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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 840/97
of 12 May 1997
amending Regulation (EC) No 804/97 on the supply of white sugar as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Community,

For lot A, points 20 and 25 of the Annex to Regulation (EC) No 804/97 are replaced by the following:

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24 (1) (b) thereof,

‘20. Date of expiry of the period allowed for submission of tenders: 20. 5. 1997 (12 noon (Brussels time))

25. Refund payable on application by the successful tenderer ⁽²⁾: periodic refund applicable to white sugar on 23. 4. 1997, fixed by Commission Regulation (EC) No 654/97 (OJ No L 100, 17. 4. 1997, p. 3)’.

Article 2

Whereas Commission Regulation (EC) No 804/97 ⁽²⁾ issued an invitation to tender for the supply, as food aid, of white sugar; whereas some of the conditions specified in the Annex to that Regulation should be altered,

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, 12 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 115, 3. 5. 1997, p. 10.

COMMISSION REGULATION (EC) No 841/97

of 7 May 1997

laying down rates of compensatory interest applicable during the second half of 1997 to customs debts incurred in relation to compensating products or goods in the unaltered state (inward processing relief arrangements and temporary importation)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 82/97 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 89/97 ⁽⁴⁾, and in particular Article 589 (4) (a) and Article 709 thereof,

Whereas Article 589 (4) (a) of Regulation (EEC) No 2454/93 provides that the Commission shall set rates of compensatory interest applicable to customs debts incurred in relation to compensating products or goods in the unaltered state, in order to make up for the unjustified financial advantage arising from the postponement of the date on which the customs debt is incurred in the case of non-exportation out of the customs territory of the Community; whereas the rates of compensatory interest for the second half of 1997 must be established in accordance with the rules laid down in that Regulation,

Article 1

The annual rates of compensatory interest referred to in Articles 589 (4) (a) and 709 (3) (a) of Regulation (EEC) No 2454/93 applicable for the period from 1 July until 31 December 1997 are hereby established as follows:

Belgium	3,10
Denmark	3,68
Germany	3,20
Greece	13,35
Spain	6,94
France	3,66
Ireland	5,69
Italy	8,00
Luxembourg	3,10
Netherlands	2,97
Austria	3,36
Portugal	6,99
Finland	3,29
Sweden	4,91
United Kingdom	5,98

Article 2

This Regulation shall enter into force on 1 July 1997.

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

Done at Brussels, 7 May 1997.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 17, 21. 1. 1997, p. 1.

⁽³⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ OJ No L 17, 21. 1. 1997, p. 28.

COMMISSION REGULATION (EC) No 842/97
of 12 May 1997
on issuing A2 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 687/97⁽³⁾ sets the indicative refund rates and the indicative quantities for A2 export licences, other than those applied for in the context of food aid;

Whereas, for oranges and apples, in view of the economic situation in the various destination groups indicated in the Annex to Regulation (EC) No 687/97 and taking account of information received by operators via their applications for A2 licences, the definitive refund rates should be set at a different rate from the indicative rates; whereas the percentages for the issuing of licences for the quantities applied for should also be set; whereas the definitive rates may not be more than double the indicative rates;

Whereas, pursuant to Article 3 (5) of Regulation (EC) No 2190/96, applications for rates in excess of the corre-

sponding definitive rates shall be considered null and void,

HAS ADOPTED THIS REGULATION:

Article 1

1. For A2 export licences for which applications have been submitted pursuant to Article 1 of Regulation (EC) No 687/97, the actual date of application referred to in the second subparagraph of Article 3 (1) of Regulation (EC) No 2190/96 is hereby set at 13 May 1997.

2. The licences referred to in the first paragraph shall be issued at the definitive refund rates and at the percentages for the quantities applied for as indicated in the Annex to this Regulation.

3. Pursuant to Article 3 (5) of Regulation (EC) No 2190/96, applications referred to in the first paragraph for rates in excess of the corresponding definitive rates set out in the Annex shall be considered null and void.

Article 2

This Regulation shall enter into force on 13 May 1997.

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

Done at Brussels, 12 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ No L 93, 8. 4. 1997, p. 16.

⁽³⁾ OJ No L 102, 19. 4. 1997, p. 4.

ANNEX

Product	Destination or group of destinations	Definitive refund rates (ECU/tonne net)	Percentages for the issuing of licences
Oranges	XYC	60	86 %
Apples	X	35	100 %
	Y	7	69 %

**COMMISSION REGULATION (EC) No 843/97
of 12 May 1997**

**amending Regulation (EC) No 658/96 on certain conditions for granting
compensatory payments under the support system for producers of certain
arable crops**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 1535/96 ⁽²⁾, and in particular Article 12 (1) thereof,

Whereas Article 10 (2) of Regulation (EEC) No 1765/92 requires producers of cereals, oilseeds and protein plants to complete sowing by 15 May at the latest; whereas, in certain cases, sowing can be postponed to after 15 May on account of the climatic conditions; whereas the time limit applicable to sowing for certain crops and in certain regions should be extended; whereas extended time limits must not, however, jeopardize the effectiveness of the support arrangements or be detrimental to the system of

controls established by Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes ⁽³⁾, as last amended by Regulation (EC) No 2466/96 ⁽⁴⁾;

Whereas Commission Regulation (EC) No 658/96 ⁽⁵⁾, as last amended by Regulation (EC) No 729/97 ⁽⁶⁾, defines those regions; whereas experience gained shows that certain amendments should be made to that list as regards Sweden;

Whereas provision should also be made for an extended time limit for the cultivation of buckwheat in certain regions of the Community;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Joint Committee for Cereals, Oils and Fats and Dried Fodder,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IX to Regulation (EC) No 658/96 is hereby amended as follows:

1. The part relating to 'Sweden' in Table 1 is replaced by the following:

Crop	Member State	Region
'Cereals, protein crops and linseed, rape seed and colza seed	Sweden	Stockholm
		Uppsala
		Södermanland
		Östergötland
		Jönköping
		Kronoberg
		Kalmar
		Gotland
		Blekinge
		Skåne
		Halland
		Göteborg och Bohus
		Älvsborg
		Skaraborg
		Örebro
		Västmanland'

⁽¹⁾ OJ No L 355, 5. 12. 1992, p. 1.

⁽²⁾ OJ No L 335, 24. 12. 1996, p. 1.

⁽³⁾ OJ No L 91, 12. 4. 1996, p. 46.

⁽⁴⁾ OJ No L 108, 25. 4. 1997, p. 25.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 1.

2. The following is added to Table 1:

Crop	Member State	Region
'Buckwheat	France	Brittany'

3. The part relating to 'Sweden' in Table 2 is replaced by the following:

Crop	Member State	Region
'Cereals, protein crops and linseed	Sweden	Västernorrland Jämtland Västerbotten Norrbotten Gävleborg Dalarna Värmland
Rape seed and colza seed	Sweden	Gävleborg Dalarna Värmland'

Article 2

This Regulation shall enter into force on the 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, 12 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 844/97
of 12 May 1997
providing for the rejection of applications for export licences in relation to
cereal products

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 organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EC) No 1527/96⁽⁴⁾, and in particular Article 7 (3) thereof,

Whereas the quantity covered by applications for advance fixing of refunds common wheat, flour of common wheat and spelt and flour of meslin, groats and meal of common wheat and spelt, as well as durum wheat, flour of durum wheat and groats and meal of durum wheat could give rise

to speculation; whereas it has therefore been decided to reject all applications for export licences of such products made on 8, 9 and 12 May 1997,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 7 (3) of Regulation (EC) No 1162/95, applications for export licences with advance fixing of refunds for products falling within CN codes 1001 10 00, 1001 90 99, 1101 00 11, 1101 00 15, 1101 00 90, 1103 11 10 and 1103 11 90 made on 8, 9 and 12 May 1997 shall be rejected.

Article 2

This Regulation shall enter into force on 13 May 1997.

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

Done at Brussels, 12 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ No L 190, 31. 7. 1996, p. 23.

COMMISSION REGULATION (EC) No 845/97
of 12 May 1997
amending the import duties in the cereals sector

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 organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, as amended by Regulation (EC) No 641/97⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 788/97⁽⁵⁾, as amended by Regulation (EC) No 803/97⁽⁶⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 788/97,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to amended Regulation (EC) No 788/97 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 13 May 1997.

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

Done at Brussels, 12 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 98, 15. 4. 1997, p. 2.

⁽⁵⁾ OJ No L 114, 1. 5. 1997, p. 13.

⁽⁶⁾ OJ No L 115, 3. 5. 1997, p. 7.

ANNEX I

Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	4,90	0,00
1001 90 91	Common wheat seed	29,75	19,75
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	29,75	19,75
	medium quality	29,45	19,45
	low quality	46,82	36,82
1002 00 00	Rye	78,87	68,87
1003 00 10	Barley, seed	78,87	68,87
1003 00 90	Barley, other ⁽³⁾	78,87	68,87
1005 10 90	Maize seed other than hybrid	83,10	73,10
1005 90 00	Maize other than seed ⁽³⁾	83,10	73,10
1007 00 90	Grain sorghum other than hybrids for sowing	78,87	68,87

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 30 April 1997 to 12 May 1997)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	139,65	147,96	137,03	102,39	177,08 ⁽¹⁾	103,11 ⁽¹⁾
Gulf premium (ECU/tonne)	—	17,16	10,32	8,69	—	—
Great Lakes premium (ECU/tonne)	13,77	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,12 per tonne; Great Lakes — Rotterdam: ECU 23,51 per tonne.

3. Subsidy within the meaning of the third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne.
: ECU 0,00 per tonne.

COMMISSION REGULATION (EC) No 846/97

of 12 May 1997

establishing the standard import values for determining the entry price of
certain fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 2375/96 ⁽²⁾, and in particular Article 4 (1) 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⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1997.

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

Done at Brussels, 12 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 12 May 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 25	204	46,3
	999	46,3
ex 0707 00 20	052	113,9
	999	113,9
0709 90 75	052	82,5
	999	82,5
0805 10 21, 0805 10 25, 0805 10 29	052	64,9
	204	40,8
	212	59,8
	400	54,1
	448	26,7
	600	51,3
	624	39,2
	625	37,4
	999	46,8
0805 30 20	388	68,4
	528	66,9
	999	67,7
0808 10 61, 0808 10 63, 0808 10 69	060	52,8
	388	82,6
	400	92,7
	404	78,7
	508	78,0
	512	75,2
	528	71,6
	804	100,8
	999	79,0

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. I. 1996, p. 6). Code '999' stands for 'of other origin'.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 26 April 1997

concerning the conclusion of the Agreement between the European Community and the Republic of Korea on cooperation and mutual administrative assistance in customs matters

(97/291/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof, in conjunction with the first sentence of Article 228 (2) thereof,

Having regard to the proposal from the Commission,

Whereas on 5 April 1993 the Council authorized the Commission to negotiate, on behalf of the Community, customs cooperation agreements with some of the Community's main trading partners;

Whereas the Agreement between the European Community and the Republic of Korea on cooperation and mutual administrative assistance in customs matters should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Community and the Republic of Korea on cooperation and mutual administrative assistance in customs matters is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The Commission, assisted by representatives of the Member States, shall represent the Community on the

Joint Customs Cooperation Committee set up pursuant to Article 15 of the Agreement.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement on behalf of the Community.

Article 4

The President of the Council shall effect the notification provided for in Article 19 of the Agreement on behalf of the Community.

Article 5

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 26 April 1997.

For the Council

The President

E. KENNY

AGREEMENT

between the European Community and the Republic of Korea on cooperation and mutual administrative assistance in customs matters

The EUROPEAN COMMUNITY and the REPUBLIC OF KOREA, (hereinafter referred to as the 'Contracting Parties'),

CONSIDERING the importance of the commercial links between the European Community and the Republic of Korea and desirous of contributing, to the benefit of both Contracting Parties, to the harmonious development of those links;

TAKING into account the development of customs cooperation between the Contracting Parties, concerning customs procedures;

CONSIDERING that operations in breach of customs legislation are prejudicial to the economic, fiscal and commercial interests of both Contracting Parties, and recognizing the importance of ensuring the accurate assessment of customs duties and other taxes;

CONVINCED that action against such operations can be made more effective by cooperation between their customs authorities;

HAVING regard to obligations imposed under international conventions already accepted by the Contracting Parties; and having regard also to the recommendation of the Customs Cooperation Council on mutual administrative assistance of December 5, 1953,

HAVE AGREED AS FOLLOWS:

TITLE I

Article 2

GENERAL PROVISIONS

Obligations imposed under international conventions

Article 1

Definitions

For the purposes of this Agreement:

- (a) 'customs legislation' shall mean provisions adopted by the European Community or the Republic of Korea governing the importation, exportation, transit of goods and any other customs procedure, including measures of prohibition, restriction and control;
- (b) 'customs authority' shall mean, in the European Community, the competent services of the Commission of the European Communities and the customs authorities of the Member States of the European Community, and, in the Republic of Korea, the Korea Customs Service;
- (c) 'applicant customs authority' shall mean a competent customs authority of a Contracting Party which makes a request for assistance in customs matters;
- (d) 'requested customs authority' shall mean a competent customs authority of a Contracting Party which receives a request for assistance in customs matters;
- (e) 'personal data' shall mean all information relating to an identified or identifiable individual;
- (f) 'operation in breach of customs legislation' shall mean any violation of the customs legislation as well as any attempted violation of such legislation.

The provisions of this Agreement shall not prejudice the obligations imposed under international conventions accepted by the Contracting Parties to this Agreement.

TITLE II

CUSTOMS COOPERATION

Article 3

Scope of the customs cooperation

1. The Contracting Parties through their customs authorities shall, in accordance with the provisions of this Agreement:

- (a) endeavour to cooperate, within the limit of available resources, in the research, development and testing of new customs procedures, in the training and exchange of personnel and in other matters that may require their joint efforts; and
- (b) strive for simplification, harmonization and computerization in customs procedures, taking into account the work done in this connection by international organizations.

2. The customs cooperation will include:

- (a) exchange of professional, scientific and technical data relating to customs legislation;
- (b) exchange of information on actions undertaken with third countries in relation to technical assistance, with the aim of improving these actions.

TITLE III

MUTUAL ASSISTANCE

Article 4

Scope of the assistance

1. The Contracting Parties through their customs authorities shall, in accordance with the provisions of this Agreement:

- (a) assist each other in order to ensure that customs legislation is properly implemented, in particular, by the prevention, detection and investigation of operations in breach of this legislation;
- (b) assist each other by providing information, upon request, to be used in administering and enforcing the customs legislation.

2. Assistance in customs matters, as provided for in this Agreement, shall not prejudice the rules governing mutual assistance in criminal matters. Nor shall it cover information obtained under powers exercised at the request of the judicial authority, unless this authority so agrees.

3. The assistance will also include:

- (a) exchange of information and experience in the use of the interdiction and detection equipment;
- (b) enforcement techniques that might be useful in suppressing breaches of customs legislation and, in particular, any technical aids found to be helpful in combating such breaches; and
- (c) observations and findings resulting from the application of new enforcement techniques.

Article 5

Assistance on request

1. At the request of the applicant customs authority, the requested customs authority shall furnish it with all relevant information to enable it to ensure that customs legislation is correctly applied, including information

regarding operations noted or planned which are or might be in breach of such legislation.

2. At the request of the applicant customs authority, the requested customs authority shall inform it whether goods exported from the territory of one of the Contracting Parties have been properly imported into the territory of the other Contracting Party, specifying, where appropriate, the customs procedure applied to the goods.

3. At the request of the applicant customs authority, the requested customs authority shall take the necessary steps to ensure that a surveillance is kept on:

- (a) natural or legal persons who it may reasonably be believed are or have been in breach of customs legislation;
- (b) places where goods are stored in a way that gives grounds for suspecting that they are intended to supply operations in breach of customs legislation;
- (c) movements of goods notified as possibly constituting operations in breach of customs legislation; and
- (d) means of transport which it may reasonably be believed have been, are or may be, used to commit operations in breach of customs legislation.

Article 6

Spontaneous assistance

The Contracting Parties shall provide each other, in accordance with their laws, rules and other legal instruments, with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

- (a) operations which have been, are or appear to be, in breach of such legislation and which may be of interest to the other Contracting Party;
- (b) new means or methods used in committing such operations; and
- (c) goods known to be the subject of operations in breach of customs legislation.

Article 7

Delivery/notification

At the request of the applicant customs authority, the requested customs authority shall in accordance with its legislation take all necessary measures in order:

- to deliver all documents,
- to notify all decisions,

falling within the scope of this Agreement to an addressee, residing or established in its territory. In such a case, the provisions of Article 8 (3) shall be applied.

*Article 8***Form and substance of requests for assistance**

1. Requests pursuant to this Agreement shall be made in writing. Documents necessary for the execution of such requests shall accompany the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately.
2. Requests pursuant to paragraph 1 shall include the following information:
 - (a) the applicant customs authority making the request;
 - (b) the measure requested;
 - (c) the object of and the reason for the request;
 - (d) the laws, rules and other legal elements involved;
 - (e) indications as exact and comprehensive as possible on the natural or legal persons being the target of the investigations; and
 - (f) a summary of the relevant facts and the enquiries already carried out, except in cases provided for in Article 7.
3. Requests shall be submitted in an official language of the requested customs authority or in a language acceptable to such authority.
4. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, take place.

*Article 9***Execution of requests**

1. In order to comply with a request for assistance, the requested customs authority, in cooperation with other administrative departments when the former cannot act on its own, shall proceed, within the limits of its competence and available resources, by supplying information already possessed, by carrying out appropriate enquiries or by arranging for them to be carried out.
2. Requests for assistance shall be executed in accordance with the laws, rules and other legal instruments of the requested Contracting Party.
3. Duly authorized officials of a Contracting Party may, with the agreement of the other Contracting Party involved and within the conditions laid down by the latter, obtain from the offices of the requested customs authority or other authority for which the requested customs authority is responsible, information relating to the operations in breach of customs legislation which the

applicant customs authority needs for the purposes of this Agreement.

4. Officials of a Contracting Party may, with the agreement of the other Contracting Party and within the conditions laid down by the latter, be present at enquiries carried out in the latter's territory.

*Article 10***Form of information to be communicated**

1. The requested customs authority shall communicate results of enquiries to the applicant customs authority in the form of documents, certified copies of documents, reports or in the other appropriate forms for the execution of the request.
2. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose.

*Article 11***Exceptions to assistance**

1. The Contracting Parties may refuse, in whole or in part, to give assistance as provided for in this Agreement, where to do so would:
 - (a) be likely to prejudice the sovereignty of a Member State of the European Community or of the Republic of Korea when asked to provide assistance pursuant to this Agreement; or
 - (b) be likely to prejudice public policy, security or other essential interests, in particular in the cases referred to pursuant to Article 12 (2); or
 - (c) involve currency or tax regulations other than customs legislation; or
 - (d) violate an industrial, commercial or professional secret.
2. Where the applicant customs authority asks for assistance which it would itself be unable to provide if so asked by the customs authority of the other Contracting Party, it shall draw attention to that fact in its request. It shall then be left to the requested customs authority to decide how to respond to such a request.
3. Before refusing to provide assistance, the requested customs authority shall consider whether assistance may be provided subject to such conditions or requirements as it deems necessary. If the applicant customs authority accepts assistance subject to these conditions or requirements, it shall comply with them.
4. If a request for assistance cannot be complied with, the applicant customs authority shall be notified without delay and shall be informed of the reasons for the refusal to provide assistance.

*Article 12***Exchange of information and confidentiality**

1. Any information communicated in whatsoever form pursuant to this Agreement shall be of a confidential or restricted nature, depending on the rules applicable in each of the Contracting Parties. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended to like information under the relevant laws of the Contracting Party which received it and the corresponding provisions applying to the Community institutions.

2. Personal data may be exchanged only where the receiving Contracting Party undertakes to protect such data in a way which is at least equivalent to the one applicable to that particular case in the supplying Contracting Party.

3. Information obtained shall be used solely for the purposes of this Agreement. Where one of the Contracting Parties requests the use of such information for other purposes, it shall ask for the prior written consent of the customs authority which supplied the information. Such use shall then be subject to any restrictions laid down by that authority.

4. Paragraph 3 shall not impede the use of information in any judicial or administrative proceedings subsequently instituted for failure to comply with customs legislation. The competent authority which supplied that information shall be notified of such use.

5. The Contracting Parties may, in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Agreement.

*Article 13***Experts and witnesses**

An official of a requested customs authority may be authorized to appear, within the limitations of the authorization granted, as an expert or witness in judicial or administrative proceedings regarding the matters covered by this Agreement in the jurisdiction of the other Contracting Party, and produce such objects, documents or authenticated copies thereof, as may be needed for the proceedings. The request for an appearance must indicate specifically on what matters and by virtue of what title or qualification the official will be questioned.

*Article 14***Expenses**

The Contracting Parties shall waive all claims on each other for the reimbursement of expenses incurred

pursuant to this Agreement, except, as appropriate, for expenses to experts and witnesses and to interpreters and translators who are not public service employees.

TITLE IV

FINAL PROVISIONS

*Article 15***Joint Customs Cooperation Committee**

1. A Joint Customs Cooperation Committee shall be established, consisting of representatives of the European Community and of the Republic of Korea. It shall meet alternately in Brussels and Seoul, as mutually agreed and on a date and with an agenda fixed by mutual agreement.

2. The Joint Customs Cooperation Committee shall see to the proper functioning of the Agreement and shall examine all issues arising from its application. In fulfilling this role, its main functions will be to:

- (a) review the progress of the customs cooperation in accordance with this Agreement and identify new areas and specific sectors for further customs cooperation;
- (b) exchange views on any points of common interest regarding customs cooperation, including future measures and the resources for them; and
- (c) in general terms, recommend solutions aimed at helping to attain the objectives of this Agreement.

3. The Joint Customs Cooperation Committee shall adopt its internal rules of procedure.

*Article 16***Implementation**

1. The management of this Agreement shall be entrusted to the competent services of the Commission of the European Communities and, where appropriate, the customs authorities of the Member States of the European Community on the one hand and to the Korea Customs Service of the Republic of Korea on the other. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection.

2. The Contracting Parties shall consult each other and subsequently keep each other informed of the detailed rules of implementation which are adopted in accordance with the provisions of this Agreement.

*Article 17***Revision or amendment**

The Contracting Parties may, at any time, revise or amend this Agreement by mutual consent.

*Article 18***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Republic of Korea.

*Article 19***Entry into force and duration**

1. This Agreement shall enter into force on the first day of the month following the date on which the

Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.

2. This Agreement shall be concluded for a period of five years. It shall be tacitly renewed on a yearly basis unless one of the Contracting Parties denounces it in writing six months before the date of expiry.

*Article 20***Authentic texts**

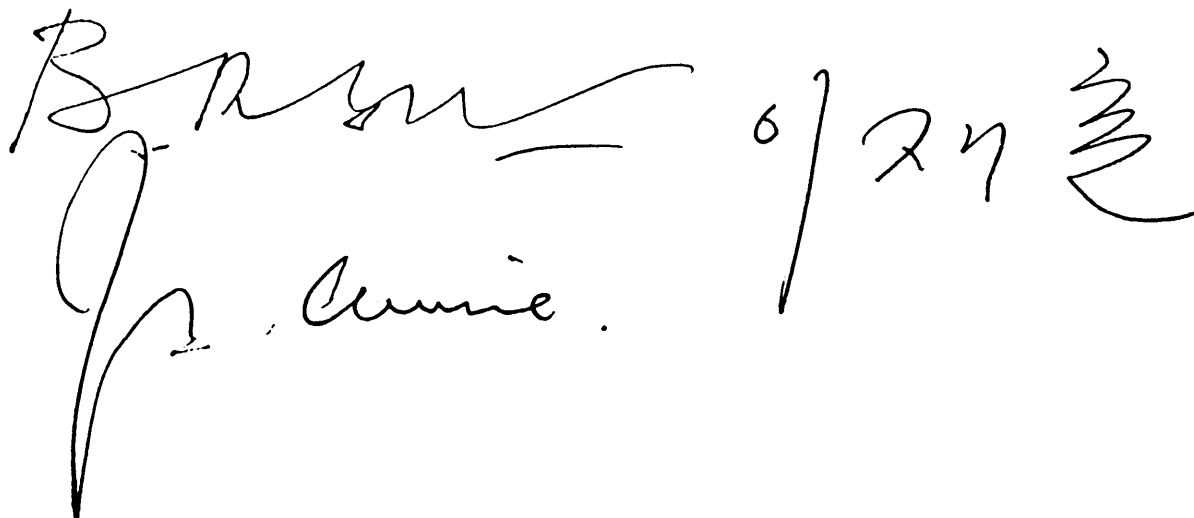
This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Korean languages, each text being equally authentic.

In witness whereof, the undersigned plenipotentiaries have signed this Agreement.

Done in duplicate at Brussels on the tenth day of April in the year one thousand nine hundred and ninety-seven.

For the European Community

For the Republic of Korea



The image shows two handwritten signatures. On the left, a signature in cursive script, possibly reading 'B. R. ...', is followed by a large, stylized flourish. Below this, the word 'Cunnie' is written in a simpler, more legible cursive. On the right, there is a signature that appears to be '0/27' followed by a stylized flourish.

Information relating to the entry into force of the Agreement between the European Community and the Republic of Korea on cooperation and mutual administrative assistance in customs matters

The Agreement between the European Community and the Republic of Korea on cooperation and mutual administrative assistance in customs matters, which the Council decided to conclude on 26 November 1996, entered into force on 1 May 1997, the procedures laid down in Article 19 of the Agreement having been completed on 17 April 1997.

COUNCIL DECISION

of 28 April 1997

on a specific measure to encourage Italian fishermen to diversify out of certain fishing activities

(97/292/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, under Council Regulation (EEC) No 2080/93 of 20 July 1993 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the financial instrument of fisheries guidance ⁽³⁾, specific measures may be financed by this Act; whereas these measures are adopted by the Council in accordance with the procedure provided for by Article 43 of the Treaty;

Whereas a specific number of fishing vessels flying the Italian flag fish the Mediterranean for tuna and swordfish using drift nets; whereas this traditional form of fishing is a significant source of income for these fishermen and for the residents of the fishing areas dependent upon this activity;

Whereas, taking into account the special fishing conditions and the biological characteristics of the species targeted in the Mediterranean, fishing for large pelagic fish with drift nets of 2,5 kilometres or less in length is not profitable for these fishermen; whereas it has been established that these fishermen are often required to use drift nets longer than 2,5 kilometres in order to operate profitably;

Whereas Article 9a of Council Regulation (EEC) No 2094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources ⁽⁴⁾ prohibits the keeping on board and use for fishing of one or more drift nets whose individual or total length exceeds 2,5 kilometres;

Whereas the use of drift nets over 2,5 kilometres is illegal under Community law and the Commission has initiated the proceedings provided for in this regard; whereas the Italian Government has adopted new propositions to improve the monitoring of fishing and to penalize severely fishermen who infringe national and Community rules;

Whereas the economic and social problems affecting the areas dependent on this type of fishing, most of which lie within regions eligible for Structural Funding under Objective 1, are such that this type of fishing cannot be abandoned effectively or quickly without a conversion plan and accompanying measures;

Whereas the Italian Government has drawn up an overall plan to resolve the problem once and for all; whereas the plan depends for its success on offering interested parties genuine aid incentives to participate in it; whereas most of the possible measures fall within the scope of the financial instrument for fisheries guidance (FIFG); whereas they will be financed from the FIFG following normal procedure;

Whereas, however, in certain cases the permitted aid ceiling would not produce the desired effect; whereas some measures planned by the Italian Government do not fall within the scope of those provided for under the FIFG; whereas specific measures and provisions must therefore be adopted;

Whereas, so as to ensure that the compensation envisaged for the fishermen is granted only to those whose income depends on the fishing activities targeted by this Decision, it must be specified that they must have been employed on a registered fishing vessel at a date before the communication of the Italian plan to the Commission;

Whereas the Italian authorities must see to it that, in applying the national plan, those eligible may neither accumulate the aid provided for under this Decision nor obtain other financial incentives which would not be justified having regard to the undertaking to diversify, in actual terms, towards another fisheries activity for a sufficiently long period,

⁽¹⁾ OJ No C 59, 26. 2. 1997, p. 21.

⁽²⁾ Opinion delivered on 24 April 1997 (not yet published in the Official Journal).

⁽³⁾ OJ No L 193, 31. 7. 1993, p. 1.

⁽⁴⁾ OJ No L 288, 11. 10. 1986, p. 1. Regulation as last amended by Regulation (EC) No 3071/95 (OJ No L 329, 30. 12. 1995, p. 14).

HAS ADOPTED THIS DECISION:

Article 1

As part of the plan drawn up by the Italian Government to reorganize and diversify out of drift net fishing for large pelagic fish, as notified to the Commission on 25 July 1996, a specific measure is hereby established to grant aid:

- (a) to nationals of any Member State employed on 22 July 1996 as fishermen on a fishing vessel flying the Italian flag, practising this type of fishing, or who were employed in 1995, when such vessels had not been engaged in such activity in 1996, in the form of compensation for suspending this activity. The amount of this compensation may not exceed ECU 918,23 per fisherman per month, for a maximum of six months, and can be paid only for 1996, 1997 and 1998. To qualify for this compensation, fishermen must undertake to cease this fishing activity or to convert to another activity in 1997, 1998 or 1999, in conformity with the Italian plan;
- (b) to vessel owners who have undertaken to cease definitively all fishing activity. The aid shall be as set out in Table A in the Annex;
- (c) to vessel owners who have undertaken to diversify definitively towards another fishing activity. The premium for diversifying shall be as set out in Table B in the Annex.

Article 2

Fishermen referred to under Article 1 (a) may also qualify for:

- aid up to a maximum of ECU 50 000 when they cease all economic activity. This aid is additional to the contribution towards early-retirement schemes envisaged under Article 14a of Regulation (EC) No 3699/93⁽¹⁾, but replaces the flat rate envisaged under the same Article, under (b),
- a conversion premium up to a maximum of ECU 20 000, in the case of conversion towards another fishing activity or towards another sector. This

premium replaces the flat rate envisaged under Article 14a (b) of Regulation (EC) No 3699/93.

Article 3

The public financial contribution, including that of the Community, for projects funded under the financial instrument for fisheries guidance (FIFG) allowing for the reconversion of vessel owners and fishermen who have benefited from measures under this Decision can reach a maximum of 75 % of the eligible investment in Objective 1 regions and 50 % of eligible investment in non-Objective 1 regions.

Article 4

Community participation shall be as laid down for FIFG assistance and within the funding limits for Italy under the 1994 to 1999 Structural Fund programmes (CCA-Italy Objective No 1, P. O.-Pêche and DOCUP-Italy, Objective No 5a-Fisheries). It may run to a maximum of 50 % of eligible investment undertaken by the Member State.

Article 5

Notwithstanding all other applicable provisions and in particular those of Regulation (EEC) No 2847/93⁽²⁾, the Italian authorities shall send the Commission an annual report on the implementation of the plan referred to in Article 1.

For the application of the national plan, the Italian authorities shall adopt the necessary provisions to prevent aid accumulation not expressly authorized by this Decision and any grant of aid not justified having regard to the commitments made by the beneficiaries for a period of at least three years.

Article 6

This Decision is addressed to the Republic of Italy.

Done at Luxembourg, 28 April 1997.

For the Council

The President

W. SORGDRAGER

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1. Regulation as last amended by Regulation (EC) No 25/97 (OJ No L 6, 10. 1. 1997, p. 7).

⁽²⁾ OJ No L 261, 20. 10. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2489/96 (OJ No L 338, 28. 12. 1996, p. 12).

ANNEX

Table A

Vessel by tonnage category (GRT)	Cessation payment 1997	Cessation payment 1998	Cessation payment 1999
0 < 5	ECU 26 000	ECU 23 000	ECU 20 000
5 < 20	ECU 104 000	ECU 92 000	ECU 80 000
20 < 40	ECU 120 000	ECU 105 000	ECU 93 000
> 40	ECU 156 000	ECU 138 000	ECU 120 000

Table B

Vessel by tonnage category (GRT)	Reconversion premium 1997	Reconversion premium 1998	Reconversion premium 1999
0 < 5	ECU 16 000	ECU 13 000	ECU 10 000
5 < 20	ECU 94 000	ECU 82 000	ECU 70 000
20 < 40	ECU 110 000	ECU 95 000	ECU 83 000
> 40	ECU 146 000	ECU 128 000	ECU 110 000

COMMISSION

COMMISSION DECISION

of 22 April 1997

repealing Decision 96/526/EC concerning certain protection measures with regard to foot-and-mouth disease in Greece

(Text with EEA relevance)

(97/293/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 (4) thereof,

Whereas as a result of outbreaks of foot-and-mouth disease in Greece the Commission adopted Decision 96/526/EC of 30 August 1996 concerning certain protection measures with regard to foot-and-mouth disease in Greece and repealing Decision 96/440/EC⁽⁴⁾, as amended by Decision 96/695/EC⁽⁵⁾;

Whereas the measures introduced by Decision 96/526/EC for the prefecture of Evros should be of a temporary nature.

Whereas no outbreaks of foot-and-mouth disease have been reported since 30 September 1996;

Whereas the results obtained from a surveillance programme carried out in the prefecture of Evros indicate a health situation not requiring safeguard measures concerning foot-and-mouth disease;

Whereas the measures adopted by Decision 96/526/EC can be repealed;

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

Decision 96/526/EC is hereby repealed.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁴⁾ OJ No L 221, 31. 8. 1996, p. 65.

⁽⁵⁾ OJ No L 320, 11. 12. 1996, p. 24.

COMMISSION DECISION

of 7 May 1997

on marking and use of pigmeat in application of Article 9 of Council Directive 80/217/EEC concerning Belgium

(Text with EEA relevance)

(97/294/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever⁽¹⁾, as last amended by Decision 93/384/EEC⁽²⁾, and in particular Article 9 (6) (g) thereof,

Whereas in February 1997 outbreaks of classical swine fever in the Netherlands were declared by the Dutch Veterinary Authorities;

Whereas in accordance with Article 9 (1) of Directive 80/217/EEC a surveillance zone was immediately established around outbreak sites;

Whereas the surveillance zones for outbreaks confirmed in Soerendonk and Baarle Nassau in April were established in collaboration with the Belgian Veterinary Authorities as the zones included part of the territory of Belgium;

Whereas all pig holdings in the part of the surveillance zone covering a part of the territory of Belgium have been subject to a weekly inspection by a veterinarian. During this inspection samples for laboratory examination are collected if deemed necessary. No evidence of classical swine fever in the zone has been detected;

Whereas the provisions for the use of a health mark on fresh meat are given in Council Directive 64/433/EEC on health conditions for the production and marketing of fresh meat⁽³⁾ as last amended by Directive 95/23/EC⁽⁴⁾;

Whereas Belgium has submitted a request for the adoption of a specific solution concerning marking and use of pigmeat coming from pigs kept on holdings situated in an established surveillance zone and slaughtered subject

to a specific authorization issued by the competent authority;

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 the provisions of Council Directive 80/217/EEC, in particular Article 9 (6), Belgium is authorized to apply the mark described in Article 3 (1) (A) (e) of Directive 64/433/EEC to pigmeat obtained from pigs originating from holdings situated in a surveillance zone in Belgium established in accordance with the provisions of Article 9 (1) of Directive 80/217/EEC on the condition that the pigs in question:

- (a) originate from a holding to which, following the epidemiological inquiry, no contact has been established with an infected holding;
- (b) originate from a holding which for a period of at least three weeks has been subject to a weekly inspection by a veterinarian. The inspection has included all pigs kept on the holding;
- (c) have been subject to protection measures established in accordance with Article 9 (6) (f) and (g) of Directive 80/217/EEC;
- (d) have been included in a programme for monitoring body temperature and clinical examination. The programme shall be carried out as given in Annex I;
- (e) have been slaughtered within 12 hours of arrival at the slaughterhouse.

2. Belgium shall ensure that a certificate as given in Annex II is issued in respect of meat referred to in paragraph 1.

Article 2

Pigmeat which complies with the conditions of Article 1 (1) and enters into intra-Community trade must be accompanied by the certificate referred to in Article 1 (2).

⁽¹⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽²⁾ OJ No L 166, 8. 7. 1993, p. 34.

⁽³⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁴⁾ OJ No L 243, 11. 10. 1995, p. 7.

Article 3

Belgium shall ensure that abattoirs designated to receive the pigs referred to in Article 1 (1) do not on the same day accept pigs for slaughter other than the pigs in question.

Article 4

Belgium shall provide Member States and the Commission with:

- (a) the name and location of slaughterhouses designated to receive pigs for slaughter referred to in Article 1 (1);
- (b) a monthly report which contains information on:
 - the area to which the provisions of Article 1 apply,
 - number of pigs slaughtered at the designated slaughterhouses,
 - identification system and movement controls applied to slaughter pigs, as required in accordance with Article 9 (6) (f) (i) of Directive 80/217/EEC,

- instructions issued concerning the application of the programme for monitoring body temperature referred to in Annex I.

Article 5

This Decision is applicable until 1 July 1997.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

MONITORING OF BODY TEMPERATURE

The programme for monitoring body temperature and clinical examination referred to in Article 1 (1) (d) shall include the following:

1. Within the 24 hour period before loading a consignment of pigs intended for slaughter, the official veterinary authority shall ensure that the body temperature of a number of pigs of the said consignment is monitored by inserting a thermometer into the rectum. The number of pigs to be monitored for temperature shall be as given below:

No of pigs in consignment	No of pigs to be monitored
0 - 25	all
26 - 30	26
31 - 40	31
41 - 50	35
51 - 100	45
101 - 200	51
200 +	60

At the time of examination, the following information shall be recorded for each pig on a table issued by the competent veterinary authorities: number of eartags, time of examination and temperature.

In cases where the examination shows a temperature of 40 °C or above, the official veterinarian shall immediately be informed. He shall initiate a disease investigation and take into account the provisions of Article 4 of Council Directive 80/217/EEC introducing Community measures for the control of classical swine fever.

2. Shortly (0 to 3 hours) before loading of the consignment examined as described under point 1 above, a clinical examination shall be carried out by an official veterinarian designated by the competent veterinary authorities.
 3. At the time of loading of the consignment of pigs examined as described under points 1 and 2 above, the official veterinarian shall issue a health document, which shall accompany the consignment to the designated slaughterhouse.
 4. At the slaughterhouse of designation the results of the temperature monitoring shall be made available to the official veterinarian who performs the ante-mortem examination.
-

ANNEX II

CERTIFICATE

for fresh meat referred to in Article 1 (1) of Commission Decision 97/294/EC

No ⁽¹⁾

Place of loading:

Ministry:

Department:

I. Identification of meat

Meat of pigs

Nature of cuts:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse:

.....
.....

III. Destination of meat

The meat will be sent

from:

(place of loading)

to:

(place of destination)

by the following means of transport ⁽²⁾

Name and address of consignee:

.....
.....

⁽¹⁾ Serial number issued by the official veterinarian.

⁽²⁾ In the case of rail trucks and lorries, state the registration number and in the case of boats, name and, where necessary, the number of the container.

IV. Health attestation

I, the undersigned official veterinarian, certify that the meat described above was obtained under the conditions governing production and control laid down in Directive 64/433/EEC and is in conformity with the provisions of Decision 97/294/EC on marking and use of pigmeat in application of Article 9 of Directive 80/217/EEC.

Done at, on

.....
(name and signature of the official veterinarian)
