

Official Journal

of the European Communities

ISSN 0378-6978

L 192

Volume 41

8 July 1998

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EC) No 1447/98 of 7 July 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables 1
- Commission Regulation (EC) No 1448/98 of 7 July 1998 concerning the issue of import licences for certain preserved mushrooms 3
- ★ Commission Regulation (EC) No 1449/98 of 7 July 1998 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 as regards effort reports 4
- ★ Commission Regulation (EC) No 1450/98 of 7 July 1998 amending Regulation (EC) No 1424/95 temporarily adapting the special arrangements for imports of certain products in the beef and veal product group originating in Switzerland and the Republics of Bosnia-Herzegovina, Croatia and Slovenia and the former Yugoslav Republic of Macedonia with the view to the implementation of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations 9
- ★ Commission Regulation (EC) No 1451/98 of 7 July 1998 amending Regulation (EC) No 1324/96 establishing the supply balance for the Azores and Madeira in the rice products sector 10
- Commission Regulation (EC) No 1452/98 of 7 July 1998 determining to what extent import right applications submitted for live bovine animals weighing between 80 and 300 kilograms as part of a tariff quota provided for in Regulation (EC) No 1149/98 may be accepted 12

Commission

98/431/EC:

- ★ Commission Decision of 25 June 1998 amending the information contained in the list in the Annex to Commission Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community ⁽¹⁾ (notified under document number C(1998) 1647) 13

98/432/EC:

- ★ Commission Decision of 25 June 1998 authorising Member States temporarily to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of South Africa (notified under document number C(1998) 1751) 16

98/433/EC:

- ★ Commission Decision of 26 June 1998 on harmonised criteria for dispensations according to Article 9 of Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances ⁽¹⁾ (notified under document number C(1998) 1758) 19

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1447/98
of 7 July 1998
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 8 July 1998.

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

Done at Brussels, 7 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 7 July 1998 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
0707 00 05	052	79,8
	999	79,8
0709 90 70	052	49,7
	999	49,7
0805 30 10	382	58,5
	388	57,3
	524	54,5
	528	57,2
	999	56,9
0808 10 20, 0808 10 50, 0808 10 90	388	73,4
	400	88,2
	404	90,5
	508	91,8
	512	65,2
	524	49,4
	528	58,9
	800	232,0
	804	104,2
	999	94,8
0808 20 50	388	102,4
	400	66,8
	512	92,6
	528	84,8
	804	154,7
0809 10 00	999	100,3
	052	183,0
	064	152,3
0809 20 95	999	167,7
	052	345,3
	060	136,7
	064	222,6
	068	158,8
	400	279,1
	616	211,1
0809 30 10, 0809 30 90	999	225,6
	052	151,9
	999	151,9
0809 40 05	064	123,0
	066	103,7
	624	272,0
	999	166,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22. 11. 1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1448/98**of 7 July 1998****concerning the issue of import licences for certain preserved mushrooms**

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

Having regard to Commission Regulation (EC) No 2125/95 of 6 September 1995 opening and providing for the administration of Community tariff quotas for preserved mushrooms of the genus *Agaricus* spp.⁽¹⁾, as last amended by Regulation (EC) No 2405/97⁽²⁾, and in particular Article 6(4) thereof,

Whereas Article 6(4) of Regulation (EC) No 2125/95 lays down that where the quantities applied for exceed the quantity available, the Commission must set a flat-rate percentage reduction and suspend the issue of licences in respect of subsequent applications;

Whereas the quantities applied for on 1 and 2 July 1998 for products originating in countries other than China, Bulgaria, Poland and Romania exceeded the quantity available; whereas, as a result, the extent to which licences may be issued must be determined and the issue of licences for all subsequent applications should be suspended until 31 December 1998,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for pursuant to Regulation (EC) No 2125/95 for products originating in countries other than China, Bulgaria, Poland and Romania on 1 and 2 July 1998, and submitted to the Commission on 3 July 1998, shall be issued, bearing the wording laid down in Article 11(1) of that Regulation, for 3,460 % of the quantity applied for.

Article 2

The issue of import licences applied for pursuant to Regulation (EC) No 2125/95 for products originating in countries other than China, Bulgaria, Poland and Romania shall be suspended for applications submitted from 3 July until 31 December 1998.

Article 3

This Regulation shall enter into force on 8 July 1998.

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

Done at Brussels, 7 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 212, 7. 9. 1995, p. 16.

⁽²⁾ OJ L 332, 4. 12. 1997, p. 32.

COMMISSION REGULATION (EC) No 1449/98

of 7 July 1998

laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 as regards effort reports

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2635/97 ⁽²⁾, and in particular Article 19b(4) thereof,

Whereas, pursuant to Article 19b(4) of Regulation (EEC) No 2847/93, the Commission has to decide, in accordance with the procedure laid down in Article 36, the provisions concerning the content of the report known as the 'effort report' to be communicated by the masters of Community fishing vessels or their representatives;

Whereas the content of the effort report depends on whether a Community fishing vessel enters into, and/or exits from, a fishing area defined in Article 19a(1) of Regulation (EEC) No 2847/93, including the arrival at and the departure from a port located within such a fishing area;

Whereas it is necessary to ensure that certain information shall be communicated when an effort report is transmitted by VMS;

Whereas it is necessary to establish the format to be used for the communication of the effort report by VMS;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

atives, which intend to fish or have fished in an area, in accordance with Articles 19b and 19c of Regulation (EEC) No 2847/93.

Article 2

For the purposes of this Regulation, in an effort report:

- the geographical location of a vessel shall be expressed in degrees and minutes of latitude and longitude,
- an area shall be an area as defined in Annex I to Council Regulation (EC) No 685/95 ⁽³⁾ and shall be expressed using the codes for effort zones defined in Annex VIa to Commission Regulation (EEC) No 2807/83 ⁽⁴⁾ laying down detailed rules for recording information on Member States' catches of fish,
- the time shall be expressed as universal time (UTC),
- where the catch retained on board by species is mentioned, the demersal species subject to TAC and quota which have to be recorded in the logbook in accordance with Article 6 of Regulation (EEC) No 2847/93 shall be communicated individually in kilograms live weight; all other species retained on board shall be communicated globally in kilograms live weight; the reported quantities shall be the total quantities of each species retained on board at the time of the communication of the effort report,
- the species which are communicated are identified by the FAO code which is mentioned in the logbook.

Article 3

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down the detailed rules for the provision of the 'effort report' to be communicated by masters of Community fishing vessels, or their represent-

1. The effort report to be sent immediately before an entry into an area or an exit from a port, shall contain the following information:

- the heading 'EFFORT REPORT — ENTRY',
- the name, external identification and international radio call sign of the vessel,
- the name of the master of the vessel,

⁽¹⁾ OJ L 261, 12. 10. 1993, p. 1.

⁽²⁾ OJ L 356, 31. 12. 1997, p. 14.

⁽³⁾ OJ L 71, 31. 3. 1995, p. 5.

⁽⁴⁾ OJ L 276, 10. 10. 1983, p. 1.

- the geographical location of the vessel to which the communication refers,
- the area into which the vessel will enter,
- the expected date and time of entry into that area,
- the catch retained on board by species, only in case of entry into an area,
- when applicable, the name of the port from which the vessel will exit.

2. The effort report to be sent immediately before an exit from an area or an entry to a port, shall contain the following information:

- the heading 'EFFORT REPORT — EXIT',
- the name, external identification and international radio call sign of the vessel,
- the name of the master of the vessel,
- the geographical location of the vessel to which the communication refers,
- the area from which the vessel will exit,
- the expected date and time of exit from that area,
- the catch retained on board by species, only in case of exit from an area,
- when applicable, the name of the port into which the vessel will enter.

3. In the case of an entry to a port, the information required in paragraph 2 can be added to the notification referred to in Article 7 of Regulation (EEC) No 2847/93.

4. Notwithstanding paragraphs 1 and 2, the effort report to be sent immediately before an exit from an area and the effort report to be sent immediately before an entry into an adjacent area, shall be combined in a single effort report, which shall contain the following information:

- the heading 'EFFORT REPORT — ENTRY',
- the name, external identification and international radio call sign of the vessel,
- the name of the master of the vessel,
- the geographical location of the vessel to which the communication refers,

- the adjacent area into which the vessel will enter,
- the expected date and time of entry into that area,
- the catch retained on board by species.

Article 4

1. Where a vessel conducting trans-zonal fisheries crosses the line separating areas more than once during a period of 24 hours, provided it remains within a delimited zone of five miles either side of the line between areas, the effort report to be sent immediately before the first entry into an area, and the effort report to be sent immediately before the last exit from an area, within that 24-hour period, shall contain the following information:

- the heading 'EFFORT REPORT — TRANS-ZONAL',
- the name, external identification and international radio call sign of the vessel,
- the name of the master of the vessel,
- the geographical location of the vessel to which the communication refers,
- the area from which the vessel will exit,
- the expected date and time of exit from that area,
- the adjacent area(s) into which the vessel will enter,
- the catch retained on board by species.

2. Where trans-zonal fisheries are conducted during more than 24 hours, the catch retained on board shall only be communicated immediately before the first entry into an area and immediately before the last exit from an area.

Article 5

1. Where a Community fishing vessel spends less than 72 hours at sea, but during that time fishing activities are undertaken in the waters under the sovereignty or jurisdiction of a Member State or Member States other than the flag Member State, the effort report to be sent before the departure shall contain the following information:

- the heading 'SINGLE EFFORT REPORT',
- the name, external identification and international radio call sign of the vessel,
- the name of the master of the vessel,
- the geographical location of the vessel to which the communication refers,
- the area into which the vessel will enter,

- the expected date and time of entry into that area,
- when applicable, the adjacent areas into which the vessel will enter,
- the area from which the vessel will exit,
- the expected date and time of exit from that area,
- the catch retained on board by species, at the time of departure.

2. Should changes occur in the information provided, they shall be notified immediately to the competent authorities by the master of the vessel or his representative.

Article 6

Masters of Community fishing vessels or their representatives who transmit the effort report by VMS, in accordance with Article 5 of Commission Regulation (EC) No

1489/97⁽¹⁾, shall communicate immediately before an entry into, and/or an exit from an area:

- the internal fleet register number of the vessel,
- the time and date of sending the effort report,
- the name of the master of the vessel,
- the catch retained on board by species.

The format for the communication by VMS to the coastal Member State is specified in the Annex.

Article 7

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

It shall apply with effect from 1 July 1998.

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

Done at Brussels, 7 July 1998.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 202, 30. 7. 1997, p. 18.

ANNEX

Electronic data exchange format for transmission by VMS

Table 1. Definition of the mandatory data elements

Data element	Field code	Maximum width	Mandatory/Optional	Definition/Remarks
Start of record	SR		M	
Type of message	TM	3	M	Code; value EFR
Internal No	IR	12	M	Vessel detail Internal fleet register number
Time	TI	4	M	Time of sending the report (UTC) (hhmm)
Date	DA	8	M	Date of sending the report (yyyymmdd)
Catch on board	CB	3 + 7	M	Catch retained on board by species (FAO 3-alpha species code) in kilograms live weight (in numbers); allow several pairs of fields, consisting of species and weight, with each field separated by a space
Master	MA	30	M	Name of the master of the vessel
End of record	ER		M	

Table 2. Definition of optional data elements

Data element	Field code	Maximum width	Mandatory/Optional	Definition/Remarks
Coastal Member State	AD	3	O	Addressee Alpha-3 ISO country code
External identification	XR	14	O	Vessel detail
Name	NA	40	O	Vessel detail
Flag	FS	3	O	Vessel detail Flag State; Alpha-3 ISO country code

Data element	Field code	Maximum width	Mandatory/Optional	Definition/Remarks
International radio call sign	RC	7	O	Vessel detail
Activity	AC	6	O	Code. Activity carried out
Other information	OI	50	O	Other information not covered above

Character set: ISO 8859.1

A data transmission is structured in the following manner:

- a double slash (//) and a field code indicate the start of a data element,
- a slash (/) separates the field code and the data.

Optional data elements have to be inserted between 'Start of record' and 'End of record'.

COMMISSION REGULATION (EC) No 1450/98
of 7 July 1998

amending Regulation (EC) No 1424/95 temporarily adapting the special arrangements for imports of certain products in the beef and veal product group originating in Switzerland and the Republics of Bosnia-Herzegovina, Croatia and Slovenia and the former Yugoslav Republic of Macedonia with the view to the implementation of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations

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

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations ⁽¹⁾, as last amended by Regulation (EC) No 1340/98 ⁽²⁾, and in particular Article 3(1) thereof,

Whereas Commission Regulation (EC) No 1424/95 ⁽³⁾, as last amended by Regulation (EC) No 1243/97 ⁽⁴⁾, lays down transitional measures, applicable until 30 June 1998, to facilitate the transition to the arrangements applicable to the import of certain products in the beef and veal sector originating in Switzerland resulting from the agreements concluded during the Uruguay Round of multilateral trade negotiations;

Whereas Regulation (EC) No 1340/98 extending the period for taking transitional measures required in the agricultural sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations extends the period during which the

transitional measures are to be taken until 30 June 1999; whereas, pending the adoption by the Council of a definitive measure, the measures provided for in Regulation (EC) No 1424/95 should be extended for Switzerland until 30 June 1999;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 of Regulation (EC) No 1424/95, '30 June 1998' is replaced by '30 June 1999'.

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 with effect from 1 July 1998.

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

Done at Brussels, 7 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ L 184, 27. 6. 1998, p. 1.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 19.

⁽⁴⁾ OJ L 173, 1. 7. 1997, p. 79.

COMMISSION REGULATION (EC) No 1451/98
of 7 July 1998
amending Regulation (EC) No 1324/96 establishing the supply balance for the
Azores and Madeira in the rice products sector

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 562/98 ⁽²⁾, and in particular Article 10 thereof,

Whereas common detailed rules for the implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira are laid down in Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾;

Whereas, for the purposes of applying Article 2 of Regulation (EEC) No 1600/92, the forecast supply balance for the Azores and Madeira should be drawn up for rice-sector products on the basis of the islands' requirements; whereas the Annex to Commission Regulation (EC) No 1324/96 ⁽⁵⁾, as last amended by Regulation (EC) No 2468/

97 ⁽⁶⁾, should accordingly be replaced by 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 Annex to Regulation (EC) No 1324/96 is hereby replaced by the Annex hereto.

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 with effect from 1 July 1998.

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

Done at Brussels, 7 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 76, 13. 3. 1998, p. 6.

⁽³⁾ OJ L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ L 171, 10. 7. 1996, p. 3.

⁽⁶⁾ OJ L 341, 12. 12. 1997, p. 6.

*ANNEX**'ANNEX*

**Supply balance for rice for the Azores and Madeira for the marketing period 1 July 1998 to
30 June 1999**

(tonnes)

Product (CN code)		Azores	Madeira
Milled rice	1006 30	2 500	5 000'

COMMISSION REGULATION (EC) No 1452/98
of 7 July 1998

determining to what extent import right applications submitted for live bovine animals weighing between 80 and 300 kilograms as part of a tariff quota provided for in Regulation (EC) No 1149/98 may be accepted

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

Having regard to Commission Regulation (EC) No 1149/98 of 2 June 1998 laying down, for the period 1 July 1998 to 30 June 1999, certain detailed rules for the application of a tariff quota for live bovine animals weighing from 80 to 300 kilograms and originating in certain third countries⁽¹⁾, and in particular Article 4(1) thereof,

Whereas Article 1(1) of Regulation (EC) No 1149/98 lays down the number of head of live bovine animals weighing between 80 and 300 kilograms originating in certain third countries which may be imported under special conditions in the period 1 July 1998 to 30 June 1999;

Whereas the quantities for which import right applications have been submitted exceed the quantities available; whereas, pursuant to Article 4(2) of Regulation (EC) No 1149/98, a single percentage reduction in the quantities applied for should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Import right applications submitted pursuant to the import arrangements referred to in Regulation (EC) No 1149/98 shall be reduced by 99,1837 %.

Article 2

This Regulation shall enter into force on 8 July 1998.

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

Done at Brussels, 7 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 159, 3. 6. 1998, p. 40.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 June 1998

amending the information contained in the list in the Annex to Commission Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community

(notified under document number C(1998) 1647)

(Text with EEA relevance)

(98/431/EC)

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

Having regard to Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources⁽¹⁾,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community⁽²⁾, as last amended by Regulation (EC) No 3410/93⁽³⁾, and in particular Article 3 thereof,

Whereas authorities of the Member States concerned have applied for the information in the list provided for in Article 10(3)(b) of Regulation (EC) No 894/97 to be amended; whereas the said authorities have provided all the information supporting their applications pursuant to Article 3 of Regulation (EEC) No 55/87; whereas it has been found that the information complies with the

requirements and whereas, therefore, the information in the list annexed to the Regulation should be amended,

HAS ADOPTED THIS DECISION:

Article 1

The information in the list annexed to Regulation (EEC) No 55/87 is amended as shown in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 June 1998.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 132, 23. 5. 1997, p. 1.

⁽²⁾ OJ L 8, 10. 1. 1987, p. 1.

⁽³⁾ OJ L 310, 14. 12. 1993, p. 27.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO —
LIITE — BILAGA

A. Datos que se retiran de la lista — Oplysninger, der skal slettes i listen — Aus der Liste herauszunehmende Angaben — Στοιχεία που διαγράφονται από τον κατάλογο — Information to be deleted from the list — Renseignements à retirer de la liste — Dati da togliere dall'elenco — Inlichtingen te schrappen uit de lijst — Informações a retirar da lista — Luettelosta poistettavat tiedot — Uppgifter som skall tas bort från förteckningen

1	2	3	4	5
---	---	---	---	---

BÉLGICA / BELGIEN / BELGIEN / ΒΕΛΓΙΟ / BELGIUM / BELGIQUE / BELGIO /
BELGIË / BÉLGICA / BELGIA / BELGIEN

Z	82	Nautilus	OPDD	Zeebrugge	221
Z	474	Limanda	OPSV	Zeebrugge	220
Z	501	Asterias	OPTW	Zeebrugge	221

DINAMARCA / DANMARK / DÄNEMARK / ΔΑΝΙΑ / DENMARK / DANEMARK / DANIMARCA /
DENEMARKEN / DINAMARCA / TANSKA / DANMARK

RI	48	Lasiry	OYCI	Hvide Sande	126
----	----	--------	------	-------------	-----

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA /
DUITSLAND / ALEMANHA / SAKSA / TYSKLAND

FED	4	Christine	DLIG	Fedderwardsiel	180
GRE	7	Emsstrom	DCCH	Greetsiel	221
GRE	21	Sturmvogel	DCGR	Greetsiel	140
HAR	2	Jens Albrecht II		Harlesiel	150
HUS	9	Edelweiß	DJGC	Husum	180
NEU	243	Seeschwalbe	DFNS	Neuharlingersiel	177
OTT	1	Mareike	DIRQ	Otterndorf	107
SC	30	Maarten Senior	DITY	Büsum	200
SD	18	Atlantik	DISR	Friedrichskoog	180
ST	6	Hilke Maritta	DNHA	Tönning	221
WIT	12	Nausikaa	DDFA	Wittdün	183

PAÍSES BAJOS / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS /
PAESI BASSI / NEDERLAND / PAÍSES BAIXOS / ALANKOMAAT / NEDERLÄNDERNA

HA	44	Hoop Op Zegen		Harlingen	143
OD	31	Jan		Goedereede-Ouddorp	188
TH	42	Erwin		Tholen	123
TS	1	Pietertje Faber		Terschelling	156
TS	2	Jurjen Jacob		Terschelling	155
TX	50	Deneb	PDNF	Texel	208
UQ	15	Robert Klaas		Usquert	132
VLI	8	Esperanto	PDPL	Vlissingen	221
WL	4	Henderika		Westdongeradeel	110
WL	15	Monte Tjerk		Westdongeradeel	107
WL	27	Aurora		Westdongeradeel	125
WR	88	Rana	PGYN	Wieringen	184
WR	2	Carla Maria	PDHV	Wieringen	188
YE	40	Dei Gratia	PIPF	Yerseke	221

1	2	3	4	5
YE 137	Wilhelmina	PIPD	Yerseke	214
ZK 16	Nordhavet		Ulrum-Zoutkamp	77
ZK 24	Soltcamp		Ulrum-Zoutkamp	198
ZK 35	Noordzee		Ulrum-Zoutkamp	221

B. Datos que se añaden a la lista — Oplysninger, der skal anføres i listen — In die Liste hinzuzufügende Angaben — Στοιχεία που προστίθενται στον κατάλογο — Information to be added to the list — Renseignements à ajouter à la liste — Dati da aggiungere all'elenco — Inlichtingen toe te voegen aan de lijst — Informaçōes a aditar à lista — Luetteloon lisättävät tiedot — Uppgifter som skall läggas till i förteckningen

1	2	3	4	5
---	---	---	---	---

BÉLGICA / BELGIEN / BELGIEN / ΒΕΛΓΙΟ / BELGIUM / BELGIQUE / BELGIO /
BELGIË / BÉLGICA / BELGIA / BELGIEN

N 501	Asterias	OPTW	Nieuwpoort	221
O 82	Nautilus	OPDD	Oostende	221
Z 474	Hessel Sr.	OPSV	Zeebrugge	220

DINAMARCA / DANMARK / DÄNEMARK / ΔΑΝΙΑ / DENMARK / DANEMARK / DANIMARCA /
DENEMARKEN / DINAMARCA / TANSKA / DANMARK

RI 320	Lasiry	OYCI	Hvide Sande	127
--------	--------	------	-------------	-----

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA /
DUITSLAND / ALEMANHA / SAKSA / TYSKLAND

BOR 1	Friesland	DIRQ	Borkum	107
DOR 1	Sturmvogel	DCGR	Dorum	140
FED 4	Christine	DLIG	Fedderwardsiel	221
HAR 2	Jens Albrecht II		Harlesiel	121
HUS 7	Gila	DDFA	Nordstrand	183
SAS 106	Vinetabank	DNHA	Sassnitz	221
SC 30	Evert-Jan	DITY	Büsum	200
SD 14	Edelweiss	DJGC	Friedrichskoog	180
ST 18	Atlantik	DISR	Tönning	180
SU 10	Argus	DCCH	Husum	221

ΠΑΪΣΕΣ ΒΑΪΟΣ / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS /
PAESI BASSI / NEDERLAND / PAÍSES BAIXOS / ALANKOMAA / NEDERLÄNDERNA

HA 43	Silverpit	PIPF	Harlingen	221
HA 44	Hoop Op Zegen		Harlingen	184
TS 1	Alina		Terschelling	156
TS 2	Sven		Terschelling	155
UK 25	Florian		Urk	123
UQ 15	Robert Klaas		Usquert	221
WL 4	Henderika		Westdongeradeel	175
WL 15	Monte Tjerk		Westdongeradeel	200
WL 27	Aurora		Westdongeradeel	184
WR 88	Rana	PGYN	Wieringen	220
WR 212	Rikjelle	PDNF	Wieringen	208
ZK 12	Pieter Dion	PDHV	Ulrum-Zoutkamp	188

COMMISSION DECISION

of 25 June 1998

authorising Member States temporarily to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of South Africa

(notified under document number C(1998) 1751)

(98/432/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 98/2/EC⁽²⁾, and in particular Article 14(1) thereof,

Having regard to the request made by the United Kingdom,

Whereas, under the provisions of Directive 77/93/EEC, plants of strawberry (*Fragaria* L.) intended for planting, other than seeds, originating in non-European countries, other than Mediterranean countries, Australia, New Zealand, Canada and the continental States of the United States of America, may in principle not be introduced into the Community;

Whereas, there is interest in the growing, in the Republic of South Africa, of plants of *Fragaria* L., intended for planting, other than seeds, from plants supplied by a Member State, in order to prolongate the growing season of the plants; whereas these plants could afterwards be re-exported to the Community in order to have them planted for the production of fruit;

Whereas, in respect of the said imports into the Community of the said plants, on the basis of the information supplied by the relevant Member State, it appeared that the said strawberry plants could be grown under adequate health conditions in the Elliot district of the North Eastern Cape region, Republic of South Africa and whereas, on the basis of the information supplied and under such circumstances there appeared to be no risk of spreading harmful organisms affecting plants of *Fragaria* L., provided that certain special technical conditions were satisfied; whereas, therefore by Decision 97/488/EC⁽³⁾ the Commission authorised derogations under special technical conditions in respect of plants of strawberry

(*Fragaria* L.) intended for planting, other than seeds, originating in the Republic of South Africa;

Whereas there have been no confirmed findings of harmful organisms in official examinations on the imports pursuant to the said Decision;

Whereas also the Commission shall ensure that the Republic of South Africa continues to make available all technical information necessary to assess the phytosanitary status of strawberry plant production in the Republic of South Africa;

Whereas the circumstances justifying the authorisation still obtain;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorised to provide, under the conditions laid down in paragraph 2, for a derogation from Article 4(1) of Directive 77/93/EEC, with regard to the requirements referred to in Annex III(A)(18) for plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of South Africa.

2. In addition to the requirements laid down in Part A of the Annexes I, II and IV to Directive 77/93/EEC, in relation to plants of strawberry, the following specific conditions shall be satisfied:

- (a) the plants shall be intended for fruit production within the Community and shall have been:
 - (i) produced exclusively from mother plants, certified under an approved certification scheme of a Member State and those mother plants shall have been imported from a Member State;
 - (ii) grown on land which is:

— situated in the Elliot district of the North Eastern Cape Region,

⁽¹⁾ OJ L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ L 15, 21. 1. 1998, p. 34.

⁽³⁾ OJ L 208, 2. 8. 1997, p. 49.

- situated in an area isolated from commercial strawberry production,
 - situated at least one kilometre from the nearest crop of strawberry plants for fruit or runner production which do not satisfy the conditions of this Decision,
 - situated at least 200 metres from any other plants of the genus *Fragaria* which do not satisfy the conditions of this Decision, and
 - prior to planting and in the period after the previous crop was removed from the land, tested by appropriate methods or treated to ensure freedom from soil infesting harmful organisms, including *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens and;
- (iii) officially inspected by the Plant Protection Service of the Republic of South Africa, at least three times during the growing season and prior to export for the presence of both harmful organisms listed in Part A of Annexes I and II to Directive 77/93/EEC, in particular,
- *Aphelenchoides besseyi* Christie,
 - Arabis mosaic virus,
 - *Colletotrichum acutatum* Simmonds,
 - *Globodera pallida* (Stone) Behrens,
 - *Globodera rostochiensis* (Wollenweber) Behrens,
 - Strawberry crinkle virus,
 - Strawberry mild yellow edge virus,
 - *Xiphinema americanum* Cobb sensu lato (non-European populations),
- and the following harmful organisms which are not known to occur in the Community:
- *Eremnus setulosus* (Boheman),
 - *Graphognathus leucoma* (Boheman),
 - *Heteronychus arator* (Fabricius);
- (iv) found free, in the inspections referred to in point (iii) from the harmful organisms referred to in point (iii);
- (v) prior to export:
- shaken free from soil or other growing medium,
 - cleaned (i. e. free from plant debris) and free from flowers and fruits;
- (b) the plants intended for the Community shall be accompanied by a phytosanitary certificate issued in the Republic of South Africa in accordance with Articles 7 and 12 of Directive 77/93/EEC, on the basis of the examination laid down therein, in particular freedom from the harmful organisms mentioned in point (a)(iii), as well as to the requirements specified in points (a)(i), (ii), (iv) and (v).
- The certificate shall state:
- under the rubric 'Disinfestation and/or disinfection treatment', the specification of the last treatment(s) applied prior to export,
 - under 'Additional Declaration', the indication 'This consignment meets the conditions laid down in Decision 98/432/EC', as well as the name of the variety and the Member State certification scheme under which the mother plants had been certified;
- (c) the plants shall be introduced through points of entry situated within the territory of a Member State and designated for the purpose of this derogation by that Member State;
- (d) prior to introduction into the Community, the importer shall notify each introduction sufficiently in advance to the responsible official bodies in the Member State of introduction and that Member State, without delay, shall convey the details of the notification to the Commission, indicating:
- the type of material,
 - the quantity,
 - the declared date of introduction and confirmation of the point of entry,
 - the names and addresses of the premises referred to in point (f) where the plants will be planted.
- At the time of import the importer shall provide confirmation of the details of the aforementioned advance notification.
- The importer shall be officially informed, prior to the introduction, of the conditions laid down in points (a), (b), (c), (d), (e), (f) and (g);
- (e) the inspections including testing, as appropriate, required pursuant to Article 12 of Directive 77/93/EEC shall be made by the responsible official bodies, referred to in the said Directive, of the Member States making use of this derogation, and where appropriate, in cooperation with the said bodies of the Member State in which the plants will be planted. Without prejudice to the monitoring referred to in Article 19a(3), second indent, first possibility, the Commission shall determine to what extent the inspections referred to in Article 19a(3), second indent, second possibility of the said Directive, shall be integrated into the inspection programme in accordance with Article 19a(5)(c) of that Directive;

- (f) the plants shall be planted only at premises officially registered and approved for the purposes of this derogation and of which the name of the owner and address of the site have been notified in advance by the person who intends to plant the plants imported pursuant to this Decision, to the said responsible official bodies of the Member State in which the premises are situated; in those cases where the place of planting is situated in a Member State other than the Member State making use of this derogation, the said responsible official bodies of the Member State making use of this derogation, at the moment of receipt of the aforementioned advance notification from the importer, shall inform the said responsible official bodies of the Member State in which the plants will be planted giving the name and addresses of the premises where the plants will be planted;
- (g) the said responsible official bodies shall ensure that any plant not planted in accordance with point (f) shall be officially destroyed. Records shall be kept available to the Commission on the number of officially destroyed plants;
- (h) in the growing period following importation, a suitable proportion of the plants shall be inspected by the said responsible official bodies of the Member State in which the plants are planted, at appropriate times, at the premises referred to in point (f).

Article 2

Member States shall inform the other Member States and the Commission by means of the notification referred to in Article 1(2)(d), of any use made of the authorisation.

They shall provide the Commission and the other Member States, before 1 November 1998, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1(2)(e). Furthermore all Member States in which the plants are planted shall also provide the Commission and the other Member States, before 1 March after the year of importation, with a detailed technical report of the official examination referred to in Article 1(2)(h).

Article 3

The authorisation granted in Article 1 shall apply during the period between 1 July and 15 July 1998. It shall be revoked if it is established that the conditions laid down in Article 1(2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 25 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 26 June 1998

on harmonised criteria for dispensations according to Article 9 of Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances

(notified under document number C(1998) 1758)

(Text with EEA relevance)

(98/433/EC)

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

Having regard to Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances⁽¹⁾, and in particular Article 9 thereof,

Whereas Article 9 of Directive 96/82/EC establishes that Member States shall require the operators of certain establishments to produce safety reports;

Whereas Article 9(6)(a) of Directive 96/82/EC establishes that where it is demonstrated to the satisfaction of the competent authority that particular substances present at the establishment, or any part thereof, are in a state incapable of creating a major-accident hazard, then the Member State may, in accordance with the criteria referred to in subparagraph (b), limit the information required in safety reports to those matters which are relevant to the prevention of residual major-accident hazards and the limitation of their consequences for man and the environment;

Whereas these criteria do not affect the determination of the qualifying quantities of dangerous substances for the application of Article 9 of Directive 96/82/EC;

Whereas Article 9(6)(b) of Directive 96/82/EC establishes that before the Directive is brought into application, the Commission, acting in accordance with the procedure laid down in Article 16 of Council Directive 82/501/EEC

of 24 June 1982 on the major-accident hazards of certain industrial activities⁽²⁾, shall establish harmonised criteria for the decision by the competent authority that an establishment is in a state incapable of creating a major-accident hazard within the meaning of subparagraph (a);

Whereas the measures provided for in this Decision are in accordance with the opinion of the committee set up pursuant to Article 16 of Directive 82/501/EEC,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of Article 9(6) of Directive 96/82/EC on the control of major-accident hazards involving dangerous substances the Commission hereby adopts the harmonised criteria given in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 June 1998.

For the Commission

Ritt BJERREGAARD

Member of the Commission

⁽¹⁾ OJ L 10, 14. 1. 1997.

⁽²⁾ OJ L 230, 5. 8. 1982. Directive as amended by Directive 87/216/EEC (OJ L 85, 28. 3. 1987, p. 36), Directive 88/610/EEC (OJ L 336, 7. 12. 1988, p. 14) and Directive 91/692/EEC (OJ L 377, 31. 12. 1991, p. 48).

*ANNEX***Harmonised criteria for dispensations according to Article 9 of Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances**

A dispensation according to Article 9(6) may be granted if at least one of the following generic criteria is fulfilled:

1. Physical form of substance

Substances in solid form, such that, under both normal conditions and any abnormal conditions which can reasonably be foreseen, a release, of matter or of energy, which could create a major-accident hazard, is not possible.

2. Containment and quantities

Substances packaged or contained in such a fashion and in such quantities that the maximum release possible under any circumstances cannot create a major-accident hazard.

3. Location and quantities

Substances present in such quantities and at such distances from other dangerous substances (at the establishment or elsewhere) that they can neither create a major-accident hazard by themselves nor initiate a major accident involving other dangerous substances.

4. Classification

Substances which are defined as dangerous substances by virtue of their generic classification in Annex I, Part 2 to Directive 96/82/EC, but which cannot create a major-accident hazard, and for which therefore the generic classification is inappropriate for this purpose.
