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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2489/93 of 9 September 1993 amending Regulation (EEC) No 1961/93 opening a standing invitation to tender for the export of cereals held by the French intervention agency	1
Commission Regulation (EEC) No 2490/93 of 9 September 1993 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	2
* Commission Regulation (EEC) No 2491/93 of 9 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 3950/92 as regards Community financing of the programme for restructuring milk production	5
Commission Regulation (EEC) No 2492/93 of 9 September 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal	8
Commission Regulation (EEC) No 2493/93 of 9 September 1993 fixing the premiums to be added to the import levies on cereals, flour and malt	10
Commission Regulation (EEC) No 2494/93 of 9 September 1993 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	12
Commission Regulation (EEC) No 2495/93 of 9 September 1993 fixing the corrective amount applicable to the refund on cereals	15
Commission Regulation (EEC) No 2496/93 of 9 September 1993 laying down special provisions, to apply during September 1993, in respect of the reference periods which trigger certain adjustments of the agricultural conversion rate	17

II *Acts whose publication is not obligatory*

Commission

93/491/EEC :

- ★ **Commission Decision of 28 July 1993 concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine and porcine species from New Zealand 18**

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2489/93

of 9 September 1993

**amending Regulation (EEC) No 1961/93 opening a standing invitation to tender
for the export of cereals held by the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2191/93⁽³⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas the final date of validity of export licences provided for in Commission Regulation (EEC) No 1961/93⁽⁴⁾, as amended by Regulation (EEC) No 2336/93⁽⁵⁾, should be amended;

Whereas 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

In Article 3 of Regulation (EEC) No 1961/93, the date '30 September 1993' is replaced by '30 November 1993'.

Article 2

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

It shall apply from 8 September 1993.

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

Done at Brussels, 9 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 177, 21. 7. 1993, p. 15.

⁽⁵⁾ OJ No L 213, 24. 8. 1993, p. 1.

COMMISSION REGULATION (EEC) No 2490/93

of 9 September 1993

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2046/92⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1900/92⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 6 and 7 September 1993 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 10 September 1993.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

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

Done at Brussels, 9 September 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽³⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 2491/93

of 9 September 1993

laying down detailed rules for the application of Council Regulation (EEC) No 3950/92 as regards Community financing of the programme for restructuring milk production

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector ⁽¹⁾, as last amended by Regulation (EEC) No 1560/93 ⁽²⁾, and in particular the third paragraph of Article 8 and Article 11 thereof,

Whereas the third paragraph of Article 8 of Regulation (EEC) No 3950/92 provides for the implementation at national level of a restructuring programme for milk production for which Community financing is to be granted; whereas the conditions under which the financing may be granted should be specified; whereas in particular it appears advisable to exclude from such financing certain reference quantities granted to producers on a priority basis and the release of which in return for compensation is not justified in the light of the aims pursued by the legislation in question; whereas, however, quantities obtained before 1 April 1987 need not be so excluded;

Whereas it is necessary to determine the maximum amount of the Community compensation for the abandonment of milk production; whereas, however, it may prove necessary in a given Member State to reduce or raise the level of compensation to take account of different local conditions; whereas Member States should therefore be authorized in certain conditions to supplement the Community financing; whereas it should also be possible for the Commission to increase the maximum amount of the compensation at the request of a Member State, and to deal with any exceptional situations which may arise there; whereas such increase may in no case result in the amounts as allocated in the third paragraph of Article 8 of Regulation (EEC) No 3950/92 being exceeded;

Whereas Member States must ensure that the conditions for the grant of compensation are complied with, and in particular that milk production is definitively abandoned, and that compensation unduly paid out is recovered; whereas for this purpose all applications must be the subject of administrative checks, and physical on-site inspections must be carried out;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Within the limits of the Community financing set in the third paragraph of Article 8 of Regulation (EEC) No 3950/92, Member States are hereby authorized to pay, at the request of the producers concerned, compensation up to a maximum of ECU 50 per 100 kilogrammes of the reference quantity released, in accordance with the first indent of the first paragraph of the said Article 8.

The following, however, shall not be eligible for the payment of compensation:

- reference quantities given up in 1993/94,
- reference quantities obtained from 1 April 1987 onwards pursuant to Article 3 (1) and (2) and/or Article 4 (1) (b) and (c) of Council Regulation (EEC) No 857/84 ⁽³⁾,
- reference quantities obtained pursuant to Articles 3b and 3c of Regulation (EEC) No 857/84 and/or Article 2 (4) (c) of Council Regulation (EEC) No 1637/91 ⁽⁴⁾ and/or the second and third indents of Article 3 (2) of Regulation (EEC) No 3950/92.

The amount of the compensation shall be converted into national currency using the agricultural conversion rate in force on 1 January 1994.

Member States may:

- (a) pay compensation at a rate lower than ECU 50 per 100 kilogrammes and use the balance to release additional quantities;
- (b) Community financing by increasing the amount of the compensation.

The amount of the increase may be adjusted by each Member State within its territory to take account of differing local conditions as regards:

⁽¹⁾ OJ No L 405, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 30.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 13; repealed by Regulation (EEC) No 3950/92.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 30.

- the development of milk production,
- the level of deliveries per producer,
- the need not to impede the restructuring of milk production,
- the opportunities of converting to other productive activities,
- the siting of milk production in one of the areas as defined in Article 3 (3), (4) and (5) of Council Directive 75/268/EEC⁽¹⁾.

2. Notwithstanding the first subparagraph of paragraph 1 and in order to deal with exceptional situations in a Member State, the Commission may at the duly reasoned request of the Member State concerned increase the maximum amount of compensation eligible for Community financing.

Article 2

Compensation shall not be paid until the producer has provided proof to the satisfaction of the competent authority that he has definitively abandoned milk production.

Member States shall take the control and surveillance measures necessary to ensure that the requirement of definitive abandonment and all other conditions linked to the grant of compensation are complied with. For this purpose they shall, in particular, perform administrative checks on all applications and carry out physical on-site inspections.

Article 3

Member States shall take the necessary steps to recover compensation already paid if the undertakings entered into have not been complied with. Amounts wrongly paid shall be repaid with interest calculated on the basis of the period which has elapsed between payment and reimbursement by the beneficiary. The interest rate may not be lower than the reference rate referred to in the Annex, as

applied in the Member State concerned on the day of reimbursement, plus one percentage point.

Member States shall inform the Commission of measures adopted to ensure that the conditions for the grant of compensation are complied with and shall notify it every six months starting on 1 April 1994 of the status of relevant administrative and legal procedures.

Amounts recovered along with interest payments shall be paid to the disbursing agencies or departments and deducted by them from the expenditure financed by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, without prejudice to Article 7 of Council Regulation (EEC) No 595/91⁽²⁾.

Article 4

Member States shall forward to the Commission :

- before 1 January 1994, the detailed rules which they have adopted, in particular the rules for submitting and accepting applications, the amount of the compensation and, where applicable, the amount of the additional payment,
- before 1 April 1994,
 - the number of applications accepted according to the size of the reference quantities concerned, the reference quantities released per region and the quantities intended for producers as referred to in the first indent of the second subparagraph of Article 3 (2) of Regulation (EEC) No 3950/92,
 - an evaluation report on the results of the programme, indicating the consequences for the regional development of milk production structures and, if possible, the reasons for which producers have participated in the programme.

Article 5

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

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

Done at Brussels, 9 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 67, 14. 3. 1991, p. 11.

ANNEX

Reference interest rate referred to in Article 3

1. *Belgium* :
Brussels three-month interbank borrowing offered rate
 2. *Denmark* :
Twelve-month treasury bill interest rate
 3. *Germany* :
Frankfurt three-month interbank borrowing offered rate
 4. *Greece* :
Three-month treasury bill interest rate
 5. *France* :
Paris three-month interbank borrowing offered rate
 6. *Spain* :
Madrid three-month interbank borrowing offered rate
 7. *Ireland* :
Dublin three-month interbank borrowing offered rate
 8. *Italy* :
Three-month treasury bill interest rate
 9. *Luxembourg* :
Three-month interbank rate
 10. *Netherlands* :
Amsterdam three-month interbank borrowing offered rate
 11. *Portugal* :
Lisbon three-month interbank borrowing offered rate
 12. *United Kingdom* :
London three-month interbank borrowing offered rate
-

**COMMISSION REGULATION (EEC) No 2492/93
of 9 September 1993**

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 8

September 1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1680/93 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 September 1993.

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

Done at Brussels, 9 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 8.

ANNEX

to the Commission Regulation of 9 September 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	138,13 ⁽²⁾ ⁽³⁾
0712 90 19	138,13 ⁽²⁾ ⁽³⁾
1001 10 00	68,43 ⁽¹⁾ ⁽²⁾
1001 90 91	88,07
1001 90 99	88,07 ⁽²⁾
1002 00 00	112,35 ⁽⁶⁾
1003 00 10	103,92
1003 00 20	103,92
1003 00 80	103,92 ⁽²⁾
1004 00 00	86,98
1005 10 90	138,13 ⁽²⁾ ⁽³⁾
1005 90 00	138,13 ⁽²⁾ ⁽³⁾
1007 00 90	140,94 ⁽⁴⁾
1008 10 00	20,67 ⁽²⁾
1008 20 00	28,03 ⁽⁴⁾
1008 30 00	28,03 ⁽²⁾
1008 90 10	(7)
1008 90 90	28,03
1101 00 00	159,51 ⁽²⁾
1102 10 00	194,80
1103 11 30	139,91
1103 11 50	139,91
1103 11 90	182,18
1107 10 11	167,64
1107 10 19	128,01
1107 10 91	195,86
1107 10 99	149,09
1107 20 00	171,96

(¹) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(²) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

(³) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

(⁴) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

(⁵) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(⁶) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

(⁷) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

(⁸) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

(⁹) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 2493/93

of 9 September 1993

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 12 (4) thereof,Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾,Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 8 September 1993, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 September 1993.

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

Done at Brussels, 9 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 9 September 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	9	10	11	12
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 30	0	0	0	0
1103 11 50	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	9	10	11	12	1
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2494/93

of 9 September 1993

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93⁽³⁾, laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals;

Whereas export possibilities exist for a quantity of 130 000 tonnes of wheat flour and 200 000 tonnes of barley to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89⁽⁴⁾, as last amended by Regulation (EEC) No 3570/92⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EEC) No 1533/93;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ prohibits trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas 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 export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 September 1993.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 362, 11. 12. 1992, p. 51.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 9 September 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 9 September 1993 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (¹)	Amount of refund (²)	Product code	Destination (¹)	Amount of refund (²)
0709 90 60 000	—	—	1005 90 00 000	04	75,00
0712 90 19 000	—	—		07	15,00
1001 10 00 200	—	—		02	0
1001 10 00 400	—	—	1007 00 90 000	—	—
1001 90 91 000	01	0	1008 20 00 000	—	—
1001 90 99 000	04	45,00	1101 00 00 100	09	92,00 (³)
	05	17,00		02	76,00
	08	18,00	1101 00 00 130	01	72,00
	02	15,00	1101 00 00 150	01	66,00
1002 00 00 000	03	25,00	1101 00 00 170	01	61,00
	06	17,00	1101 00 00 180	01	57,00
	02	15,00	1101 00 00 190	—	—
1003 00 10 000	08	62,00	1101 00 00 900	—	—
	02	0	1102 10 00 500	01	76,00
1003 00 20 000	01	40,00 (⁴)	1102 10 00 700	—	—
1003 00 80 000	04	25,00	1102 10 00 900	—	—
	02	15,00	1103 11 30 200	01	65,00 (⁵)
1004 00 00 200	—	—	1103 11 30 900	—	—
1004 00 00 400	—	—	1103 11 50 200	01	65,00 (⁵)
1005 10 90 000	—	—	1103 11 50 400	—	—
			1103 11 50 900	—	—
			1103 11 90 200	01	65,00 (⁵)
			1103 11 90 800	—	—

(¹) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Egypt, Morocco and Tunisia,
- 06 Korea and Japan,
- 07 Zones I, III b), VIII a), Cuba and Hungary,
- 08 Algeria,
- 09 Yemen.

(²) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

(³) No refund is granted when this product contains compressed meal.

(⁴) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 130 000 tonnes of wheat flour destined for Yemen.

(⁵) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 200 000 tonnes of barley destined for third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EEC) No 2495/93
of 9 September 1993
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 13 (4) thereof,

Whereas Article 13 (4) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Commission Regulation (EEC) No 1533/93⁽³⁾ laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals allows for the fixing of a corrective amount for the products listed in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 2 of Regulation (EEC) No 1533/93;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁵⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

Whereas 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 corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 September 1993.

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

Done at Brussels, 9 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 9 September 1993 fixing the corrective amount applicable to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		9	10	11	12	1	2	3
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	01	0	0	0	0	0	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 20 000	01	0	0	0	0	- 40,00	—	—
1003 00 80 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	03	0	0	0	- 70,00	- 70,00	—	—
	02	0	- 70,00	- 70,00	- 70,00	- 70,00	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 30 200	01	0	0	0	0	0	0	0
1103 11 30 900	—	—	—	—	—	—	—	—
1103 11 50 200	01	0	0	0	0	0	0	0
1103 11 50 400	01	0	0	0	0	0	0	0
1103 11 50 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	0	0	0	0
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

- 01 all third countries,
- 02 Other third countries,
- 03 Zones I, III b), VIII a), Cuba and Hungary.

NB: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EEC) No 2496/93

of 9 September 1993

laying down special provisions, to apply during September 1993, in respect of the reference periods which trigger certain adjustments of the agricultural conversion rate

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽¹⁾, and in particular Article 1 (d) and Article 12 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates ⁽²⁾ lays down the reference periods during the exchange rates are calculated, with a view to adjusting in accordance with the automatic rules specified in Article 4 of Regulation (EEC) No 3813/92 the representative market rates for floating currencies and, where applicable, their agricultural conversion rates;

Whereas the present monetary situation is characterized by speculative movements; whereas, in the case of certain currencies, sizeable movements in different directions have occurred over relatively short periods;

Whereas, following the monetary events of 2 August 1993, erratic monetary movements could result in frequent changes in the agricultural conversion rate; whereas such changes may adversely affect the func-

tioning of the agricultural markets and, in certain situations, producers' income; whereas, in order to avoid such consequences, the reference period should therefore be temporarily redefined;

Whereas the present monetary situation requires this Regulation to be implemented forthwith;

Whereas the Management Committees concerned have expressed no opinion on the measures in question,

HAS ADOPTED THIS REGULATION:

Article 1

If the exchange rates calculated for a floating currency during a reference period determined in accordance with Article 2 of Regulation (EEC) No 1068/93 result, during September 1993, in an adjustment of the agricultural conversion rate, the reference period adopted shall be that previously in force.

Article 2

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

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

Done at Brussels, 9 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 108, 1. 5. 1993, p. 106.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 July 1993

concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine and porcine species from New Zealand

(93/491/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 carpine animals and swine, fresh meat or meat products from third countries⁽¹⁾, as last amended by Regulation (EEC) No 1601/92⁽²⁾, and in particular Article 8 and 11 thereof,

Whereas Member States authorize imports of domestic animals of the bovine and porcine species in accordance with the provisions of Council Directive 91/496/EEC⁽³⁾, as last amended by Decision 92/438/EEC⁽⁴⁾, which laid down the principles governing the organization of veterinary checks on animals entering the Community from third countries;

Whereas following Community veterinary missions it appears that the animal health situation in New Zealand is controlled by veterinary services which can offer satisfactory guarantees concerning diseases which might be transmitted through the importation of domestic animals of the bovine or porcine species;

Whereas the responsible veterinary authorities of New Zealand have confirmed that New Zealand has during the last 24 months been free from foot-and-mouth disease and

during the last 12 months been free from rinderpest, contagious bovine pleuro-pneumonia, vesicular stomatitis, bluetongue, classical swine fever, African swine fever, porcine enteroviral encephalomyelitis (Teschén disease), swine vesicular disease and vesicular exanthema and that no vaccinations have been carried out against any of those diseases during the past 12 months;

Whereas the responsible veterinary authorities of New Zealand have undertaken to notify the Commission and the Member States, by telex or telefax, within 24 hours, of the confirmation of the occurrence of any of the above-mentioned diseases or of the adoption of vaccination against any of them or, within an appropriate period, of any proposed changes in the New Zealand import rules concerning bovine animals or swine or the semen or embryos thereof;

Whereas bovine brucellosis has been eradicated from New Zealand, whereas vaccination against bovine brucellosis is not permitted and whereas the measures taken by the responsible authorities of New Zealand to prevent a recrudescence of this disease are sufficient to equate the status of New Zealand herds, other than those under official restriction, with that of herds in the Community having the status of officially brucellosis-free;

Whereas, bovine tuberculosis is controlled by a national eradication scheme which equates herds, other than those under official restriction, with those of the Community having the status of officially brucellosis-free;

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽⁴⁾ OJ No L 243, 25. 8. 1992, p. 27.

Whereas the responsible veterinary authorities of New Zealand have undertaken to supervise officially the issue of certificates arising from this Decision and to ensure that all relevant certificates, declarations and statements on which export certification may have been based remain on official file for at least 12 months following the dispatch of the animals to which they refer;

Whereas the responsible veterinary authorities of New Zealand have undertaken not to permit the issue of the certificates described in the Annexes to this Decision in respect of animals which have been imported into New Zealand unless such animals were imported in accordance with veterinary conditions at least as strict as the relevant requirements of Directive 72/462/EEC, including any relevant subsidiary decisions;

Whereas given the distance between New Zealand and the Community and therefore the necessity for the means of transport carrying animals for importation to call at ports or airports outside the Community, it is necessary for Member States to ensure that the location of such ports of call does not compromise the animal health status of the consignment;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Without prejudice to paragraphs 2 and 4 of this Article. Member States shall authorize the importation from New Zealand of the following animals:

- (a) domestic animals of the bovine species for breeding or production which meet the requirements set out in the health certificate in Annex A and which are accompanied by such a certificate;
- (b) domestic animals of the bovine species for slaughter which meet the requirements set out in the health certificate in Annex B and which are accompanied by such a certificate;
- (c) domestic animals of the porcine species for breeding or production which meet the requirements set out in the health certificate in Annex C and which are accompanied by such a certificate;
- (d) domestic animals of the porcine species for slaughter which meet the requirements set out in the health certificate in Annex D and which are accompanied by such a certificate.

2. Member States shall authorize the importation from New Zealand of the domestic animals of the bovine or porcine species referred to in paragraph 1 which have

been imported into New Zealand only if such animals were imported from the Community or from a third country included in the list annexed to Council Decision 79/542/EEC⁽¹⁾ in so far as it covers domestic animals of these species and only if the importation was made in accordance with veterinary conditions at least as strict as the requirements laid down in Chapter II of Directive 72/462/EEC, including any relevant subsidiary decisions.

3. Member States shall require that animals which are submitted to tests in application of this Decision are continuously isolated, under conditions approved by an official veterinarian of New Zealand, from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals from the time of the first of such tests to the time of loading.

4. Member States shall permit the entry onto their territory from New Zealand of bovine animals only if such animals:

- (a) come from herds declared by the veterinary authorities of New Zealand to be enzootic bovine leukosis free within the meaning of Annex E to this Decision and have been subjected, within 30 days before export and with negative result, to an individual test for enzootic bovine leukosis carried out in accordance with the Protocol in Annex I to Commission Decision 91/189/EEC⁽²⁾;

or

- (b) are intended for meat production, are not more than 30 months of age and come from herds in which there has been no evidence whatever of enzootic bovine leukosis for at least two years and are permanently marked as described in Annex F;

or

- (c) are consigned directly to a slaughterhouse and are slaughtered within five working days of their arrival there.

In the case of the animals referred to at (b) and (c), Member States shall ensure, by inspection, that such animals are clearly identified, shall supervise them until slaughter and shall take all measures to prevent contamination of indigenous herds.

5. Member States shall prohibit the importation of domestic animals of the bovine or porcine species other than as indicated in paragraphs 1 to 4.

Article 2

To ensure that the health status of the animals is maintained throughout the journey Member States shall agree the itinerary in advance. The location of the proposed ports of call shall not present an animal health risk.

⁽¹⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽²⁾ OJ No L 96, 17. 4. 1991, p. 1.

Article 3

Pending the entry into force of any measures adopted by the Community for the eradication, prevention or control of a contagious or infectious bovine or porcine disease other than rabies, tuberculosis, burcellosis, foot-and-mouth disease, anthrax, rinderpest, contagious bovine pleuro-pneumonia, enzootic bovine leukosis, porcine enteroviral encephalomyelitis (Teschén disease), classical swine fever, African swine fever or swine vesicular disease, Member States may apply, in respect of animals imported from New Zealand, such additional health conditions as they apply to other animals within the framework of a national programme, submitted to and approved by the Commission, for the eradication, prevention or control of such disease.

As a temporary measure until 31 December 1993, Member States may apply the first paragraph in respect of national programmes which have been submitted to but not yet approved by the Commission, but in that case they must, without delay, provide the Commission and

the other Member States with details of the relevant health conditions.

Article 4

This Decision shall apply from the thirtieth day following its notification.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX A

ANIMAL HEALTH CERTIFICATE

for domestic animals of the bovine species for breeding and production intended for consignment to the European Economic Community

(This certificate must accompany the consignment. It covers only animals in the same category — breeding or production — transported in the same railway wagon, lorry, aircraft or ship and consigned to the same destination. It must be completed on the date of loading and all time limits referred to expire on that date.)

No :

Exporting country : New Zealand

Ministry :

Competent issuing authority :

Country of destination :

Reference :

(Optional)

Reference to accompanying animal welfare certificate :

I. Number of animals :

(In words)

II. Identification of animals

Number of animals	Cow, bull, ox, heifer, calf	Breed	Age	Official and other marks or brands (give number and position)

III. Origin of animals :

Name(s) and address(es) of farm(s) of origin :

.....

.....

IV. Destination of animals

The animals will be sent

from :

(Place of loading)

to :

(Place of destination)

by railway wagon/lorry/aircraft/ship :

(Indicate means of transport and registration marks, flight number or registered name, as appropriate)

Name and address of consignor :

.....

Name and address of consignee :

.....

V. Health information

I, the undersigned official veterinarian, hereby certify:

1. that New Zealand has during the past 24 months been free from foot-and-mouth disease and during the past 12 months been free from rinderpest, contagious bovine pleuro-pneumonia, vesicular stomatitis and bluetongue, that no vaccinations have been carried out against any of these diseases during the past 12 months and that the importation of animals vaccinated against foot-and-mouth disease is prohibited;

2. that the animals described in this certificate meet the following requirements:

- (a) — they were born on the territory of New Zealand and have remained there since birth,
or
— they were imported, not less than six months ago, from a Member State of the European Community or from a third country included in the list annexed to Council Decision 79/542/EEC, in accordance with veterinary conditions at least as strict as the relevant requirements of Directive 72/462/EEC, including any subsidiary decisions;

(Delete unwanted reference)

(b) they have been examined this day and show no clinical signs of disease;

(c) they have not been vaccinated against foot-and-mouth disease;

(d) they come from herds which are not restricted under the New Zealand tuberculosis eradication legislation,

— they have been subjected within the past 30 days and with negative result to an intradermal tuberculin test;

(Delete reference to test if certificate applies to animals under six weeks old)

(e) they come from herds which are not restricted under the New Zealand brucellosis eradication legislation,

— they have been subjected within the past 30 days to a serum agglutination test which showed a brucella count of less than 30 IU of agglutination per ml,

— they have not been vaccinated against brucellosis;

(Delete reference to test if certificate applies to animals under 12 months old or to male castrates of any age)

(f) they come from herds declared by the veterinary authorities of New Zealand to be enzootic bovine leukosis-free as defined in Annex E to Commission Decision 93/491/EEC and have been subjected, within the past 30 days and with negative result, to an individual test for enzootic bovine leukosis,

or

they are intended for meat production, are not more than 30 months of age and come from herds in which there has been no evidence whatever of that disease during the past two years and are marked in the manner defined in Annex F to Decision 93/491/EEC;

(Delete according to the category of animal to which this certificate applies)

(g) they show no clinical sign of mastitis and the analysis (and second analysis, where relevant) of the milk carried out according to Annex D to Council Directive 64/432/EEC within the past 30 days showed no characteristic inflammatory condition, no specific pathogenic micro-organism or, in the case of a second analysis, the presence of an antibiotic;

(Delete section unless certificate applies to dairy cows)

(h) they are not animals which are to be destroyed under a national contagious or infectious disease eradication programme;

(i) they have remained during the past 30 days, or since birth if less than 30 days old, on a holding or holdings situated in the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of New Zealand, during the past 30 days there has been no case of foot-and-mouth disease;

(j) they come from holdings on which there has been no evidence of:

- anthrax for the past 30 days,
- brucellosis for the past 12 months,
- tuberculosis for the past six months,
- rabies for the past six months;

(k) they have been subjected with negative result to the following test(s) and conform to the following guarantees, as required by a Member State in application of Article 2 of Commission Decision 93/491/EEC

.....
(Complete or delete as required by importing Member State)

(l) they have been continuously isolated under conditions approved by an official veterinarian from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals since the time of application of the first of the tests referred to in this certificate;

(m) they have not received thyrostatic, oestrogenic, androgenic or gestagenic substances for fattening purposes;

(n) they have been obtained directly from a holding or holdings without passing through any market,

.....
(Name of market. Delete if not applicable)

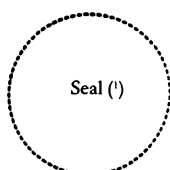
and until dispatched onto the territory of the European Community they did not come into contact with any cloven-hoofed animals other than bovine or porcine animals meeting the requirements of Decision 93/491/EEC and were not at any place other than a place situated at the centre of an area of 20 km diameter in which, according to official findings by the veterinary authorities of New Zealand, there had been no incidence of foot-and-mouth disease during the previous 30 days;

(o) any transport vehicles or containers in which they were loaded conform to international standards for the transport of live animals, were previously cleansed and disinfected with an officially authorized disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle during transportation.

VI. All tests referred to in this certificate have, except where otherwise indicated, been carried out according to the protocols set out in Annex I to Commission Decision 91/189/EEC. All loading places through which the animals have passed conform to the standards set out in Annex II to the same Decision.

VII. This certificate is valid for 10 days from the date of loading plus the duration of the journey.

Done at on



.....
(Signature of official veterinarian, who must be a veterinarian in the whole-time employment of the State of New Zealand)(¹)

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

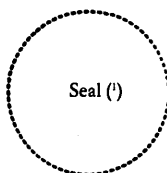
(¹) The signature and the seal must be in a colour different to that of the printing.

VIII. Declaration by captain of the aircraft or master of the ship

I, the undersigned, captain of aircraft (flight No)/master of ship (name), declare that the animals referred to in section II above have remained on board the aircraft/ship during the flight/voyage from in New Zealand to in the European Community and that the aircraft/ship did not land/call at any place outside New Zealand en route to the European Community other than :
.....

(Ports or airports of call en route)

Done at, on
(Port or airport of arrival) (Date of arrival)



.....
(Signature of captain or master)

.....
(Name in capital letters and title)

(¹) The signature and the seal must be in a colour different to that of the printing.

ANNEX B

ANIMAL HEALTH CERTIFICATE

for domestic bovine animals for immediate slaughter intended for consignment to the European Economic Community

(This certificate must accompany the consignment. It covers only animals transported in the same railway wagon, lorry, aircraft or ship, consigned to the same destination and intended to be taken immediately on arrival in the Member State of destination direct to a slaughterhouse and to be slaughtered not later than five working days after their entry in accordance with Article 13 of Council Directive 72/462/EEC. It must be completed on the date of loading and all time limits referred to expire on that date.)

No :

Exporting country : New Zealand

Ministry :

Competent issuing authority :

Country of destination :

Reference :

(Optional)

Reference to accompanying animal welfare certificate :

I. Number of animals :

(In words)

II. Identification of animals

Number of animals	Cow, bull, ox, heifer, calf	Breed	Age	Official and other marks or brands (give number and position)

III. Origin of animals :

Name(s) and address(es) of farm(s) of origin :

.....

.....

IV. Destination of animals

The animals will be sent

from :

(Place of loading)

to :

(Place of destination)

by railway wagon/lorry/aircraft/ship :

(Indicate means of transport and registration marks, flight number or registered name, as appropriate)

Name and address of consignor :

.....

Name and address of consignee :

.....

V. Health information

I, the undersigned official veterinarian, hereby certify :

1. that New Zealand has during the past 24 months been free from foot-and-mouth disease and during the past 12 months been free from rinderpest, contagious bovine pleuro-pneumonia, vesicular stomatitis and bluetongue, that no vaccinations have been carried out against any of these diseases during the past 12 months and that the importation of animals vaccinated against foot-and-mouth disease is prohibited ;

2. that the animals described in this certificate meet the following requirements :

- (a) — they were born on the territory of New Zealand and have remained there since birth,
or
— they were imported, not less than three months ago, from a Member State of the European Community or from a third country included in the list annexed to Council Decision 79/542/EEC, in accordance with veterinary conditions at least as strict as the relevant requirements of Directive 72/462/EEC, including any subsidiary decisions ;

(Delete unwanted reference)

(b) they have been examined this day and show no clinical signs of disease ;

(c) they have not been vaccinated against foot-and-mouth disease ;

(d) they come from herds which are not restricted under the New Zealand tuberculosis eradication legislation,

- they have been subjected within the past 30 days and with negative result to an intradermal tuberculin test ;

(Delete reference to test if certificate applies to animals under six weeks old)

(e) they come from herds which are not restricted under the New Zealand brucellosis eradication legislation,

- they have not been vaccinated against brucellosis ;

(f) they are not animals which are to be destroyed under a national contagious or infectious disease eradication programme ;

(g) they have remained during the past 30 days, or since birth if less than 30 days old, on a holding or holdings situated in the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of New Zealand, during the past 30 days there has been no case of foot-and-mouth disease ;

(h) they come from holdings on which there has been no evidence of anthrax for the past 30 days ;

(i) they have been subjected with negative result to the following test(s) and conform to the following guarantees, as required by a Member State in application of Article 2 of Decision 93/491/EEC

.....
(Complete or delete as required by importing Member State)

(j) they have been continuously isolated under conditions approved by an official veterinarian from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals since the time of application of the first of the tests referred to in this certificate ;

(k) they have not received thyrostatic, oestrogenic, androgenic or gestagenic substances for fattening purposes ;

(l) they have been obtained from a holding or holdings without passing through a market and were loaded at

(Name of loading point. Delete if not applicable)

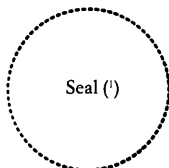
and until dispatched onto the territory of the European Community they did not come into contact with any cloven-hoofed animals other than bovine or porcine animals meeting the requirements of Decision 93/491/EEC and were not at any place other than a place situated at the centre of an area of 20 km diameter in which, according to official findings by the veterinary authorities of New Zealand, there had been no incidence of foot-and-mouth disease during the previous 30 days ;

- (m) any transport vehicles or containers in which they were loaded conform to international standards for the transport of live animals, were previously cleansed and disinfected with an officially authorized disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle during transportation.

VI. All tests referred to in this certificate have been carried out according to the protocols set out in Annex I to Commission Decision 91/189/EEC. All loading places through which the animals have passed conform to the standards set out in Annex II to the same Decision.

VII. This certificate is valid for 10 days from the date of loading plus the duration of the journey.

Done at, on



.....
(Signature of official veterinarian, who must be a veterinarian in the whole-time employment of the State of New Zealand) (¹)

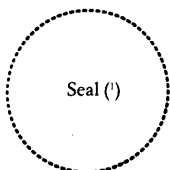
.....
(Name in capital letters, qualifications and title)

VIII. Declaration by captain of the aircraft or master of the ship

I, the undersigned, captain of aircraft (flight No)/master of ship (name), declare that the animals referred to in paragraph II above have remained on board the aircraft/ship during the flight/voyage from in New Zealand to in the European Community and that the aircraft/ship did not land/call at any place outside New Zealand en route to the European Community other than :

.....
(Ports or airports of call en route)

Done at on
(Port or airport of arrival) (Date of arrival)



.....
(Signature of captain or master)

.....
(Name in capital letters and title)

(¹) The signature and the seal must be in a colour different to that of the printing.

ANNEX C

ANIMAL HEALTH CERTIFICATE

for domestic animals of the porcine species for breeding and production intended for consignment to the European Economic Community

(This certificate must accompany the consignment. It covers only animals in the same railway wagon, lorry, aircraft or ship and consigned to the same destination. It must be completed on the date of loading and all time limits referred to expire on that date.)

No :

Exporting country : New Zealand

Ministry :

Competent issuing authority :

Country of destination :

Reference :

(Optional)

Reference to accompanying animal welfare certificate :

I. Number of animals :

(In words)

II. Identification of animals

Number of animals	Sex	Breed	Age	Official and other marks or brands (give number and position)

III. Origin of animals :

Name(s) and address(es) of farm(s) of origin :

.....

.....

IV. Destination of animals

The animals will be sent

from :

(Place of loading)

to :

(Place of destination)

by railway wagon/lorry/aircraft/ship :

(Indicate means of transport and registration marks, flight number or registered name, as appropriate)

Name and address of consignor :

.....

Name and address of consignee :

.....

V. Health information

I, the undersigned official veterinarian, hereby certify :

1. that New Zealand has during the past 24 months been free from foot-and-mouth disease and during the past 12 months been free from vesicular stomatitis, classical swine fever, African swine fever, porcine enteroviral encephalomyelitis (Teschin disease), swine vesicular disease and vesicular exanthema, that no vaccinations have been carried out against any of these diseases, during the past 12 months and that the importation of animals vaccinated against foot-and-mouth disease or classical swine fever is prohibited ;

2. that the animals described in this certificate meet the following requirements :

- (a) — they were born on the territory of New Zealand and have remained there since birth,
or
— they were imported, not less than six months ago, from a Member State of the European Community or from a third country included in the list annexed to Council Decision 79/542/EEC, in accordance with veterinary conditions at least as strict as the relevant requirements of Council Directive 72/462/EEC, including any subsidiary decisions ;

(Delete unwanted reference)

- (b) they have been examined this day and show no clinical signs of disease ;
(c) they have not been vaccinated against foot-and-mouth disease or against classical swine fever ;
(d) they come from swine herds which are not restricted under the New Zealand brucellosis eradication legislation,
— they have been subjected within the past 30 days to a serum agglutination test which showed a brucella count of less than 30 IU of agglutination and to a complement-fixation test for brucellosis ;

(Delete reference to tests if certificate applies to animals under four months of age.)

- (e) they are not animals which are to be destroyed under a national contagious or infectious disease eradication programme ;
(f) they have remained during the past 30 days, or since birth if less than 30 days old, on a holding or holdings situated in the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of New Zealand, during the past 30 days there has been no case of foot-and-mouth disease, classical swine fever, African swine fever or swine vesicular disease ;
(g) they come from holdings on which there has been no evidence of :
— anthrax for the past 30 days,
— rabies for the past 6 months ;
(h) they have been subjected with negative result to the following test(s) and conform to the following guarantees, as required by a Member State in application of Article 2 of Commission Decision 93/491/EEC

..... ;

(Complete or delete as required by importing Member State)

- (i) they have been continuously isolated under conditions approved by an official veterinarian from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals since the time of application of the first of the tests referred to in this certificate ;
(j) they have not received thyrostatic, oestrogenic, androgenic or gestogenic substances for fattening purposes ;

- (k) they have been obtained directly from a holding or holdings without passing through a market and were loaded at

(Name of loading point. Delete if not applicable)

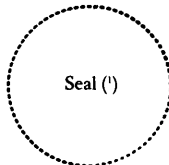
and until dispatched onto the territory of the European Community they did not come into contact with any cloven-hoofed animals other than bovine or porcine animals meeting the requirements of Decision 93/491/EEC and were not at any place other than a place situated at the centre of an area of 20 km diameter in which, according to official findings by the veterinary authorities of New Zealand, there had been no incidence of foot-and-mouth disease, African swine fever, classical swine fever or swine vesicular disease during the previous 30 days;

- (l) any transport vehicles or containers in which they were loaded conform to international standards for the transport of live animals, were previously cleansed and disinfected with an officially authorized disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle during transportation.

VI. All tests referred to in this certificate have been carried out according to the protocols set out in Annex I to Commission Decision 91/189/EEC. All loading places through which the animals have passed conform to the standards set out in Annex II to the same Decision.

VII. This certificate is valid for 10 days from the date of loading plus the duration of the journey.

Done at, on



.....
(Signature of official veterinarian, who must be a veterinarian in the whole-time employment of the State of New Zealand) (1)

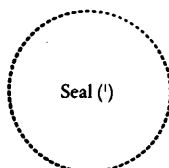
.....
(Name in capital letters, qualifications and title)

VIII. Declaration by captain of the aircraft or master of the ship

I, the undersigned, captain of aircraft (flight No)/master of ship (name), declare that the animals referred to in paragraph II above have remained on board the aircraft/ship during the flight/voyage from in New Zealand to in the European Community and that the aircraft/ship did not land/call at any place outside New Zealand en route to the European Community other than:

.....
(Ports or airports of call en route)

Done at on
(Port or airport of arrival) (Date of arrival)



.....
(Signature of captain or master)

.....
(Name in capital letters and title)

(1) The signature and the seal must be in a colour different to that of the printing.

ANNEX D

ANIMAL HEALTH CERTIFICATE

for domestic animals of the porcine species for immediate slaughter intended for consignment to the European Economic Community

(This certificate must accompany the consignment. It covers only animals transported in the same railway wagon, lorry, aircraft or ship, consigned to the same destination and intended to be taken immediately on arrival in the Member State of destination direct to a slaughterhouse and to be slaughtered not later than five working days after their entry in accordance with Article 13 of Council Directive 72/462/EEC. It must be completed on the date of loading and all time limits referred to expire on that date.)

No :

Exporting country : New Zealand

Ministry :

Competent issuing authority :

Country of destination :

Reference :

(Optional)

Reference to accompanying animal welfare certificate :

I. Number of animals :

(In words)

II. Identification of animals

Number of animals	Pigs or piglets	Official and other marks or brands (give number and position)

III. Origin of animals

Name(s) and addresse(s) of farm(s) of origin :

.....

.....

IV. Destination of animals

The animals will be sent

from :

(Place of loading)

to :

(Place of destination)

by railway wagon/lorry/aircraft/ship :

(Indicate means of transport and registration marks, flight number or registered name, as appropriate)

Name and address of consignor :

.....

Name and address of consignee :

.....

V. Health information

I, the undersigned official veterinarian, hereby certify :

1. that New Zealand has during the past 24 months been free from foot-and-mouth disease and during the past 12 months been free from vesicular stomatitis, classical swine fever, African swine fever, porcine enteroviral encephalomyelitis (Teschen disease), swine vesicular disease and vesicular exanthema, that no vaccinations have been carried out against any of these diseases during the past 12 months and that the importation of animals vaccinated against foot-and-mouth disease or classical swine fever is prohibited ;

2. that the animals described in this certificate meet the following requirements :

(a) — they were born on the territory of New Zealand and have remained there since birth,

or

— they were imported, not less three months ago, from a Member State of the European Community or from a third country included in the list annexed to Council Decision 79/542/EEC, in accordance with veterinary conditions at least as strict as the relevant requirements of Council Directive 72/462/EEC, including any subsidiary decisions ;

(Delete unwanted reference)

(b) they have been examined this day and show no clinical signs of disease ;

(c) they have not been vaccinated against foot-and-mouth disease or against classical swine fever ;

(d) they are not animals which are to be destroyed under a national contagious or infectious disease eradication programme ;

(e) they have remained during the past 30 days, or since birth if less than 30 days old, on a holding or holdings situated in the centre of a circle 20 km in diameter in which, according to official findings by the veterinary authorities of New Zealand, during the past 30 days there has been no case of foot-and-mouth disease, classical swine fever, African swine fever or swine vesicular disease ;

(f) they come from holdings on which there has been no evidence of anthrax for the past 30 days ;

(g) they have been subjected with negative result of the following test(s) and conform to the following guarantees, as required by a Member State in application of Article 2 of Commission Decision 93/491/EEC

..... ;

(Complete or delete as required by importing Member State)

(h) they have been continuously isolated under conditions approved by an official veterinarian from all cloven-hoofed animals not intended for export to the Community or not of equivalent health status to such animals from the time of application of the first of the tests referred to in this certificate ;

(i) they have not received thyrostatic, oestrogenic, androgenic or gestagenic substances for fattening purposes ;

(j) they have been obtained directly from a holding or holdings without passing through a market and were loaded at

(Name of loading point. Delete if not applicable)

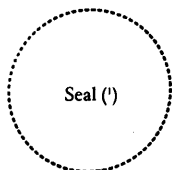
and until dispatched onto the territory of the European Community they did not come into contact with any cloven-hoofed animals other than bovine or porcine animals meeting the requirements of Decision 93/491/EEC and were not at any place other than a place situated at the centre of an area of 20 km diameter in which, according to official findings by the veterinary authorities of New Zealand, there had been no incidence of foot-and-mouth disease, African swine fever, classical swine fever or swine vesicular disease during the previous 30 days ;

- (k) any transport vehicles or containers in which they were loaded conform to international standards for the transport of live animals, were previously cleansed and disinfected with an officially authorized disinfectant and so constructed that faeces, urine, litter or fodder could not flow or fall out of the vehicle during transportation.

VI. All tests referred to in this certificate have been carried out according to the protocols set out in Annex I to Commission Decision 91/189/EEC. All loading places through which the animals have passed conform to the standards set out in Annex II to the same Decision.

VII. This certificate is valid for 10 days from the date of loading plus the duration of the journey.

Done at, on



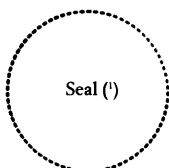
.....
(Signature of official veterinarian, who must be a veterinarian in the whole-time employment of the State of New Zealand) (¹)

.....
(Name in capital letters, qualifications and titles)

VIII. Declaration by captain of the aircraft or master of the ship

I, the undersigned, captain of aircraft (flight No)/master of ship (name), declare that the animals referred to in paragraph II above have remained on board the aircraft/ship during the flight/voyage from in New Zealand to in the European Community and that the aircraft/ship did not land/call at any place outside New Zealand en route to the European Community other than :
.....
(Ports or airports of call en route)

Done at on
(Port or airport of arrival) (Date of arrival)



.....
(Signature of captain or master)

.....
(Name in capital letters and title)

(¹) The signature and the seal must be in a colour different to that of the printing.

ANNEX E

ENZOOTIC BOVINE LEUKOSIS FREE HERDS AND REGIONS

1. A herd becomes established as enzootic bovine leukosis free when :
 - (a) (i) there has been no evidence whatever of enzootic bovine leukosis in the herd for a period of at least two years,
and
(ii) it has been subjected with negative result to two herd tests for enzootic bovine leukosis at an interval of not less than four and not more than twelve months, each herd test consisting of one of the serological tests described in Annex I to Commission Decision 91/189/EEC applied to all bovine animals in the herd over 24 months of age on the date of the test ;
or
 - (b) the region in which it is situated becomes established as an enzootic bovine leukosis free region, provided the status of the herd is not at the time suspended under the terms of point 5.
2. A region becomes established as enzootic bovine leukosis free when :
 - (a) at least 99,8 % of bovine herds have the status of enzootic bovine leukosis free ;
or
 - (b) (i) there has been no evidence whatever of enzootic bovine leukosis in the region for a period of at least three years,
and
(ii) all bovine herds in the region have been subjected to at least one herd test as described in point 1,
and
(iii) at least 10 % of bovine herds in the region, selected on a random basis, have been subjected with negative result to at least two herd tests as described in point 1.
3. A herd maintains its status as enzootic bovine leukosis free as long as :
 - (a) there is no evidence whatever of enzootic bovine leukosis in the herd ;
and
 - (b) all the bovine animals in the herd were born there or were introduced from herds of enzootic bovine leukosis free status ;
and
 - (c) within three years of the date of its establishment as enzootic bovine leukosis free, and at intervals of not more than three years thereafter, it is subjected with negative result to a herd test as described in point 1.
4. A region maintains its status as enzootic bovine leukosis free as long as :
 - (a) each year, a proportion of the herds in the region, selected on a random basis and sufficient in number to demonstrate, with a 99 % confidence rating, that not more than 0,2 % of herds are infected with enzootic bovine leukosis, have been subjected to a herd test as described in point 1 ;
or
 - (b) each year, a proportion of the herds in the region, sufficient to contain at least 20 % of the bovine animals in the region over 24 months of age, have been subjected with negative result to a herd test as described in point 1.
5. The enzootic bovine leukosis free status of a herd is suspended when :
 - (a) the conditions described in point 3 cease to apply ;
or
 - (b) one or more animals give a positive result to one of the serological tests described in Annex I to Decision 91/189/EEC.
6. The enzootic bovine leukosis free status of a region is suspended when :
 - (a) the conditions described in point 4 cease to apply ;
or
 - (b) enzootic bovine leukosis is detected and confirmed in more than 0,2 % of bovine herds in the region.

7. The enzootic bovine leukosis free status of a herd is re-established when :

- (a) any reactor animal and, if the reactor is a cow, its progeny in the herd have been removed under the supervision of the veterinary authorities for slaughter, except that the competent authority may grant a derogation from the requirement for the removal of the progeny of a reactor cow if it is satisfied that the animal(s) was/were separated from its/their dam immediately after birth ;
and
- (b) (i) if the suspension results from a positive test on a single animal, the herd has been subjected with negative result and not less than three months after the withdrawal referred to in 7 (a) to a herd test as described in point 1,
or
(ii) if the suspension results from a positive test on more than one animal, the herd has been subjected to two herd tests as described in point 1, the first being applied not less than three months after the withdrawal referred to in 7 (a) and the second not less than four or more than twelve months later, the tests to include any progeny of a reactor cow retained in the herd under the derogation referred to in point 7 (a), regardless of their age at the time of test ;
and
- (c) an epizootological enquiry has been conducted on all herds epizootologically linked to the infected herd.

8. The enzootic bovine leukosis free status of a region is re-established when :

- (a) at least 99,8 % of bovine herds in the region have the status of enzootic bovine leukosis free ;
and
 - (b) at least 20 % of bovine herds in the region have been subjected with negative result to two herd tests as described in point 1 at an interval of not less than four and not more than twelve months.
-

*ANNEX F***MARK TO BE APPLIED TO BOVINE ANIMALS IN APPLICATION OF ARTICLE 1(4)(b) OF
COMMISSION DECISION 93/491/EEC**

A permanent mark, having the dimensions indicated below, applied to and visible on at least two places, on the hind-quarters of each animal using the technique known as 'freeze-branding'.

