditions ⁽³⁾,
 - or
 - (ii) the horse has been confined to the vector-protected stables at least from two hours prior to sunset until two hours after sunrise the next day and exercise was provided under official veterinary supervision, following the application of effective insect repellents prior to the removal from the stables, and in strict isolation from equidae not being prepared for export under conditions at least as strict as required for temporary admission or imports into the European Union ⁽³⁾;
- (f) comes from the territory of a country ⁽¹⁾ in which:
- (i) Venezuelan equine encephalomyelitis has not occurred during the last two years;
 - (ii) dourine has not occurred during the last six months;
 - (iii) glanders has not occurred during the last six months;
 - (iv) vesicular stomatitis has not occurred during the last six months ⁽³⁾,
 - or
 - was tested on a sample of blood taken, within 21 days of export, on ⁽⁵⁾, by virus neutralisation test for vesicular stomatitis, with negative result at a dilution of one in 12 ⁽³⁾ ⁽⁴⁾;
- (v) in the case of an uncastrated male animal older than 180 days:
- 1. either equine viral arteritis has not been officially recorded during the last six months ⁽³⁾,
 - or
 - 2. the animal was tested:
 - either on a blood sample taken within 21 days of export on ⁽⁵⁾ by virus neutralisation test for equine viral arteritis with negative result at a dilution of one in four ⁽³⁾ ⁽⁴⁾,
 - or
 - on an aliquot of the entire semen of the horse taken within 21 days of export on ⁽⁵⁾ by virus isolation test for equine viral arteritis with negative result ⁽³⁾ ⁽⁴⁾,
 - or
 - 3. the animal was vaccinated on ⁽⁵⁾ against equine viral arteritis under official veterinary supervision with a vaccine approved by the competent authority, according to the following programmes for initial vaccination and has been revaccinated at regular intervals ⁽³⁾ ⁽⁴⁾.

Programmes for initial vaccination against equine viral arteritis:

Instruction: Cross out vaccination programmes that do not apply to the animal described above.

- (a) Vaccination was carried out on the day a blood sample was taken that subsequently proved negative in a virus neutralisation test for equine viral arteritis at a dilution of one in four.
- (b) Vaccination was carried out during a period of isolation of not more than 15 days under official veterinary supervision commencing on the day a blood sample was taken that was tested during that time with negative result in a virus neutralisation test for equine viral arteritis at a dilution of one in four.
- (c) Vaccination was carried out when the animal was at an age of 180 to 270 days, during a period of isolation under official veterinary supervision. During the isolation period two blood samples taken at least 10 days apart proved a stable or declining antibody titre in a virus neutralisation test for equine viral arteritis.

(g) does not come from the territory of a country ⁽¹⁾ considered, in accordance with Community legislation, as infected with African horse sickness and was either:

— not vaccinated against African horse sickness ⁽³⁾,

or

— was vaccinated against African horse sickness on..... ⁽⁵⁾, at least 80 days prior to pre-export isolation, by administration of a registered vaccine as prescribed by the vaccine manufacturer ⁽³⁾ ⁽⁴⁾;

(h) does not come from a holding which was subject to a prohibition order for animal health reasons which laid down the following conditions:

(i) if not all the animals of species susceptible to the disease located on the holding were slaughtered, the prohibition lasted for:

— six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered,

— a period required to carry out with negative results two Coggins tests three months apart on the animals remaining after the infected animals have been slaughtered in the case of infectious anaemia,

— six months in the case of vesicular stomatitis,

— one month from the last recorded case, in the case of rabies,

— 15 days from the last recorded case, in the case of anthrax;

(ii) if all the animals of species susceptible to the disease located on the holding were slaughtered, the prohibition lasted for 30 days, or 15 days in the case of anthrax, beginning on the day on which following the destruction of the animals the disinfection of the premises was satisfactorily completed;

(i) has, to the best of my knowledge and according to the declaration of the owner or his representative, not been in contact with animals showing clinical signs of an infectious or contagious disease transmissible to equidae during 15 days prior to pre-export isolation;

(j) was subjected to the following tests carried out with negative results on samples of blood taken, within 21 days of export, on ⁽⁴⁾ ⁽⁵⁾:

— a Coggins test for equine infectious anaemia,

— a complement fixation test for dourine at a dilution of one in five;

(k) was subjected to a test for African horse sickness as described in Annex D to Directive 90/426/EEC

1. either on one occasion, carried out on a sample of blood taken on ⁽⁵⁾ within 10 days of export with negative reaction, if it has not been vaccinated and was permanently accommodated under vector-protected conditions as stated in point (e) (i) above ⁽³⁾ ⁽⁴⁾, or

2. on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days on..... ⁽⁵⁾ and on..... ⁽⁵⁾, the second of which was taken within 10 days of export either:

— with negative reactions, if it has not been vaccinated ⁽³⁾ ⁽⁴⁾,

— or without increase in antibody level, if it has been vaccinated ⁽³⁾ ⁽⁴⁾;

(l) was subjected to an ELISA test for equine encephalosis on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days on.....⁽⁵⁾ and on⁽⁵⁾, the second of which was taken within 10 days of export either:

— with negative reactions⁽³⁾ ⁽⁴⁾,

or

— without increase in antibody level⁽³⁾ ⁽⁴⁾.

IV. The horse will be sent directly from the quarantine station

(a) either to the airport under vector-protected conditions and will be sent to the Member State of the European Union without coming into contact with other equidae not accompanied by an EC certificate either for permanent imports or for temporary admission and will be transported in an aircraft which was cleansed and disinfected in advance with a disinfectant officially recognised in the country of dispatch and sprayed against vector insects just prior to take off⁽³⁾;

or

(b) to the port of Cape Town under vector-protected conditions and will be sent to the Member State of the European Union without coming into contact with other equidae not accompanied by an EC certificate either for permanent imports or for temporary admission and will be transported on a vessel which is scheduled directly to a port in the European Union without calling into a port situated on the territory of a country⁽¹⁾ not approved for imports into the European Union of equidae in stalls which were cleansed and disinfected in advance with a disinfectant officially recognised in the country of dispatch and sprayed against vector insects just prior to roll off⁽³⁾.

The attached declaration signed by the owner or representative is part of the certificate.

V. The certificate is valid for 10 days. In the case of transport by sea, the time is prolonged by the time of the sea journey.

This certificate together with the identification document (passport) must accompany the horse during the whole of the residence within the European Union. The total period of residence on the territory of the European Union must not exceed 90 days.

Date	Place	Stamp and signature of the official veterinarian ⁽⁶⁾

.....
(Name in block capitals and capacity)

VI. Date and place of entry into the European Union:

.....

.....

.....
(Stamp and signature of the official veterinarian)⁽⁶⁾

Date of export from the European Union:

VII. Where the horse subsequently moves from one Member State to another as indicated in the declaration, the period of validity of the certificate must be extended for a further 10 days by an official veterinarian of the Member State of dispatch. The identity check carried out on this occasion has to be certified in the passport.

I, the undersigned have examined the horse today and certify that it meets the conditions of Directive 90/426/EEC and, in particular, the requirements of paragraph III(b), (c) and (g) of this certificate.

To the best of my knowledge during the last 15 days it has not been in contact with equidae suffering from an infectious or contagious disease.

Date of examination	Place of examination	Place of destination	Stamp and signature of the official official veterinarian ⁽⁶⁾

.....
(Name in block capitals and capacity)

⁽¹⁾ Territory of a country means the whole territory or the part of the territory in accordance with Article 13(2) of Directive 90/426/EEC as laid down in Commission Decision 92/160/EEC as last amended.

⁽²⁾ The certificate must be issued on the day of loading of the horse for dispatch to the Member State of destination or on the last working day before embarkation and accompanied by the identification document (passport) during the time of residence in the European Union.

⁽³⁾ Delete as appropriate.

⁽⁴⁾ The test(s) carried out, their results and the vaccination have to be entered in the identification document (passport).

⁽⁵⁾ Insert date.

⁽⁶⁾ The colour of the stamp and the signature must be different to that of the printing.

ANNEX II

— F —

HEALTH CERTIFICATE

for imports into the European Union of registered horses from South Africa ⁽¹⁾

Certificate No:

Third country of dispatch ⁽¹⁾:

Ministry responsible:

I. Identification of the animal

(a) Identification document No (passport):

(b) Validated by:
(name of competent authority)

II. Origin and destination of the horse

The horse is to be sent from:
(place of export)directly to:
(Member State and place of destination)by aircraft ⁽³⁾:
(indicate flight number)

or

by vessel ⁽³⁾:
(indicate name of vessel)

Name and address of consignor:

.....

Name and address of consignee:

.....

III. Health information

I, the undersigned official veterinarian of
(insert name of country)

certify that the horse described above:

(a) comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis of all types including Venezuelan equine encephalomyelitis, equine infectious anaemia, vesicular stomatitis, rabies, anthrax;

(b) has been examined today and shows no clinical signs of disease ⁽²⁾;

(c) is not intended for slaughter under a national programme of infectious or contagious disease eradication;

(d) has been resident on the territory of the country of dispatch during 90 days immediately preceding the exportation (or since birth if less than 90 days old or since entry if it was imported directly from a Member State of the European Union during the previous 90 days) and during 60 days immediately preceding the exportation in the part of the country ⁽¹⁾ considered free of African horse sickness in accordance with Community legislation (or since birth if less than 60 days old or since entry if it was imported directly from a Member State of the European Union during the previous 60 days);

- (e) has undergone the pre-export isolation during the last 40 days immediately preceding the exportation from⁽⁵⁾ to⁽⁵⁾ in the approved quarantine station at, under the following conditions:
- (i) either the horse was accommodated permanently under vector-protected conditions⁽³⁾,
 - or
 - (ii) the horse has been confined to the vector-protected stables at least from two hours prior to sunset until two hours after sunrise the next day and exercise was provided under official veterinary supervision, following the application of effective insect repellents prior to the removal from the stables, and in strict isolation from equidae not being prepared for export under conditions at least as strict as required for temporary admission or imports into the European Union⁽³⁾;
- (f) comes from the territory of a country⁽¹⁾ in which:
- (i) Venezuelan equine encephalomyelitis has not occurred during the last two years;
 - (ii) dourine has not occurred during the last six months;
 - (iii) glanders has not occurred during the last six months;
 - (iv) vesicular stomatitis has not occurred during the last six months⁽³⁾,
 - or
- was tested on a sample of blood taken within 21 days of export on⁽⁵⁾, by virus neutralisation test for vesicular stomatitis, with negative result at a dilution of one in 12⁽³⁾ ⁽⁴⁾,
- (v) in the case of an uncastrated male animal older than 180 days:
1. either equine viral arteritis has not been officially recorded during the last six months⁽³⁾;
 - or
 2. the animal was tested:
 - either on a blood sample taken within 21 days of export on⁽⁵⁾, by virus neutralisation test for equine viral arteritis with negative result at a dilution of one in four⁽³⁾ ⁽⁴⁾,
 - or
 - on an aliquot of the entire semen of the horse taken within 21 days of export on⁽⁵⁾, by virus isolation test for equine viral arteritis with negative result⁽³⁾ ⁽⁴⁾;
 - or
 3. the animal was vaccinated on⁽⁵⁾ against equine viral arteritis under official veterinary supervision with a vaccine approved by the competent authority, according to the following programmes for initial vaccination and has been re-vaccinated at regular intervals⁽³⁾ ⁽⁴⁾;

Programmes for initial vaccination against equine viral arteritis:

Instruction: Cross out vaccination programmes that do not apply to the animal described above

- (a) Vaccination was carried out on the day a blood sample was taken that subsequently proved negative in a virus neutralisation test for equine viral arteritis at a dilution of one in four.
- (b) Vaccination was carried out during a period of isolation of not more than 15 days under official veterinary supervision commencing on the day a blood sample was taken that was tested during that time with negative result in a virus neutralisation test for equine viral arteritis at a dilution of one in four.
- (c) Vaccination was carried out when the animal was at an age of 180 to 270 days, during a period of isolation under official veterinary supervision. During the isolation period two blood samples taken at least 10 days apart proved a stable or declining antibody titre in a virus neutralisation test for equine viral arteritis.

- (g) does not come from the territory of a country⁽¹⁾ considered, in accordance with Community legislation, as infected with African horse sickness and was either:

— not vaccinated against African horse sickness⁽³⁾,

or

— was vaccinated against African horse sickness on⁽⁵⁾, at least 80 days prior to pre-export isolation by administration of a registered polyvalent vaccine as prescribed by the vaccine manufacturer;

- (h) does not come from a holding which was subject to a prohibition order for animal health reasons which laid down the following conditions:
- (i) if not all the animals of species susceptible to the disease located on the holding were slaughtered, the prohibition lasted for:
 - six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered,
 - a period required to carry out with negative results two Coggins tests three months apart on the animals remaining after the infected animals have been slaughtered in the case of infectious anaemia,
 - six months in the case of vesicular stomatitis,
 - one month from the last recorded case, in the case of rabies,
 - 15 days from the last recorded case, in the case of anthrax;
 - (ii) If all the animals of species susceptible to the disease located on the holding were slaughtered, the prohibition lasted for 30 days, or 15 days in the case of anthrax, beginning on the day on which following the destruction of the animals the disinfection of the premises was satisfactorily completed;
 - (i) shows no clinical signs of contagious equine metritis and does not come from a holding where there has been any suspicion of contagious equine metritis during the past two months nor had contact indirectly or directly through coitus with equidae infected or suspected of being infected with contagious equine metritis;
 - (j) has, to the best of my knowledge and according to the declaration of the owner or his representative, not been in contact with animals showing clinical signs of an infectious or contagious disease transmissible to equidae during 15 days prior to pre-export isolation;
 - (k) was subjected to the following tests carried out with negative results on samples of blood taken, within 21 days of export, on⁽⁴⁾ ⁽⁵⁾:
 - a Coggins test for equine infectious anaemia,
 - a complement fixation test for dourine at a dilution of one in five;
 - (l) was subjected to a test for African horse sickness as described in Annex D to Directive 90/426/EEC
 1. either on one occasion, carried out on a sample of blood taken on⁽⁵⁾, within 10 days of export with negative reaction, if it has not been vaccinated and was permanently accommodated under vector-protected conditions as stated in point (e)(i) above ⁽³⁾ ⁽⁴⁾; or
 2. on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days on⁽⁵⁾ and on⁽⁵⁾ the second of which was taken within 10 days of export either:
 - with negative reactions, if it has not been vaccinated ⁽³⁾ ⁽⁴⁾, or
 - without increase in antibody level, if it has been vaccinated ⁽³⁾ ⁽⁴⁾,
 - (m) was subjected to an ELISA test for equine encephalosis on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days on⁽⁵⁾ and on⁽⁵⁾ the second of which was taken within 10 days of export either:
 - with negative reactions ⁽³⁾ ⁽⁴⁾, or
 - without increase in antibody level ⁽³⁾ ⁽⁴⁾.

IV. The horse will be sent directly from the quarantine station

- (a) either to the airport under vector-protected conditions and will be sent to the Member State of the European Union without coming into contact with other equidae not accompanied by an EC certificate either for permanent imports or for temporary admission and will be transported in an aircraft which was cleansed and disinfected in advance with a disinfectant officially recognised in the country of dispatch and sprayed against vector insects just prior to take off ⁽³⁾;
- or
- (b) to the port of Cape Town under vector-protected conditions and will be sent to the Member State of the European Union without coming into contact with other equidae not accompanied by an EC certificate either for permanent imports or for temporary admission and will be transported on a vessel which is scheduled directly to a port in the European Union without calling into a port situated on the territory of a country ⁽¹⁾ not approved for imports into the European Union of equidae in stalls which were cleansed and disinfected in advance with a disinfectant officially recognised in the country of dispatch and sprayed against vector insects just prior to departure ⁽³⁾.

The attached declaration signed by the owner or representative is part of the certificate.

V. The certificate is valid for 10 days. In the case of transport by sea, the time is prolonged by the time of the sea journey

Date	Place	Stamp and signature of the official veterinarian ⁽⁶⁾

.....
(name in block capitals and capacity)

⁽¹⁾ Territory of a country means the whole territory or the part of the territory in accordance with Article 13(2) of Directive 90/426/EEC as laid down in Commission Decision 92/160/EEC, as last amended..

⁽²⁾ The certificate must be issued on the day of loading of the horse for dispatch to the Member State of destination or on the last working day before embarkation and accompanied by the identification document (passport) during the time of residence in the European Union.

⁽³⁾ Delete as appropriate.

⁽⁴⁾ The test(s) carried out, their results and the vaccination have to be entered in the identification document (passport).

⁽⁵⁾ Insert date.

⁽⁶⁾ The colour of the stamp and the signature must be different to that of the printing.

DECLARATION

I, the undersigned, owner ⁽¹⁾ or representative of the owner ⁽¹⁾
(insert name in block letters)

of the horse described above declare:

1. The horse will be sent directly from the quarantine station at
(insert place of quarantine station)
to the premises of destination without coming into contact with other equidae not accompanied by a certificate for temporary admission or permanent importation of equidae into the European Union.
2. The animal has either remained in (exporting country ⁽¹⁾) since birth or entered the exporting country ⁽¹⁾ at least 60 days prior to this declaration.
3. During 15 days prior to pre-export isolation the horse has not been in contact with animals suffering from infectious or contagious diseases transmissible to equidae.
4. According to the instructions of the official veterinarian I have made all arrangements to comply with the conditions in Section IV and in particular to ensure that the declaration provided for in Annex IV of Commission Decision 97/10/EC will be duly completed and signed by the captain of the aircraft or the master of the vessel upon arrival in a port situated on the territory of the European Union and approved in accordance with Directive 91/496/EEC as a border inspection post for registered horses.

.....
(Place, date)

.....
(Signature)

Health certificate No:

.....
(signature of the official veterinarian signing the certificate) ⁽²⁾

⁽¹⁾ Delete as appropriate.

⁽²⁾ The colour of the stamp and the signature must be different to that of the printing.

ANNEX III

Annex I to Decision 97/10/EC is amended as follows:

1. Point 5.5.1.4 is replaced by the following:

‘5.5.1.4. The certificate must state that the horse:

- was clinically examined within 48 hours of dispatch and showed no clinical signs of disease, and
- has not been in contact during the past 15 days (as far as can be ascertained) with other equidae suffering from an infectious or contagious disease, and
- does not originate from an area where veterinary restrictions pertaining to diseases communicable to equidae are in force and does not come from a holding under veterinary restrictions, and
- does not come from a holding where there has been a case of African horse sickness during the past 60 days, and
- if the horse originates from an area outside the surveillance zone, it was
 - (i) either vaccinated against African horse sickness by a veterinarian using a registered polyvalent African horse sickness vaccine as prescribed by the vaccine manufacturer at least 60 days, and not more than 24 months, prior to entering the free area, or
 - (ii) the horse was imported from the territory of a country or the part of the territory regionalised in accordance with Article 13(2) of Directive 90/426/EEC, considered in accordance with Community legislation as not infected with African horse sickness and was airfreighted under vector-protected conditions from the airport in Johannesburg to the African horse sickness free area.’

2. In point 5.5.1 the following point is added:

‘5.5.1.5. By way of derogation from the provisions in point 5.5.1.4, fifth indent, the competent authorities may in exceptional cases, as defined in national or local legislation of the exporting country, specifically authorise the transport of a registered horse from the infected, protection or surveillance zone into the free area under the following conditions:

- the horse is transported directly to the quarantine station approved for that purpose in the free area,
 - the transport is carried out under vector-protected conditions taking into account risk-mitigating factors such as the vector-free season or daytime, application of repellents, coverage of the animal and forced ventilation on the means of transport,
 - the horse is isolated in the vector-protected quarantine station for at least 40 days,
 - during the isolation period the horse is subjected to tests for African horse sickness carried out in accordance with Annex D to Directive 90/426/EEC on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days, the second of which was taken within 10 days of release from the quarantine station, either with negative result, if the horse was not vaccinated or without increase in antibody level if the horse was vaccinated previously.’
-

COMMISSION DECISION

of 28 January 2004

amending Decisions 95/233/EC, 96/482/EC, and 2001/751/EC relating to the importation of live poultry and hatching eggs and live ratites and hatching eggs; Decisions 94/85/EC, 94/984/EC, and 2000/609/EC relating to the importation of fresh poultrymeat, fresh farmed ratite meat, wild and farmed feathered game meat; Decision 2000/585/EC relating to the importation of wild and farmed game and rabbit meat and Decision 97/222/EC relating to the importation of meat products, with respect to certain Acceding States

*(notified under document number C(2004) 125)***(Text with EEA relevance)**

(2004/118/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾, and in particular Articles 14 (3) and 21a (2) thereof,

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 ⁽²⁾, and in particular Articles 21(1), 23(1) and 26(2) 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 poultrymeat ⁽³⁾, and in particular Articles 9(1) and 11(1)(a) 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 ⁽⁴⁾, and in particular Article 10 thereof,

Having regard to Council Directive 92/45/EC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat ⁽⁵⁾, and in particular Article 16(3) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽⁶⁾, and in particular Article 8(1) and (4) thereof,

Whereas:

- (1) Commission Decision 95/233/EC ⁽⁷⁾ lists in principle third countries from which Member States are authorised to import live poultry and hatching eggs including ratites and eggs thereof.
- (2) Commission Decision 96/482/EC ⁽⁸⁾ lays down more detailed rules for the importation of live poultry and hatching eggs and the relevant animal health certificates.
- (3) Commission Decision 2001/751/EC ⁽⁹⁾ lays down the animal health conditions and veterinary certification for imports of live ratites and hatching eggs from third countries including animal health measures to be applied after such importation, and lists the third countries from where such imports may be authorised.

⁽¹⁾ OJ L 302, 31.12.1972, p. 28. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

⁽²⁾ OJ L 303, 31.10.1990, p. 6. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽³⁾ OJ L 268, 24.9.1991, p. 35. Directive as last amended by Directive 1999/89/EC (OJ L 300, 23.11.1999, p. 17).

⁽⁴⁾ OJ L 62, 15.3.1993, p. 49. Directive as last amended by Decision 2003/721/EC (OJ L 260, 11.10.2003, p. 21).

⁽⁵⁾ OJ L 268, 14.9.1992, p. 35. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽⁶⁾ OJ L 18, 23.1.2003, p. 11.

⁽⁷⁾ OJ L 156, 7.7.1995, p. 76.

⁽⁸⁾ OJ L 196, 7.8.1996, p. 13.

⁽⁹⁾ OJ L 281, 25.10.2001, p. 25.

- (4) Consolidated evidence including: freedom from disease affecting poultry; poultry disease surveillance and monitoring programmes; the development of appropriate contingency plans for poultry diseases; and, the development of the veterinary *acquis* in regard to general veterinary legislation and legislation in the poultry sector in advance of EU accession, has demonstrated that Estonia, Malta, Latvia and Lithuania have sufficiently well structured and organised veterinary services regarding the animal health status for live poultry and ratites.
- (5) It is therefore appropriate to add Lithuania, Estonia and Malta to the list of third countries that are, in principle, authorised to import live poultry and hatching eggs including ratites and eggs as laid down in Commission Decision 95/233/EC.
- (6) Commission Decision 96/482/EC and Commission Decision 2001/751/EC should also be amended to include Estonia, Malta, Latvia and Lithuania.
- (7) Commission Decision 94/85/EC ⁽¹⁾ establishes a list of third countries from which importation of fresh poultry meat is authorised.
- (8) Commission Decision 94/984/EC ⁽²⁾ lays down animal health conditions and veterinary certificates for the importation of fresh poultry meat from third countries.
- (9) Commission Decision 2000/609/EC ⁽³⁾ establishes animal and public health conditions and veterinary certification for imports of farmed ratite meat.
- (10) Because of the improved animal health status of the Acceding States in relation to poultry, Estonia should be added to the list of third countries that are, in principle, authorised to import fresh poultrymeat into the EU as laid down in Commission Decision 94/85/EC. This will also allow Estonia to be authorised to import wild feathered game meat as laid down in Commission Decision 94/86/EC ⁽⁴⁾.
- (11) It is also appropriate to include Estonia, Malta and Latvia in Commission Decision 94/984/EC for the importation of fresh poultrymeat, and in Commission Decision 2000/609/EC for the importation of live ratites and hatching eggs.
- (12) Commission Decision 2000/585/EC ⁽⁵⁾ lays down animal and public health conditions and veterinary certifications for import of wild and farmed game meat and rabbit meat from third countries. In order to take account of the improved health status of the Acceding States, Malta should be added to the list of authorised third countries, and the existing third country lists and the specific conditions under which wild and farmed game meat and rabbit meat can be imported into the EU from other Acceding States should also be updated.
- (13) Commission Decision 97/222/EC ⁽⁶⁾ establishes a list of third countries or parts of third countries from which the importation of meat products is authorised.
- (14) Certain Acceding States continue to present an animal health risk associated with Classical Swine Fever in wild boar populations. In order to reflect both this but also the improved animal health status in the Acceding States, Commission Decision 97/222/EC should be amended.
- (15) It is opportune, where appropriate, to update certain country names, ISO codes and regionalisation definitions.
- (16) 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

Annexes I and II to Decision 95/233/EC are replaced by the text in Annex I and Annex II to this Decision.

Article 2

Annex I to Decision 96/482/EC is replaced by the text in Annex III to this Decision.

Article 3

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

Article 4

The Annex to Decision 94/85/EC is replaced by Annex V to this Decision.

Article 5

Annex I to Decision 94/984/EC is replaced by Annex VI to this Decision.

Article 6

Annex I to Decision 2000/609/EC is replaced by Annex VII to this Decision.

Article 7

Annex I to Decision 2000/585/EC is replaced by the text in Annex VIII to this Decision.

⁽¹⁾ OJ L 44, 17.2.1994, p. 31.

⁽²⁾ OJ L 378, 31.12.1994, p. 11.

⁽³⁾ OJ L 258, 12.10.2000, p. 9.

⁽⁴⁾ OJ L 44, 17.2.1994, p. 33.

⁽⁵⁾ OJ L 251, 6.10.2000, p. 1.

⁽⁶⁾ OJ L 98, 4.4.1997, p. 39.

Article 8

Annex II to Decision 2000/585/EC is replaced by the text in Annex IX to this Decision.

Article 9

Part I of the Annex to Decision 97/222/EC is replaced by the text in Annex X to this Decision.

Article 10

Part II of the Annex to Decision 97/222/EC is replaced by the text in Annex XI to this Decision.

Article 11

This Decision shall apply from 14 February 2004.

Article 12

This Decision is addressed to the Member States.

Done at Brussels, 28 January 2004.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

(amending Decision 95/233/EC)

'ANNEX I

List of third countries from which Member States authorise imports of live poultry and hatching eggs, ratites and eggs thereof excluded

This is a list in principle and importations shall fulfil the relevant animal and public health requirements.

ISO code	Country
AU	Australia
BG	Bulgaria
BR	Brazil
CA	Canada
CH	Switzerland
CL	Chile
CY (*)	Cyprus(*)
CZ (*)	Czech Republic(*)
EE (*)	Estonia (*)
HR	Croatia
HU (*)	Hungary(*)
IL	Israel
LT (*)	Lithuania (*)
LV (*)	Latvia(*)
MT (*)	Malta (*)
NZ	New Zealand
PL (*)	Poland(*)
RO	Romania
SI (*)	Slovenia(*)
SK (*)	Slovak Republic(*)
TN	Tunisia
US	United States of America

(*) Only applicable until this Acceding State becomes a Member State of the Community.'

ANNEX II

(amending Decision 95/233/EC)

'ANNEX II

List of third countries from which Member States authorise imports of live ratites and eggs thereof

This is a list in principle and importations shall fulfil the relevant animal and public health requirements.

ISO code	Country
AU	Australia
BG	Bulgaria
BR	Brazil
BW	Botswana
CA	Canada
CH	Switzerland
CL	Chile
CY (*)	Cyprus(*)
CZ (*)	Czech Republic(*)
EE (*)	Estonia(*)
HR	Croatia
HU (*)	Hungary(*)
IL	Israel
KE	Kenya
LT (*)	Lithuania(*)
LV (*)	Latvia(*)
MT (*)	Malta(*)
NA	Namibia
NZ	New Zealand
PL (*)	Poland(*)
RO	Romania
SI (*)	Slovenia(*)
SK (*)	Slovak Republic(*)
TN	Tunisia
US	United States of America
ZA	South Africa
ZW	Zimbabwe

(*) Only applicable until this Acceding State becomes a Member State of the Community.'

ANNEX III

(amending Decision 96/482/EC)

‘ANNEX I

PART I

List of third countries or parts of third countries which are authorised to use the model certificates A to D laid down in Annex I part II are marked with an x

ISO-Code	Country	Parts of the territory	Model certificates to be used			
			Breeding/productive A	Hatching eggs B	Day-old chicks C	Slaughter/restocking D
AU	Australia		X	X	X	X
BG	Bulgaria		X	X	X	X
BR	Brazil	The States of Mato Grosso, Paraná, Rio Grande do Sul, Santa Catarina and São Paulo	X	X	X	X
CA	Canada		X	X	X	X
CH	Switzerland		X	X	X	X
CL	Chile		X	X	X	X
CY (*)	Cyprus(*)		X	X	X	X
CZ (*)	Czech Republic(*)		X	X	X	X
EE (*)	Estonia (*)		X	X	X	X
HR	Croatia		X	X	X	X
HU (*)	Hungary(*)		X	X	X	X
IL	Israel		X	X	X	X
LT (*)	Lithuania (*)		X	X	X	X
LV (*)	Latvia (*)		X	X	X	X
MT (*)	Malta (*)		X	X	X	X
NZ	New Zealand		X	X	X	X

ISO-Code	Country	Parts of the territory	Model certificates to be used			
			Breeding/productive A	Hatching eggs B	Day-old chicks C	Slaughter/restocking D
PL (*)	Poland(*)		X	X	X	X
RO	Romania		X	X	X	X
SI (*)	Slovenia(*)		X	X	X	X
SK (*)	Slovak Republic(*)		X	X	X	X
US	United States of America		X	X	X	X

(*) Only applicable until this Acceding State becomes a Member State of the Community.'

ANNEX IV

(amending Decision 2001/751/EC)

‘ANNEX I

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

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
EE (*)	Estonia(*)		A	C	E	G
HU (*)	Hungary(*)		A	C	E	G
IL	Israel		A	C	E	-
LT (*)	Lithuania(*)		A	C	E	G
LV (*)	Latvia(*)		A	C	E	G
MT (*)	Malta(*)		A	C	E	G
NA	Namibia		B	D	F	-
NZ	New Zealand		A	C	E	G

ISO-Code	Country	Parts of the territory	Breeding and production ratites	Hatching eggs of ratites	Day-old-chicks of ratites	Slaughter ratites
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	-

(*) Only applicable until this Acceding State becomes a Member State of the Community'

ANNEX V

(amending Decision 94/85/EC — poultrymeat)

‘ANNEX I

Imports from countries on this list must fulfil the relevant animal and public health requirements

ISO code	Country	Fresh poultrymeat	Special remarks
AR	Argentina	X	
AU	Australia	X	
BG	Bulgaria	X	
BR	Brazil	X	
BW	Botswana	X	Ratite meat only
CA	Canada	X	
CH	Switzerland	X	
CL	Chile	X	
CN	China (People's Republic)	X	
CY (*)	Cyprus (*)	X	
CZ (*)	Czech Republic (*)	X	
EE (*)	Estonia (*)	X	
HR	Croatia	X	
HU (*)	Hungary (*)	X	
IL	Israel	X	
IS	Iceland	X	
KR	Korea (Republic)	X	
LV (*)	Latvia (*)	X	
LT (*)	Lithuania (*)	X	
MG	Madagascar	X	
MT (*)	Malta (*)	X	
MY	Malaysia	X	Western Peninsular only
NA	Namibia	X	Ratite meat only
NZ	New Zealand	X	
PL (*)	Poland (*)	X	
RO	Romania	X	
SI (*)	Slovenia (*)	X	
SK (*)	Slovak Republic (*)	X	
TH	Thailand	X	
TN	Tunisia	X	
TR	Turkey	X	
US	United States of America	X	
UY	Uruguay	X	
ZA	South Africa	X	Ratite meat only
ZW	Zimbabwe	X	Ratite meat only

(*) Only applicable until this Acceding State becomes a Member State of the Community.’

ANNEX VI

(amending Decision 94/984/EC)

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 Shangdong	B
CY (*)	Cyprus (*)		A
CZ (*)	Czech Republic (*)		A
EE (*)	Estonia (*)		A
HR	Croatia		A
HU (*)	Hungary (*)		A
IL	Israel		A
LT (*)	Lithuania (*)		A
LV (*)	Latvia (*)		A
MT (*)	Malta (*)		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

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

ANNEX VII

(amending Decision 2000/609/EC)

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		A
AU	Australia		A
BG	Bulgaria		A
BR-1	Brazil	The States of Rio Grande do Sul, Santa Catarina, Paraná, São Paulo and Mato Grosso do Sul	A
BW	Botswana		B
CA	Canada		A
CH	Switzerland		A
CL	Chile		A
CY (*)	Cyprus (*)		A
CZ (*)	Czech Republic (*)		A
HR	Croatia		A
EE (*)	Estonia (*)		A
HU (*)	Hungary (*)		A
IL	Israel		A
LT (*)	Lithuania (*)		A
LV (*)	Latvia (*)		A
MT (*)	Malta (*)		A
NA	Namibia		B
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
ZA	South Africa		B
ZW	Zimbabwe		B

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

ANNEX VIII

(amending Decision 2000/585/EC)

‘ANNEX I

Description of territories of certain third countries established for animal health certification purposes

Country	Code of territory	Version	Description of territory
Bulgaria	BG-1	—	As described in Annex I of Commission Decision 98/371/EC ⁽¹⁾ (as last amended)
	BG-2	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
	BG-3	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
Brazil	BR-1	—	As described in Annex I of Commission Decision 94/984/EC ⁽²⁾ (as last amended)
Botswana	BW-01	02/2003	As described in Annex I of Commission Decision 1999/283/EC ⁽³⁾ (as last amended)
	BW-02	02/2003	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
Namibia	NA-01	—	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
Russia	RU-1	01/99	The region of Murmansk (Murmanskaya oblast)
Slovak Republic (*)	SK-1 (*)	1/2003	As described in Annex I of Commission Decision 98/371/EC (as last amended)
	SK-2 (*)	1/2003	As described in Annex I of Commission Decision 98/371/EC (as last amended)
Swaziland	SZ-01	1/2003-	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
South Africa	ZA-01	—	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
Zimbabwe	ZW-01	—	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
Any Country appearing in the first column of Annex II	ISO code as indicated in the first column of Annex II		The whole country

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

⁽¹⁾ OJ L 170, 29.5.1998, p. 16.⁽²⁾ OJ L 378, 31.12.1994, p. 11.⁽³⁾ OJ L 110, 12.4.1999, p. 16.’

ANNEX IX
(amending Decision 2000/585/EC)

‘ANNEX II

Animal health guarantees to be requested on certification of wild and farmed game meat and rabbit meat.

Country		Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		leporidae (rabbit and hare)				Other wild land mammals	
			Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit			
			MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾
AR	Argentina	AR	—		—		—		—		D	8	I		—		C		H		—	
AU	Australia	AU	A	9	F		J	9	G		D	8	I		—		C		H		E	
BG	Bulgaria	BG	—		—		—		—		D		I		—		C		H		—	
		BG-1	A		F		—		—		D		I		—		C		H		—	
		BG-2	A		F		—		—		D		I		—		C		H		—	
		BG-3	—		—		—		—		D		I		—		C		H		—	
BR	Brazil	BR	—		—		—		—		—		—		—		C		H		—	
		BR-1	—		—		—		—		D	8	I		—		C		H		—	
BW	Botswana	BW	—		—		—		—		—		—		B		C		H		—	
		BW-01	Ay	1, 2	Fy	2, 3	—		—		—		—		B		C		H		—	
		BW-02	Ax	1, 2	Fx	2, 3	—		—		—		—		B		C		H		—	
CA	Canada	CA	A	9	F		J	9	G		D	8	I		—		C		H		E	
CH	Switzerland	CH	A		F		J		G		D		I		—		C		H		—	
CL	Chile	CL	A	9	F		—		—		D	8	I		—		C		H		—	
CY (*)	Cyprus (*)	CY	A		F		J		G		D		I		—		C		H		E	
CZ (*)	Czech Republic (*)	CZ	A		F		J	7	G		D		I		—		C		H		E	
EE (*)	Estonia (*)	EE	A		F		J	7	G		D		I		—		C		H		E	

Country		Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		leporidae (rabbit and hare)				Other wild land mammals	
			Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit			
			MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾
GL	Greenland	GL	A		F		—		—		D		—		—		C		H		E	
HR	Croatia	HR	A		F		—		—		D		I		—		C		H		—	
HU (*)	Hungary (*)	HU	A		F		J	7	G		D		I		—		C		H		E	
IL	Israel	IL	—		—		—	—	—		D	8	I		—		C		H		—	
LT (*)	Lithuania (*)	LT	A		F		J	7	G		D		I		—		C		H		E	
LV (*)	Latvia (*)	LV	A		F		J	7	G		D		I		—		C		H		E	
MT (*)	Malta (*)	MT	A		F		J		G		D		I				C		H		E	
NA	Namibia	NA	—		—		—		—		—		—		B		C		H		—	
		NA-01	A	1, 2	F	2, 3	—		—		—		—		B		C		H		—	
NC	New Caledonia	NC	A		F		—		—		—		—		—		C		H		—	
NZ	New Zealand	NZ A	A	9	F		J	9	G		D	8	I		—		C		H		E	
PL (*)	Poland (*)	PL	A		F		J	7	G		D		I		—		C		H		E	
RO	Romania	RO	A		F		—		—		D		I		—		C		H		E	
RU	Russia	RU	—		—	—	—		—		—		—	—	—		C		H		E	
		RU-1	—	—	F	5			—		—						C		H		E	
SI (*)	Slovenia (*)	SI	A		F		J	7	G		D		I		—		C		H		E	
SK (*)	Slovak Republic (*)	SK-1	A		F		—		—		D		I		—		C		H		E	
		SK-2	A		F		J	7	G		D		I		—		C		H		E	
SZ	Swaziland	SZ	—		—		—		—		—		—		B		C		H		—	
		SZ-01	A	1, 2	F	2, 3	—		—		—		—		B		C		H		—	

Country		Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		leporidae (rabbit and hare)				Other wild land mammals	
			Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit			
			MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾
TH	Thailand	TH	—		—		—		—		D	8	I		—		C		H		—	
TN	Tunisia	TN	—		—		—		—		D	8	I		—		C		H		—	
US	United States of America	US	A	9	F		J	9	G		D	8	I		—		C		H		—	
UY	Uruguay	UY	—		—		—		—		—		—		—		C		H		—	
ZA	South Africa	ZA	—		—		—		—		—		—		B		C		H		—	
		ZA-01	A	1, 2	F	2, 3	—		—						B		C		H		—	
ZW	Zimbabwe	ZW	—		—		—		—		—		—				C		H		—	
		ZW-01	—		—		—		—								C		H		—	
Third countries, other than those above, appearing on the list of the first part of the Annex to Decision 79/542/EEC as last amended			—		—		—		—		—		—		—		C		H		—	

NB

^y Meat produced from animals slaughtered after 7 July 2002 and before 23 December 2002 and meat produced from animals slaughtered after 7 June 2003 can be imported into the Community.

^x Meat produced from animals slaughtered after 7 March 2002 can be imported into the Community.

^(*) Only applicable until this Acceding State becomes a Member State of the Community

⁽¹⁾ MC: model certificate to be completed. The letters (A, B, C, D, etc.) appearing in the tables refer to the models of animal health guarantees, as described in Annex III to the present Decision, to be applied for each category of fresh meat and origin in accordance with Article 2 of this Decision. A dash “—” indicates that imports are not authorised.

⁽²⁾ SC: specific conditions. The numbers (1, 2, 3, etc.) appearing in the table refer to the special conditions to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in section V of each model of certificate set down in Annex III.

ANNEX X

(amending Decision 97/222/EC)

PART I

Description of regionalised territories as laid down for the countries listed in parts II — III

Country	Territory		Description of territory
	Code	Version	
AR Argentina	AR-1	1/2002	As described in Annex I of Commission Decision 93/402/EC ⁽¹⁾ (as last amended)
	AR-3	1/2002	As described in Annex I of Commission Decision 93/402/EC (as last amended)
BG Bulgaria	BG		Whole country
	BG-1	—	As described in Annex I of Commission Decision 98/371/EC ⁽²⁾ (as last amended)
	BG-2	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
	BG-3	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
BR Brazil	BR		Whole country
	BR-1	—	As described in Annex I of Commission Decision 94/984/EC ⁽³⁾ (as last amended)
SCG Serbia and Montenegro	SCG		Whole country
	SCG-1	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
	SCG-2	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
MY Malaysia	MY		Whole country
	MY-1	95/1	Peninsular (Western) Malaysia only
SK Slovak Republic (*)	SK (*)		Whole country
	SK-1 (*)	1/2003	As described in Annex I of Commission Decision 98/371/EC (as last amended)
	SK-2 (*)	1/2003	As described in Annex I of Commission Decision 98/371/EC (as last amended)

(*) Only applicable until this Acceding State becomes a Member State of the Community

⁽¹⁾ OJ L 179, 22.7.1993, p. 11.⁽²⁾ OJ L 110, 28.4.1999, p. 16.⁽³⁾ OJ L 378, 31.12.1999, p. 11.

ANNEX XI

(amending Decision 97/222/EC)

PART II

Third countries or parts thereof from where meat products are authorised for importation into the European Community

Code ISO	Country of origin or part thereof	1. Domestic bovine 2. Farmed cloven-hoofed game (excluding swine)	Domestic ovine/caprine	1. Domestic porcine 2. Farmed cloven-hoofed game (swine)	Domestic soliped	1. Domestic poultry 2. Farmed feathered game	Domestic rabbit and farmed leporidae	Wild cloven-hoofed game (excluding swine)	Wild swine	Wild soliped	Wild leporidae (rabbits and hares)	Wild game birds	Wild land mammalian game (excluding ungulates, solipeds and leporidae)
AR	Argentina AR-1 ⁽¹⁾	C	C	C	A	A	A	C	C	—	A	D	—
	Argentina AR-3 ⁽¹⁾	A ⁽⁴⁾	A ⁽⁴⁾	C	A	A	A	C	C	—	A	D	—
AU	Australia	A	A	A	A	A	A	A	A	—	A	A	A
BG	Bulgaria BG	D	D	D	A	D	A	D	D	—	A	D	—
	Bulgaria BG-1	A	A	D	A	D	A	A	D	—	A	D	—
	Bulgaria BG-2	A	A	D	A	D	A	A	D	—	A	D	—
	Bulgaria BG-3	D	D	D	A	D	A	D	D	—	A	D	—
BH	Bahrain	B	B	B	B	—	A	C	C	—	A	—	—
BR	Brazil	C	C	C	A	D	A	C	C	—	A	D	—
	Brazil BR-1	C	C	C	A	A	A	C	C	—	A	A	—
BW	Botswana	B	B	B	B	—	A	B	B	A	A	—	—
BY	Belarus	C	C	C	B	—	A	C	C	—	A	—	—
CA	Canada	A	A	A	A	A	A	A	A	—	A	A	A

Code ISO	Country of origin or part thereof	1. Domestic bovine 2. Farmed cloven-hoofed game (excluding swine)	Domestic ovine/caprine	1. Domestic porcine 2. Farmed cloven-hoofed game (swine)	Domestic soliped	1. Domestic poultry 2. Farmed feathered game	Domestic rabbit and farmed leporidae	Wild cloven-hoofed game (excluding swine)	Wild swine	Wild soliped	Wild leporidae (rabbits and hares)	Wild game birds	Wild land mammalian game (excluding ungulates, solipeds and leporidae)
CH	Switzerland	A	A	A	A	A	A	A	D	—	A	A	—
CL	Chile	A	A	A	A	A	A	B	B	—	A	A	—
CN	People's Rep. of China	B	B	B	B	B	A	B	B	—	A	B	—
CO	Colombia	B	B	B	B	—	A	B	B	—	A	—	—
CY (*)	Cyprus (*)	A	A	A	A	A	A	A	A	—	A	A	A
CZ (*)	Czech Republic CZ (*)	A	A	A	A	A	A	A	A	—	A	A	A
EE (*)	Estonia (*)	A	A	A	A	A	A	A	A	—	A	A	A
ET	Ethiopia	B	B	B	B	—	A	B	B	—	A	—	—
GL	Greenland	—	—	—	—	—	A	—	—	—	A	A	A
HK	Hong Kong	B	B	B	B	D	A	B	B	—	A	—	—
HR	Croatia	A	A	D	A	A	A	A	D	—	A	A	—
HU (*)	Hungary (*)	A	A	A	A	A	A	A	A	—	A	A	A
IL	Israel	B	B	B	B	D	A	B	B	—	A	D	—
IN	India	B	B	B	B	—	A	B	B	—	A	—	—

Code ISO	Country of origin or part thereof	1. Domestic bovine 2. Farmed cloven-hoofed game (excluding swine)	Domestic ovine/caprine	1. Domestic porcine 2. Farmed cloven-hoofed game (swine)	Domestic soliped	1. Domestic poultry 2. Farmed feathered game	Domestic rabbit and farmed leporidae	Wild cloven-hoofed game (excluding swine)	Wild swine	Wild soliped	Wild leporidae (rabbits and hares)	Wild game birds	Wild land mammalian game (excluding ungulates, solipeds and leporidae)
IS	Iceland	B	B	B	A	—	A	B	B	—	A	—	—
KE	Kenya	B	B	B	B	—	A	B	B	—	A	—	—
KR	Korea (Rep.)	—	—	—	—	D	A	—	—	—	A	D	—
LT (*)	Lithuania (*)	A	A	A	A	A	A	A	A	—	A	A	A
LV (*)	Latvia (*)	A	A	A	A	A	A	A	A	—	A	A	A
MA	Morocco	B	B	B	B	—	A	B	B	—	A	—	—
MG	Madagascar	B	B	B	B	D	A	B	B	—	A	D	—
MK (Δ)	Former Yugoslav Rep. of Macedonia (Δ)	A	A	B	A	—	A	B	B	—	A	—	—
MT (*)	Malta (*)	A	A	A	A	A	A	A	A	—	A	A	A
MU	Mauritius	B	B	B	B	—	A	B	B	—	A	—	—
MX	Mexico	A	D	D	A	D	A	D	D	-	A	D	—
MY	Malaysia MY	—	—	—	—	—	—	—	—	—	—	—	—
	Malaysia MY-1	—	—	—	—	D	A	—	—	—	A	D	—
NA	Namibia (1)	B	B	B	B	D	A	B	B	A	A	D	—
NZ	New Zealand	A	A	A	A	A	A	A	A	—	A	A	A

Code ISO	Country of origin or part thereof	1. Domestic bovine 2. Farmed cloven-hoofed game (excluding swine)	Domestic ovine/caprine	1. Domestic porcine 2. Farmed cloven-hoofed game (swine)	Domestic soliped	1. Domestic poultry 2. Farmed feathered game	Domestic rabbit and farmed leporidae	Wild cloven-hoofed game (excluding swine)	Wild swine	Wild soliped	Wild leporidae (rabbits and hares)	Wild game birds	Wild land mammalian game (excluding ungulates, solipeds and leporidae)
PL (*)	Poland (*)	A	A	A	A	A	A	A	A	—	A	A	A
PY	Paraguay	C	C	C	B	—	A	C	C	—	A	—	—
RO	Romania	A	A	D	A	A	A	A	D	—	A	A	A
RU	Russia	C	C	C	B	—	A	C	C	—	A	—	A
SG	Singapore	B	B	B	B	D	A	B	B	—	A	—	—
SI (*)	Slovenia (*)	A	A	A	A	A	A	A	A	—	A	A	A
SK (*)	Slovak Republic (*)	A	A	—	A	A	A	A	—	—	A	A	A
	Slovak Republic SK-1 (*)	A	A	D	A	A	A	A	D	—	A	A	A
	Slovak Republic SK-2 (*)	A	A	A	A	A	A	A	A	—	A	A	A
SZ	Swaziland	B	B	B	B	—	A	B	B	A	A	—	—
TH	Thailand	B	B	B	B	A	A	B	B	—	A	D	—
TN	Tunisia	C	C	B	B	A	A	B	B	—	A	D	—
TR	Turkey	—	—	—	—	D	A	—	—	—	A	D	—
UA	Ukraine	—	—	—	—	—	A	—	—	—	A	—	—
US	United States of America	A	A	A	A	A	A	A	A	—	A	A	—

Code ISO	Country of origin or part thereof	1. Domestic bovine 2. Farmed cloven-hoofed game (excluding swine)	Domestic ovine/caprine	1. Domestic porcine 2. Farmed cloven-hoofed game (swine)	Domestic soliped	1. Domestic poultry 2. Farmed feathered game	Domestic rabbit and farmed leporidae	Wild cloven-hoofed game (excluding swine)	Wild swine	Wild soliped	Wild leporidae (rabbits and hares)	Wild game birds	Wild land mammalian game (excluding ungulates, solipeds and leporidae)
UY	Uruguay	C	C	B	A	D	A	—	—	—	A	D	—
SCG	Serbia and Montenegro	D	D	D	A	D	A	C	C	—	A	—	—
	Serbia and Montenegro SCG-1	D	D	D	A	D	A	C	D	—	A	—	—
	Serbia and Montenegro SCG-2	D	D	D	A	D	A	C	C	—	A	—	—
ZA	South Africa ⁽¹⁾	C	C	C	A	D	A	C	C	A	A	D	—
ZW	Zimbabwe ⁽¹⁾	C	C	B	A	D	A	B	B	—	A	D	—

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

— No certificate laid down and meat products are not authorised.

⁽¹⁾ See Part III for minimum treatment requirements for pasteurised meat products and biltong.

⁽²⁾ For meat products prepared from fresh meat of domestic porcines in accordance with Decision 98/371/EC as last amended.

⁽³⁾ For meat products prepared from fresh meat of farmed cloven-hoofed game (swine).

⁽⁴⁾ For meat products prepared from fresh meat obtained from animals slaughtered after 1st of March 2002.

(Δ) Former Yugoslav Republic of Macedonia: provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.'

COMMISSION DECISION

of 29 January 2004

amending Decision 96/333/EC establishing health certification of live bivalve molluscs, echinoderms, tunicates and marine gastropods from third countries which are not yet covered by a specific decision

*(notified under document number C(2004) 146)***(Text with EEA relevance)**

(2004/119/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

- (1) Commission Decision 96/333/EC of 3 May 1996 establishing health certification of live bivalve molluscs, echinoderms, tunicates and marine gastropods from third countries which are not yet covered by a specific decision ⁽²⁾, is applicable until 31 December 2003.
- (2) Commission Decision 97/20/EC ⁽³⁾, establishes the list of third countries fulfilling the equivalence conditions for the production and placing on the market of bivalve molluscs, echinoderms, tunicates and marine gastropods. Part II of that list contains the third countries which might be the subject of a provisional decision based on Council Decision 95/408/EC ⁽⁴⁾.
- (3) Under Decision 95/408/EC, the list of countries is applicable until 31 December 2005. Therefore the date of validity of Decision 96/333/EC should be amended to bring it in line with the date of validity of the provisional list.

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 5 of Decision 96/333/EC 'to 31 December 2003' is replaced by 'to 31 December 2005'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 January 2004.

For the Commission

David BYRNE

Member of the Commission

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

⁽²⁾ OJ L 127, 25.5.1996, p. 33. Decision as last amended by Decision 2001/65/EC (OJ L 22, 24.1.2001, p. 38).

⁽³⁾ OJ L 6, 10.1.1997, p. 46. Decision as last amended by Decision 2002/469/EC (OJ L 163, 21.6.2002, p. 16).

⁽⁴⁾ OJ L 243, 11.1.1995, p. 17. Decision as last amended by Decision 2003/912/EC (OJ L 345, 31.12.2003, p. 112).

COMMISSION DECISION

of 29 January 2004

amending Council Decision 97/788/EC as regards checks carried out by Serbia and Montenegro concerning the maintenance of varieties of fodder, beet, oil and fibre plants*(notified under document number C(2004) 147)***(Text with EEA relevance)**

(2004/120/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/788 of 17 November 1997 on the equivalence of checks on practices for the maintenance of varieties carried out in third countries ⁽¹⁾, and in particular Article 2 thereof,

Whereas:

- (1) Decision 97/788/EC determined that the official checks on practices for the maintenance of varieties carried out in certain third countries for certain species afford the same guarantees as those carried out by the Member States, pursuant to Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agriculture plant species ⁽²⁾.
- (2) Decision 97/788 applies to the Federal Republic of Yugoslavia (now known as Serbia and Montenegro) only as regards varieties of certain species.
- (3) An examination of the rules of Serbia and Montenegro and the manner in which they are applied in respect of the species listed in Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽³⁾, in Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed ⁽⁴⁾ and in Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants ⁽⁵⁾ have shown that the checks on practices for the maintenance of varieties afford the same guarantees as those carried out by the Member States.

- (4) The equivalence granted to Serbia and Montenegro should be extended to these additional species.

- (5) Decision 97/788/EC should therefore be amended accordingly.

- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 97/788/EC is amended as follows.

In the entry beside the code 'YU' relating to the Federal Republic of Yugoslavia, '66/402' is replaced by '66/401, 66/402, 2002/54 and 2002/57'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 January 2004.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 322, 25.11.1997, p. 39. Decision as amended by Decision 2002/580/EC (OJ L 184, 13.7.2002, p. 26).

⁽²⁾ OJ L 193, 20.7.2002, p. 1. Directive as last amended by Regulation (EC) No 1829/2003 of the European Parliament and of the Council (OJ L 268, 18.10.2003, p. 1).

⁽³⁾ OJ L 125, 11.7.1966, p. 2298/66. Directive as last amended by Directive 2003/61/EC (OJ L 165, 3.7.2003, p. 23).

⁽⁴⁾ OJ L 193, 20.7.2002, p. 12. Directive as last amended by Directive 2003/61/EC.

⁽⁵⁾ OJ L 193, 20.7.2002, p. 60. Directive as amended by Directive 2003/61/EC.

COMMISSION DECISION**of 6 February 2004****adjusting the thresholds referred to in Article 157(b) and Article 158(1)(a) and (c) of Regulation (EC, Euratom) No 2342/2002 laying down detailed rules for the implementation of the Financial Regulation**

(2004/121/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾, and in particular Article 271 thereof,

Whereas:

- (1) Article 271(2) stipulates that the thresholds applicable to public procurement contracts are to be adjusted every two years pursuant to the provisions of the directives on the coordination of public procurement procedures.
- (2) The euro equivalents of the thresholds, fixed in SDR ⁽²⁾ in the directives, which are to be applied from 1 January 2004 have been published in the Official Journal ⁽³⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The euro equivalents of the thresholds applicable to public procurement contracts shall be adjusted as set out below, with effect from 1 January 2004:

Two-yearly adjustment	Threshold at 1.1.2003	Threshold at 1.1.2004
Article 157(b)	EUR 6 242 028	EUR 5 923 624
Article 158(1)(a)	EUR 162 293	EUR 154 014
Article 158(1)(c)	EUR 6 242 028	EUR 5 923 624

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*. It shall be notified to the other institutions and bodies by the Commission's accounting officer.

Done at Brussels, 6 February 2004.

For the Commission
Michaele SCHREYER
Member of the Commission

⁽¹⁾ OJ L 357, 31.12.2002, p. 1.

⁽²⁾ Special drawing rights.

⁽³⁾ OJ C 309, 19.12.2003, p. 14.

COMMISSION DECISION
of 6 February 2004
concerning certain protection measures in relation to avian influenza in several Asian countries

(notified under document number C(2004) 389)

(Text with EEA relevance)

(2004/122/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 18(1) and (6) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽³⁾, and in particular Article 22(1), (5) and (6) thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in poultry and birds, causing mortality and disturbances which can quickly take epizootic proportions liable to present a serious threat to animal and public health and to reduce sharply the profitability of poultry farming.
- (2) Avian influenza has been confirmed in several Asian countries including Cambodia, Indonesia, Japan, Laos, Pakistan, the People's Republic of China including the territory of Hong Kong, South Korea, Thailand and Vietnam.
- (3) As of 3 February 2004 12 human cases of infection with the avian influenza virus strain have been reported in Vietnam and Thailand, some of which were fatal.
- (4) The importation of live poultry and live ratites including their hatching eggs, which could pose a risk for disease introduction into the Community, is not authorised from any of these countries.
- (5) Commission Decision 94/984/EC ⁽⁴⁾ lays down the health conditions and veterinary certificates for imports of fresh poultrymeat; Thailand and parts of the territory of the People's Republic of China are included in this Decision.

(6) Commission Decision 2000/609/EC ⁽⁵⁾ lays down animal and public health conditions and veterinary certificates for imports of fresh meat of farmed ratites; Thailand is included in this Decision.

(7) Commission Decision 2000/572/EC ⁽⁶⁾ lays down animal and public health conditions and veterinary certification for imports of minced meat and meat preparations from third countries; Thailand and parts of the territory of the People's Republic of China are authorised under this Decision for imports into the Community of such products.

(8) Commission Decision 2000/585/EC ⁽⁷⁾ lays down animal and public health conditions and veterinary certification for imports of wild and farmed game meat and rabbit meat from third countries and Thailand is included in this Decision.

(9) Imports obtained from birds slaughtered after 1 January 2004 from Thailand to the Community of the following products: (a) fresh meat of poultry, ratites, wild and farmed feathered game; (b) meat preparations and meat products consisting of, or containing, meat of those species; (c) raw material for pet food production and of eggs for human consumption, have been suspended by Commission Decision 2004/84/EC ⁽⁸⁾, and imports of these products are not authorised from any of the other countries mentioned above.

(10) In accordance with Chapter 14(1)(B) of Annex I to Council Directive 92/118/EEC (only applicable until 30 April 2004) and with Regulation (EC) No 1774/2002, the importation of unprocessed poultry manure can only be authorised from those third countries authorised to import into the Community fresh poultrymeat and therefore such imports will no longer be able to be authorised by these provisions.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 162, 1.7.1996, p. 1.

⁽³⁾ OJ L 24, 31.1.1998, p. 9.

⁽⁴⁾ OJ L 378, 31.12.1994, p. 11, as last amended by Decision 2002/477/EC (OJ L 164, 22.6.2002, p. 39).

⁽⁵⁾ OJ L 258, 12.10.2000, p. 49, as last amended by Decision 2003/573/EC (OJ L 194, 1.8.2003, p. 89).

⁽⁶⁾ OJ L 240, 23.9.2000, p. 19.

⁽⁷⁾ OJ L 251, 6.10.2000, p. 1, as last amended by Decision 2002/646/EC (OJ L 211, 7.8.2002, p. 23).

⁽⁸⁾ OJ L 17, 24.1.2004, p. 57.

- (11) Commission Decision 97/222/EC⁽¹⁾, lays down the list of third countries from which Member States may authorise the importation of meat products, and establishes treatment regimes in order to prevent the risk of disease transmission via such products. The treatment that must be applied to the product depends on the health status of the country of origin, in relation to the species the meat is obtained from; in order to avoid an unnecessary burden on trade, imports of poultrymeat products originating in Thailand treated to a temperature of at least 70 °C throughout the product should continue to be authorised.
- (12) In relation to animal health requirements, the importation of fresh poultrymeat from certain parts of the territory in the People's Republic of China into the Community was authorised, but then it has been suspended by Commission Decision 2002/69/EC⁽²⁾ since early 2002 in relation to certain public health requirements. In view of the present avian influenza situation it is appropriate for reasons of clarity and legal certainty to suspend the importation of fresh poultrymeat, of meat preparations consisting of or containing any parts of poultry, and of raw pet food and feed material containing any parts of poultry also from an animal health point of view.
- (13) In relation to animal health requirements, the importation of eggs for human consumption is in principle authorised from Thailand, the People's Republic of China and South Korea, but none of these countries has provided all the necessary public health guarantees that are required to allow such imports. However, for reasons of clarity and legal certainty it is therefore appropriate to prohibit such imports also on animal health grounds.
- (14) In accordance with Directive 92/118/EEC⁽³⁾ (only applicable until 30 April 2004), and with Regulation (EC) No 1774/2002 of the European Parliament and of the Council⁽⁴⁾, the importation of non-treated game trophies from birds originating from Thailand, the People's Republic of China and South Korea is currently authorised. In view of the current avian influenza situation these imports should be suspended, thus preventing any risk of disease introduction into the Community.
- (15) In accordance with Directive 92/118/EEC (only applicable until 30 April 2004) and with Regulation (EC) No 1774/2002, the importation of unprocessed feathers and parts of feathers originating from the Asian countries affected by avian influenza listed in recital 2 is currently authorised. In view of the current avian influenza situation these imports should be suspended, thus preventing any risk of disease introduction into the Community. However the importation of feathers may be authorised with an accompanying commercial document that states that the feathers have undergone a certain treatment.
- (16) In accordance with Commission Decision 2000/666/EC⁽⁵⁾, importation of birds other than poultry was authorised from all member countries of the OIE (World Organisation for Animal Health), subject to animal health guarantees provided by the country of origin and to strict post-import quarantine measures in the Member States, thus preventing the possible introduction of poultry diseases into Community poultry flocks.
- (17) However, given the exceptional disease situation in several Asian countries and the potential serious consequences related to the specific avian influenza virus strains involved, as an additional precautionary measure the importation of birds other than poultry, and also of pet birds accompanying their owners into the Community from Cambodia, Indonesia, Japan, Laos, Pakistan, People's Republic of China including the territory of Hong Kong, South Korea, Thailand and Vietnam has been suspended by Commission Decision 2004/93/EC⁽⁶⁾ in order to exclude any possible risk for disease occurrence in quarantine stations under the authority of the Member States.
- (18) In order to consolidate the measures adopted in relation to avian influenza in Asia and to make the necessary technical and legal adaptations, Decisions 2004/84/EC and 2004/93/EC should be repealed and a new Decision adopted.
- (19) 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

1. Member States shall suspend the importation from the territory of Thailand of:

— fresh meat of poultry, ratites, farmed and wild feathered game,

⁽¹⁾ OJ L 89, 4.4.1997, p. 39, as last amended by Decision 2003/826/EC (OJ L 311, 27.11.2003, p. 29).

⁽²⁾ OJ L 30, 31.1.2002, p. 50, replaced by Decision 2002/994/EC (OJ L 348, 21.1.2002, p. 154) as last amended by Decision 2003/72/EC (OJ L 26, 31.1.2003, p. 84).

⁽³⁾ OJ L 62, 15.3.1993, p. 49, as last amended by Decision 2003/721/EC (OJ L 260, 11.10.2003, p. 21).

⁽⁴⁾ OJ L 273, 10.10.2002, p. 1.

⁽⁵⁾ OJ L 278, 31.10.2000, p. 26, as last amended by Decision 2002/279/EC (OJ L 99, 16.4.2002, p. 17).

⁽⁶⁾ OJ L 27, 30.1.2004, p. 55.

- meat preparations and meat products consisting of, or containing meat of those species,
- raw pet food and unprocessed feed material containing any parts of those species, and
- eggs for human consumption and non treated game trophies from any birds.

2. By derogation from paragraph 1, Member States shall authorise the importation of the products covered by this Article which have been obtained from birds slaughtered before 1 January 2004.

3. In the veterinary certificates/commercial documents accompanying consignments of the products mentioned in paragraph 2 the following words as appropriate to the species shall be included:

'Fresh poultrymeat/fresh ratite meat/fresh meat of wild feathered game/fresh meat of farmed feathered game/meat product consisting of, or containing meat of poultry, ratites, farmed or wild feathered game meat/meat preparation consisting of, or containing meat of poultry, ratites, farmed or wild feathered game meat/raw pet food and unprocessed feed material containing any parts of poultry, ratites, farmed or wild feathered game ^(A) obtained from birds slaughtered before 1 January 2004 and in accordance with Article 1(2) of Decision 2004/122/EC.

^(A) Delete as appropriate.'

4. By derogation from paragraph 1, Member States shall authorise the importation of meat products consisting of, or containing meat of poultry, ratites, farmed and wild feathered game, when the meat of these species has undergone one of the specific treatments referred to under points B, C or D in part IV of the Annex to Commission Decision 97/222/EC.

Article 2

Member States shall suspend the importation from the People's Republic of China of:

- fresh poultrymeat,
- meat preparations and meat products consisting of, or containing poultrymeat,
- raw pet food and unprocessed feed material containing any parts of poultry, and
- eggs for human consumption and non-treated game trophies from any birds.

Article 3

Member States shall suspend the importation from South Korea of:

- raw pet food and unprocessed feed material containing any parts of poultry, and
- eggs for human consumption and non-treated game trophies from any birds.

Article 4

1. Member States shall suspend the importation from Cambodia, Indonesia, Japan, Laos, Pakistan, the People's Republic of China including the territory of Hong Kong, South Korea, Thailand and Vietnam of:

- unprocessed feathers and parts of feathers, and
- 'live birds other than poultry' as defined in Decision 2000/666/EC, including birds accompanying their owners (pet birds).

2. For the importation of processed feathers or parts of feathers (excluding processed decorative feathers, processed feathers carried by travellers for their private use or consignments of processed feathers sent to private individuals for non industrial purposes) a commercial document stating that the processed feathers or parts thereof have been treated with a steam current or by some other method ensuring that no pathogens are transmitted shall accompany the consignment.

Article 5

Decisions 2004/84/EC and 2004/93/EC are repealed.

Article 6

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

Article 7

This Decision shall apply until 15 August 2004.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 6 February 2004.

For the Commission

David BYRNE

Member of the Commission