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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2048/2001
of 19 October 2001
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 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 October 2001.

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 19 October 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	67,8
	204	49,7
	999	58,8
0707 00 05	052	108,1
	999	108,1
0709 90 70	052	79,2
	999	79,2
0805 30 10	052	61,5
	388	65,5
	454	84,8
	524	50,7
	528	53,7
	600	68,8
	999	64,2
0806 10 10	052	90,1
	064	96,5
	400	204,1
	512	74,3
	999	116,3
0808 10 20, 0808 10 50, 0808 10 90	060	33,7
	075	62,5
	388	184,6
	400	67,0
	404	71,2
	800	199,8
	999	103,1
	999	103,1
0808 20 50	052	101,7
	720	47,6
	999	74,7

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 2049/2001
of 19 October 2001
prohibiting fishing for herring by vessels flying the flag of Sweden**

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 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2848/2000 of 15 December 2000 fixing for 2001 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, as amended by Regulation (EC) No 1666/2001 ⁽⁴⁾, lays down quotas for herring for 2001.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of herring in the waters of the zone North Sea north of 53°30' N by vessels flying the flag of

Sweden or registered in Sweden have exhausted the quota allocated for 2001. Sweden has prohibited fishing for this stock from 21 September 2001. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of herring in the waters of the zone North Sea north of 53°30' N by vessels flying the flag of Sweden or registered in Sweden are hereby deemed to have exhausted the quota allocated to Sweden for 2001.

Fishing for herring in the waters of the zone North Sea north of 53°30' N by vessels flying the flag of Sweden or registered in Sweden is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 21 September 2001.

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 334, 30.12.2000, p. 1.

⁽⁴⁾ OJ L 223, 18.8.2001, p. 4.

COMMISSION REGULATION (EC) No 2050/2001
of 19 October 2001
prohibiting fishing for haddock by vessels flying the flag of Sweden

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 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2848/2000 of 15 December 2000 fixing for 2001 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, as amended by Commission Regulation (EC) No 1666/2001 ⁽⁴⁾, lays down quotas for haddock for 2001.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of haddock in the waters of ICES divisions IIa and IV (EC waters) by vessels flying the flag of

Sweden or registered in Sweden have exhausted the quota allocated for 2001. Sweden has prohibited fishing for this stock from 29 September 2001. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of haddock in the waters of ICES divisions IIa and IV (EC waters) by vessels flying the flag of Sweden or registered in Sweden are hereby deemed to have exhausted the quota allocated to Sweden for 2001.

Fishing for haddock in the waters of ICES divisions IIa and IV (EC waters) by vessels flying the flag of Sweden or registered in Sweden is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 29 September 2001.

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 334, 30.12.2000, p. 1.

⁽⁴⁾ OJ L 223, 18.8.2001, p. 4.

COMMISSION REGULATION (EC) No 2051/2001

of 19 October 2001

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 ⁽¹⁾, and in particular Article 30 thereof,

Having regard to Commission Regulation (EC) No 1918/98 of 9 September 1998 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 1706/98 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and repealing Regulation (EC) No 589/96 ⁽²⁾, and in particular Article 4 thereof,

Whereas:

(1) Article 1 of Regulation (EC) No 1918/98 provides for the possibility of issuing import licences for beef and veal products. However, imports must take place within the limits of the quantities specified for each of these exporting non-member countries.

(2) The applications for import licences submitted between 1 and 10 September 2001, expressed in terms of boned meat, in accordance with Regulation (EC) No 1918/98, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States. It is therefore possible to issue import licences in respect of the quantities applied for.

(3) The quantities in respect of which licences may be applied for from 1 November 2001 should be fixed within the scope of the total quantity of 52 100 tonnes.

(4) This Regulation is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽³⁾, as last amended by Regulation (EC) No 1452/2001 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The following Member States shall issue on 21 October 2001 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

United Kingdom:

- 400 tonnes originating in Botswana,
- 487 tonnes originating in Namibia,
- 30 tonnes originating in Swaziland.

Article 2

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 1918/98, during the first 10 days of November 2001 for the following quantities of boned beef and veal:

Botswana:	4 976 tonnes,
Kenya:	142 tonnes,
Madagascar:	7 579 tonnes,
Swaziland:	3 333 tonnes,
Zimbabwe:	2 680,05 tonnes,
Namibia:	3 827 tonnes.

Article 3

This Regulation shall enter into force on 21 October 2001.

⁽¹⁾ OJ L 215, 1.8.1998, p. 12.

⁽²⁾ OJ L 250, 10.9.1998, p. 16.

⁽³⁾ OJ L 302, 31.12.1972, p. 28.

⁽⁴⁾ OJ L 198, 21.7.2001, p. 11.

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

Done at Brussels, 19 October 2001.

For the Commission
Franz FISCHLER
Member of the Commission

**COMMISSION REGULATION (EC) No 2052/2001
of 19 October 2001**

laying down to what extent applications for issue of export licences submitted during October 2001 for beef products which may benefit from special import treatment in a third country 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 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef sector and repealing Regulation (EEC) No 2377/80 ⁽¹⁾, as last amended by Regulation (EC) No 24/2001 ⁽²⁾, and in particular Article 12(8) thereof,

Whereas:

- (1) Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79 ⁽³⁾, as last amended by Regulation (EEC) No 3434/87 ⁽⁴⁾.
- (2) Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the

fourth quarter of 2001. No applications were submitted for export licences for beef,

HAS ADOPTED THIS REGULATION:

Article 1

No applications for export licences were lodged for the beef referred to in Regulation (EEC) No 2973/79 for the fourth quarter of 2001.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be lodged in accordance with Article 12 of Regulation (EC) No 1445/95 during the first 10 days of the first quarter of 2002 the total quantity available being 1 250 t.

Article 3

This Regulation shall enter into force on 20 October 2001.

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 143, 27.6.1995, p. 35.

⁽²⁾ OJ L 3, 6.1.2001, p. 9.

⁽³⁾ OJ L 336, 29.12.1979, p. 44.

⁽⁴⁾ OJ L 327, 18.11.1987, p. 7.

COMMISSION REGULATION (EC) No 2053/2001
of 19 October 2001
amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1512/2001 ⁽²⁾, and in particular Article 47(8) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EC) No 1957/2001 ⁽⁴⁾, opened buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups.
- (2) The application of Article 47(3), (4) and (5) of Regulation (EC) No 1254/1999 and the need to limit intervention to buying-in the quantities necessary to ensure reasonable support for the market result, on the basis of

the prices of which the Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in.

- (3) 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

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 20 October 2001.

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 201, 26.7.2001, p. 1.

⁽³⁾ OJ L 159, 10.6.1989, p. 36.

⁽⁴⁾ OJ L 266, 6.10.2001, p. 10.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1 del Reglamento (CEE) n° 1627/89

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1, i forordning (EØF) nr. 1627/89
Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 1627/89

Member States or regions of a Member State and quality groups referred to in Article 1 (1) of Regulation (EEC) No 1627/89

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er} paragraphe 1 du règlement (CEE) n° 1627/89

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1 del regolamento (CEE) n. 1627/89

In artikel 1, lid 1, van Verordening (EEG) nr. 1627/89 bedoelde lidstaten of gebieden van een lidstaat en kwaliteitsgroepen

Estados-Membros ou regiões de Estados-Membros e grupos de qualidades referidos no n.º 1 do artigo 1.º do Regulamento (CEE) n.º 1627/89

Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhmät
Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lidstaat of gebied van een lidstaat	Categorie A			Categorie C		
Estados-Membros ou regiões de Estados-Membros	Categoria A			Categoria C		
Jäsenvaltiot tai alueet	Luokka A			Luokka C		
Medlemsstater eller regioner	Kategori A			Kategori C		
	U	R	O	U	R	O
Belgique/België		×	×			
Danmark		×	×			
Deutschland		×	×			
España		×	×			
France		×	×			×
Ireland					×	×
Italia			×			
Nederland		×	×			

COMMISSION REGULATION (EC) No 2054/2001**of 19 October 2001****establishing the allocation of export licences for cheese to be exported in 2002 to the United States of America under certain quotas resulting from the GATT Agreements**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 30 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1647/2001 ⁽³⁾ opens the procedure for the allocation of export licences for cheese to be exported in 2002 to the United States of America under certain quotas resulting from the GATT Agreements.
- (2) Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products ⁽⁴⁾, as last amended by Regulation (EC) No 1923/2001 ⁽⁵⁾, provides in Article 20(3) that in the case of applications for provisional licences lodged pursuant to Regulation (EC) No 1647/2001 relating to quantities of products in any product group greater than those available, the allocation of licences may take into account the quantity of the same products exported to the United States of America by the applicant in the past and preference may be given to applicants whose designated importers are subsidiaries. Since for most product groups the quantity applied for is greater than that available, a preference should be accorded to those applicants whose designated importers are subsidiaries by fixing higher allocation coefficients for such applicants.
- (3) The regime does not foresee the possibility for an operator to renounce the delivery of a certificate in cases where the quantity resulting from the application of the allocation coefficients is very small and experience has shown that there is a risk of an operator in such circumstances being unable to fulfil his obligation to export with the consequent loss of the security. It is therefore appropriate to ensure the allocation of a minimum quantity.
- (4) For product groups for which the applications lodged are for quantities less than those available, it is appropriate, in accordance with Article 20(5) of Regulation

(EC) No 174/1999, to provide for the allocation of the remaining quantities to the applicants in proportion to the quantities applied for. The allocation of such further quantities should be conditional on the interested operator making a request and lodging a security.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for provisional export licences lodged pursuant to Regulation (EC) No 1647/2001 in respect of the product groups and quotas identified by 16-Tokyo, 16-, 17-, 20- and 21-Uruguay, 22-Tokyo, 22-Uruguay, 25-Tokyo and 25-Uruguay in column 3 of the Annex hereto:

- by applicants whose designated importers are subsidiaries shall be accepted:
 - for the quantity applied for per product code of the export refund nomenclature not exceeding 10 tonnes, and
 - for the quantity applied for per product code of the export refund nomenclature exceeding 10 tonnes in so far as the allocation coefficients indicated in column 5 of the Annex allow,
- by applicants other than those provided for under the first indent shall be accepted:
 - for the quantity applied for per product code of the export refund nomenclature not exceeding 10 tonnes, and
 - for the quantity applied for per product code of the export refund nomenclature exceeding 10 tonnes in so far as the allocation coefficients indicated in column 6 of the Annex allow.

2. Applications for provisional export licences lodged pursuant to Regulation (EC) No 1647/2001 in respect of the product group identified by 18- in column 3 of the Annex shall be accepted for the quantities requested. On the further application of the trader within 15 working days of the entry into force of this Regulation and subject to the lodging of the security applicable, provisional export licences may be issued for further quantities in so far as the application of the coefficient in column 7 of the Annex to the quantity applied for allows.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 219, 14.8.2001, p. 16.

⁽⁴⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁵⁾ OJ L 261, 29.9.2001, p. 53.

Article 2

This Regulation shall enter into force on the third 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, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Identification of group in accordance with additional notes in Chapter 4 of the harmonised tariff schedule of the United States of America		Identification of group and quota	Quantity available for 2002 (t)	Allocation coefficient provided for under Article 1(1), first indent	Allocation coefficient provided for under Article 1(1), second indent	Coefficient provided for under Article 1(2)
Note No	Group					
(1)	(2)	(3)	(4)	(5)	(6)	(7)
16	Not specifically provided for (NSPF)	16-Tokyo	908,877	0,3943985	0,1314662	
		16-Uruguay	2 346,000	0,3300782	0,1100261	
17	Blue mould	17-Uruguay	300,000	0,1015625	0,0338542	
18	Cheddar	18-Uruguay	1 000,000			1,8518519
20	Edam/Gouda	20-Uruguay	1 000,000	0,4452102	0,1484034	
21	Italian type	21-Uruguay	700,000	0,1033943	0,0344648	
22	Swiss or Emmenthaler cheese other than with eye formation	22-Tokyo	393,006	0,9463968	0,3154656	
		22-Uruguay	380,000	0,9409594	0,3136531	
25	Swiss or Emmenthaler cheese with eye formation	25-Tokyo	4 003,172	0,4237921	0,1412640	
		25-Uruguay	1 220,000	0,3356238	0,1118746	

COMMISSION REGULATION (EC) No 2055/2001
of 19 October 2001
amending Regulation (EC) No 2603/1999 laying down rules for the transition to the rural develop-
ment support provided for by Council Regulation (EC) No 1257/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations ⁽¹⁾, and in particular Article 53(1) thereof,

Whereas:

- (1) For the Regulations referred to in Article 4(1) of Commission Regulation (EC) No 2603/1999 ⁽²⁾, as amended by Regulation (EC) No 1929/2000 ⁽³⁾, Article 4(2) sets a date until which an application for payments must be received by the Commission in order to continue to be financed by the Guidance Section of the EAGGF. This provision shortens the time limit previously foreseen by the Commission Decisions granting support from the Guidance Section of the EAGGF, in conjunction with Article 21(4) of Council Regulation (EEC) No 4253/88 ⁽⁴⁾, as last amended by Regulation (EC) No 3193/94 ⁽⁵⁾.
- (2) This shorter deadline by which the Commission must have received applications for payments could result in a significant underspending of the EAGGF Guidance Section; for this reason it is advisable to extend the date in question in order to permit the full consumption of available credits under the Guidance Section of the EAGGF.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS REGULATION:

Article 1

1. The first subparagraph of Article 4(2) of Regulation (EC) No 2603/1999 is replaced by the following:

‘2. Payments arising from commitments, including compensatory allowances relating, at the latest, to the year 1999, made by Member States before 1 January 2000 and for which expenditure is incurred by Member States before 1 January 2002 shall continue to be financed by the Guidance Section of the EAGGF in accordance with the conditions laid down in the Regulations referred to in paragraph 1 and subject to the availability of funds.’

2. Article 4(3) of Regulation (EC) No 2603/1999 is replaced by the following:

‘3. Community support for multiannual expenditure for actions referred to in the first subparagraph of paragraph 2 for which expenditure is incurred by Member States after 1 January 2002 shall be financed by the Guarantee Section of the EAGGF in areas not covered by Objective 1 as defined as from 1 January 2000.’

Article 2

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

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 80.

⁽²⁾ OJ L 316, 10.12.1999, p. 26.

⁽³⁾ OJ L 231, 13.9.2000, p. 5.

⁽⁴⁾ OJ L 374, 31.12.1988, p. 1.

⁽⁵⁾ OJ L 337, 24.12.1994, p. 11.

COMMISSION REGULATION (EC) No 2056/2001
of 19 October 2001
establishing additional technical measures for the recovery of the stocks of cod in the North Sea
and to the west of Scotland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms ⁽¹⁾, as last modified by Regulation (EC) No 973/2001 ⁽²⁾, and in particular Article 45(1) thereof,

Whereas:

- (1) In November 2000, the International Council for the Exploration of the Sea indicated that the stock of cod which inhabits the North Sea (ICES Sub-area IV and ICES Division IIa) and the stock of cod which inhabits waters to the west of Scotland (ICES Sub-area VI and ICES Division Vb) are at serious risk of collapse.
- (2) At the Council meeting of 14 and 15 December 2000, the Commission and the Council noted the urgent requirement to establish a recovery plan for these stocks of cod.
- (3) The immediate requirement is to reduce catches of juvenile cod by establishing:
 - a general increase in the mesh size of towed nets and static nets used to catch cod to which end it is necessary to derogate from conditions regarding mesh sizes of towed gears laid down in Annexes I and VI of Regulation (EC) No 850/98, and
 - additional conditions to ensure that capture of juvenile cod by towed nets of mesh size less than 120 mm is reduced.
- (4) Many of the measures to be envisaged in the North Sea are also relevant in the context of cod recovery in waters to the west of Scotland and should therefore also be taken in that geographical area while some measures require to be specific to the west of Scotland.
- (5) It is necessary to regulate on these matters immediately, in anticipation of a revision of Regulation (EC) No 850/98, so that the fishing industry will be provided with sufficient time to amend their fishing gears.

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to fishing vessels operating within Community waters of ICES Sub-areas IV and VI and ICES Divisions IIa and Vb.
2. It shall not apply to fishing vessels operating within that part of ICES Sub-area VI enclosed by straight lines sequentially joining the following geographical coordinates:
 - 56° 00' N 07° 30' W
 - 56° 00' N 04° 00' W
 - 55° 00' N 04° 00' W
 - 55° 00' N 07° 30' W
 - 56° 00' N 07° 30' W
3. In that area the conditions laid down in Articles 2 and 3 of Council Regulation (EC) No 2549/2000 of 17 November 2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa) ⁽³⁾.

Article 2

For the purposes of this Regulation the following definitions shall apply:

1. 'codend' means a codend *sensu stricto* as defined in the Annex to Commission Regulation (EEC) No 3440/84 ⁽⁴⁾ of 6 December 1984 on the attachment of devices to trawls, Danish seines and similar nets.
2. 'extension piece' means a lengthening piece as defined in the Annex to Regulation (EEC) No 3440/84.

Article 3

For the purposes of this Regulation percentages of catches retained on board shall be calculated in accordance with conditions laid down in Article 5 of Regulation (EC) No 850/98.

⁽¹⁾ OJ L 125, 27.4.1998, p. 1.

⁽²⁾ OJ L 137, 19.5.2001, p. 1.

⁽³⁾ OJ L 292, 21.11.2000, p. 5.

⁽⁴⁾ OJ L 318, 7.12.1984, p. 23.

Article 4

Notwithstanding the conditions laid down in Article 4(4) and Article 15(1) of Regulation (EC) No 850/98:

1. The catch taken with any demersal towed net of mesh size range 70 to 79 mm and retained on board in ICES Sub-area VI and/or ICES Division Vb shall consist of at least 30 % of Norway lobsters and no more than 5 % of cod.
2. The catch taken with any demersal towed net of mesh size range 80 to 109 mm and retained on board in ICES Division IIa or that part of ICES Sub-area IV to the north of straight lines sequentially joining the following geographical coordinates:

A point on the east coast of the United Kingdom at 55° 00' N,

55° 00' N 05° 00' E,

56° 00' N 05° 00' E,

a point on the west coast of Denmark at 56° 00' N,

shall consist of at least 30 % of Norway lobsters.

3. The catch taken with any demersal towed net of mesh size range 100 to 109 mm and retained on board any fishing vessel in ICES Sub-area VI and/or ICES Division Vb shall consist of:
 - at least 70 % of any mixture of haddock, hake, whiting, anglerfish, megrim, skates, rays, saithe and Nephrops and no more than 5 % of cod, or
 - of at least 70 % of any mixture of the target species included in the longer list of such target species for mesh size range 80 to 99 mm specified in Annex I of Regulation (EC) No 850/98 and/or ling, blue ling, saithe, siki sharks, black scabbard fish, orange roughy, Phycis spp. and Brosme brosme and no more than 5 % of cod.
4. The catch taken with any demersal towed net of mesh size range 110 to 119 mm and retained on board any fishing vessel shall consist of:
 - at least 70 % of saithe and no more than 3 % of cod, or
 - for catches taken in ICES Sub-area VI and/or ICES Division Vb and retained on board, at least 70 % of any mixture of the target species included in the longer list of such target species for mesh size range 80 to 99 mm specified in Annex I to Regulation (EC) No 850/98

and/or ling, blue ling, saithe, siki sharks, black scabbard fish, orange roughy, Phycis spp. and Brosme brosme and no more than 5 % of cod.

However, during 2002, the catch taken with any demersal towed net of mesh size range 110 to 119 mm and retained on board any fishing vessel may consist of:

- at least 50 % of any mixture of haddock, whiting, plaice, sole, lemon sole, skates, rays and anglerfish and no more than 25 % of cod for catches taken in ICES Sub-area IV and/or ICES Division IIa, or
 - at least 50 % of any mixture of haddock, whiting, megrim, anglerfish, skates, rays, Greenland halibut, tusk, ling and saithe and no more than 25 % of cod for catches taken in ICES Sub-area VI and/or ICES Division Vb.
5. It shall be prohibited to retain on board or deploy any demersal towed net or nets of mesh size range 100 to 119 mm unless:
 - each such net is equipped with a square-meshed panel of at least 90 mm mesh size and the panel is installed in compliance with the conditions laid down in paragraphs 2 and 3 of Article 7 of Regulation (EC) No 850/98, or
 - the catch retained on board shall consist of at least 70 % of any mixture of the target species included in the longer list of such target species for mesh size range 80 to 99 mm specified in Annex I to Regulation (EC) No 850/98 and/or ling, blue ling, saithe, siki, sharks, black scabbard fish, orange roughy, Phycis spp. and Brosme brosme and no more than 5 % of cod, or
 - each such net is lashed and stowed in compliance with the conditions laid down in Article 20(1) of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾.
 6. Unless otherwise specified in paragraphs 1 to 5, catches of cod retained on board any vessel carrying any demersal towed net of mesh size range 32 to 119 mm shall not be in excess of 20 % of the weight of the total catch of marine organisms retained on board.
 7. Catches taken by demersal towed gears of mesh size equal to or greater than 120 mm and retained on board are exempt from conditions relating to percentages of target and non-target species.

Article 5

1. It is prohibited to deploy any demersal towed net which incorporates:
 - (i) any individual quadrilateral mesh of which the bars of the mesh are not of approximately equal length;

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

- (ii) a codend and any extension piece, whose joint stretched length exceeds 36 metres in nets of mesh size equal to or greater than 70 mm;
 - (iii) a codend and any extension piece constructed of more than one sheet of netting material such that the linear dimensions of the top half or top sheet of said codend and extension piece are not equal to the linear dimensions of the bottom half or bottom sheet;
 - (iv) a codend or extension piece or square-meshed panel each of which is not constructed exclusively of only one type of netting material;
 - (v) a codend attached by any means other than being sewn into that part of the net anterior to the codend;
 - (vi) a codend and/or extension piece of mesh size equal to or greater than 55 mm which is not constructed of single-twine netting material of which no twine is of thickness greater than 8 mm or of double-twine netting material of which no twine is of thickness greater than 5 mm.
2. With the exception of beam trawls, it is prohibited to deploy any demersal towed net:
- (i) of mesh size range 70 to 89 mm having more than 120 meshes in any circumference of the codend excluding the joinings and selvages;
 - (ii) of mesh size greater than 90 mm having more than 100 meshes in any circumference of the codend excluding the joinings and selvages;
 - (iii) of mesh size range 70 to 99 mm unless the upper half of such a net consists of a panel of netting material attached directly to the headline of the net or to no more than three rows of netting material of any mesh size attached directly to the headline, extending towards the posterior of the net for at least 15 meshes and constructed of diamond-meshed netting material of which no individual mesh is of mesh size less than 140 mm;
 - (iv) of mesh size range 70 to 99 mm unless a square-meshed panel of mesh size at least 80 mm is included in such a net in compliance with the conditions laid down in paragraphs 2 and 3 of Article 7 of Regulation (EC) No 850/98.

The conditions laid down in paragraphs (iii) and (iv) shall not apply whenever the catch retained on board and taken with a net or nets of mesh size range 80 to 99 mm consist of:

- at least 85 % of queen scallops, or
- at least 40 % of sole and no more than 5 % of cod.

3. It is prohibited to carry on board or deploy any beam trawl of mesh size equal to or greater than 80 mm unless the entire upper half of the anterior part of such a net consists of a panel of netting material of which no individual mesh is of mesh size less than 180 mm attached:

- directly to the headline, or
- to no more than three rows of netting material of any mesh size attached directly to the headline.

The panel of netting shall extend towards the posterior of the net for at least the number of meshes determined by:

- (i) dividing the length in metres of the beam of the net by 12;
- (ii) multiplying the result obtained in (i) by 5 400 and
- (iii) dividing the result obtained in (ii) by the mesh size in millimetres of the smallest mesh in the panel and
- (iv) ignoring any decimal or other fractions in the result obtained in (iii).

Article 6

1. It is prohibited to use any beam trawl of mesh size range 32 to 119 mm within the following geographical areas:

- ICES Division IIa,
- that part of ICES Sub-area IV to the north of 56° 00' N,
- ICES Division Vb and
- ICES Sub-area VI to the north of 56° 00' N.

2. However, it is permitted to use any beam trawl of mesh size range 100 to 119 mm within the area enclosed by the east coast of the United Kingdom between 55° 00' N and 56° 00' N and by straight lines sequentially joining the following geographical coordinates:

- a point on the east coast of the United Kingdom at 55° 00' N,
- 55° 00' N 05° 00' E,
- 56° 00' N 05° 00' E,

a point on the east coast of the United Kingdom at 56° 00' N,

provided that the catches taken within this area with such a fishing gear and retained on board consist of no more than 5 % of cod.

3. Within ICES Sub-area IV and/or ICES Division IIa, it is prohibited to simultaneously carry on board beam trawls of more than two of the mesh size ranges 32 to 99 mm, 100 to 119 mm and equal to or greater than 120 mm.

Article 7

Notwithstanding conditions laid down in Article 11 and Annex VI to Regulation (EC) No 850/98, it shall be prohibited to retain on board any cod in excess of 30 % by weight of the total weight of marine organisms retained on board and caught by fixed gears unless the mesh size of such gears is equal to or greater than 140 mm.

Article 8

1. It is prohibited to deploy any demersal towed net of mesh size range 70 to 79 mm in ICES sub-area IV and/or in ICES Division IIa. However, Community vessels and Norwegian vessels are permitted in 2002 to fish in Community waters of ICES Sub-area IV using demersal towed nets, other than beam trawls, incorporating codends within which no individual mesh shall be of mesh size less than 70 mm and which are constructed entirely of square-meshed netting material.

The catch taken with such trawls and retained on board shall consist of at least 30 % of Norway lobsters.

2. The prohibition on fishing with demersal otter trawls, demersal pair trawls and Danish seines in a northern part of ICES Sub-area IV as laid down in Article 30(3) of Regulation (EC) No 850/98 shall not apply.

Article 9

Notwithstanding the provision laid down in Article 7(5) of Regulation (EC) No 850/98 Norwegian vessels are permitted to fish in Community waters of ICES Sub-area IV for *Pandalus* shrimps using demersal towed nets of mesh size range 32 to 54 mm in which sorting grids are installed in accordance with conditions laid down in Norwegian legislation.

Article 10

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

It shall be applicable from 1 January 2002.

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2057/2001**of 19 October 2001****on the opening of tariff quotas applicable to Community imports of certain processed agricultural products originating in Slovenia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2580/2000 ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Protocol 3 to the Agreement establishing an Association between the European Communities and their Member States of the one part, and the Republic of Slovenia of the other part ⁽³⁾, and in particular Articles 1 and 2 thereof,

Whereas:

- (1) Protocol 3 to the Europe Agreement establishing an Association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia of the other part, has been supplemented by Association Council Decision No 5/2001 of 6 September 2001.
- (2) It is appropriate to open the annual quotas provided for in Annex I to Protocol 3. Whereas those annual quotas cannot be opened before 1 November 2001, it is appropriate to reduce them, for the year 2001, in proportion to the period which has already elapsed.
- (3) 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 ⁽⁴⁾, as last amended by Regu-

lation (EC) No 993/2001 ⁽⁵⁾, codifies the management of tariff quotas intended to be used in the chronological order of the dates of acceptance of declarations for release for free circulation.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

The Community tariff quotas for goods originating in Slovenia, listed in the Annex to this Regulation, shall be opened annually from 1 January to 31 December. For the year 2001, the volume of the said quotas shall be reduced in proportion to the period which has already elapsed.

Article 2

The Community tariff quotas referred to in Article 1 shall be managed by the Commission in accordance with the provisions of Articles 308(a) to 308(c) of Regulation (EEC) No 2454/93.

Article 3

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

It shall apply from 1 November 2001.

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

Done at Brussels, 19 October 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 51, 26.2.1999, p. 3.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁵⁾ OJ L 141, 28.5.2001, p. 1.

ANNEX

Preferential tariff quotas for Community imports of goods originating in Slovenia

Order number	CN Code	Description	Quota volume, per annum (in tonnes)		Applicable rate of duty
			2001	2002 and thereafter	
(1)	(2)	(3)	(4)	(5)	(6)
09.1751	1704 10 99 1704 90 71 1704 90 75	Chewing-gum, whether or not sugar-coated -- Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose) -- Other Boiled sweets, whether or not filled Toffees, caramels and similar sweets	1 000	6 000	Exempt
09.1752	1806 31 00 1806 32	Chocolate and other food preparations containing cocoa: -- Filled -- Not filled	117	700	Exempt
09.1753	1806 90 70	Preparations containing cocoa for making beverages	167	1 000	Exempt
09.1754	1901 20 00	Mixes and doughs for the preparation of bakers' wares of heading 1905	167	1 000	Exempt
09.1755	1902 11 00	Pasta, not cooked or stuffed or otherwise prepared, containing eggs	367	2 200	Exempt
09.1756	1905 30 59 1905 30 91	Sweet biscuits; waffles and wafers: -- Other: --- Sweet biscuits: ---- Other: ----- Other Sweet biscuits, waffles and wafers: -- Other: --- Waffles and wafers: ---- Salted, whether or not filled	250	1 500	Exempt
09.1757	1905 40 1905 40 10 1905 40 90	Rusks, toasted bread and similar toasted products: -- Rusks -- Other	333	2 000	Exempt
09.1758	2001 90 96	-- Vegetables, fruits, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid, other	83	500	Exempt
09.1759	2103 30 90	Prepared mustard	50	300	Exempt

**COMMISSION REGULATION (EC) No 2058/2001
of 19 October 2001**

**derogating from Regulation (EC) No 2316/1999 laying down detailed rules for the application of
Council Regulation (EC) No 1251/1999 as regards eligibility for area payments**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1251/1999 of 17 May 1999 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 1038/2001 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2316/1999 ⁽³⁾, as last amended by Regulation (EC) No 1157/2001 ⁽⁴⁾, lays down detailed rules for the application of Regulation (EC) No 1251/1999 as regards eligibility for area payments. Article 3(1)(c) stipulates that area payments for arable crops must be paid solely on areas on which the crop is maintained until at least the beginning of flowering under conditions of normal growth.
- (2) After maize seed was mixed with genetically modified maize seed not authorised within the meaning of Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms ⁽⁵⁾, as last amended by Commission Directive 97/35/EC ⁽⁶⁾, certain producers in Austria were forced to destroy their maize crops. These crops could

therefore not be maintained until flowering stage for reasons beyond the producers control. In order not to unduly penalise those producers they should be allowed to derogate from Article 3(1)(c) of Regulation (EC) No 2316/1999.

- (3) 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

For the 2001/02 marketing year, by derogation from Article 3(1)(c) of Regulation (EC) No 2316/1999, land in Austria sown to maize seed mixed with genetically modified maize seed not authorised within the meaning of Directive 90/220/EEC on which the plants were destroyed prior to the beginning of the flowering stage shall continue to be eligible for area payments.

Article 2

This Regulation shall enter into force on the third day after 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, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 1.

⁽²⁾ OJ L 145, 31.5.2001, p. 16.

⁽³⁾ OJ L 280, 30.10.1999, p. 43.

⁽⁴⁾ OJ L 157, 14.6.2001, p. 8.

⁽⁵⁾ OJ L 117, 8.5.1990, p. 15.

⁽⁶⁾ OJ L 169, 27.6.1997, p. 72.

COMMISSION REGULATION (EC) No 2059/2001
of 19 October 2001
fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat⁽¹⁾, as last amended by Regulation (EC) No 1365/2000⁽²⁾, and in particular the second paragraph of Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for these products within the Community may be covered by an export refund.

(2) It follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below.

(3) In the case of products falling within CN code 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market. It is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 19 81.

(4) Because of the conditions of competition in certain third countries, which are traditionally importers of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account. Steps should be taken to ensure

that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations.

(5) Article 13 of Regulation (EEC) No 2759/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1(1) of Regulation (EEC) No 2759/75 according to destination.

(6) The refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EC) No 1384/2001⁽⁴⁾.

(7) Refunds should be granted only on products that are allowed to circulate freely within the Community. Therefore, to be eligible for a refund, products should be required to bear the health mark laid down in Council Directive 64/433/EEC⁽⁵⁾, as last amended by Directive 95/23/EC⁽⁶⁾, Council Directive 94/65/EC⁽⁷⁾ and Council Directive 77/99/EEC⁽⁸⁾, as last amended by Directive 97/76/EC⁽⁹⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund specified in Article 13 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

The products concerned must comply with the relevant provisions on health marks laid down in:

- Chapter XI of Annex I to Directive 64/433/EEC,
- Chapter VI of Annex I to Directive 94/65/EC,
- Chapter VI of Annex B to Directive 77/99/EEC.

Article 2

This Regulation shall enter into force on 22 October 2001.

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

⁽³⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁴⁾ OJ L 186, 7.7.2001, p. 28.

⁽⁵⁾ OJ 121, 29.7.1964, p. 2012/64.

⁽⁶⁾ OJ L 243, 11.10.1995, p. 7.

⁽⁷⁾ OJ L 368, 31.12.1994, p. 10.

⁽⁸⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁹⁾ OJ L 10, 16.1.1998, p. 25.

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 19 October 2001 fixing the export refunds on pigmeat

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	P05	EUR/100 kg	65,00
0210 11 31 9910	P05	EUR/100 kg	65,00
0210 12 19 9100	P05	EUR/100 kg	0,00
0210 19 81 9100	P05	EUR/100 kg	68,00
0210 19 81 9300	P05	EUR/100 kg	55,00
1601 00 91 9120	P05	EUR/100 kg	20,00
1601 00 99 9110	P05	EUR/100 kg	15,00
1602 41 10 9210	P05	EUR/100 kg	45,00
1602 42 10 9210	P05	EUR/100 kg	24,00
1602 49 19 9120	P05	EUR/100 kg	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

The other destinations are defined as follows:

P05 All destinations except the Czech Republic, the Slovak Republic, Hungary, Poland, Bulgaria, Latvia, Estonia, Lithuania.

**COMMISSION REGULATION (EC) No 2060/2001
of 19 October 2001**

determining the percentage of quantities which may be allowed in respect of import licence applications lodged in October 2001 under tariff quotas for beef and veal provided for in Regulation (EC) No 1279/98 for the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Commission Regulation (EC) No 1279/98 of 19 June 1998, laying down rules for the application of the tariff quotas for beef and veal provided for by Council Regulation (EC) No 3066/95 for the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and Romania ⁽¹⁾, amended by Regulation (EC) No 2857/2000 ⁽²⁾, and in particular Article 4(4) thereof,

Whereas:

(1) Articles 1 and 2 of Regulation (EC) No 1279/98 fix the quantities of certain beef and veal products originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, which may be imported on special terms in respect of the period 1 October to 31 December 2001. The quantities of certain beef and veal products originating in Hungary, the Czech Republic and Romania covered by import licence applications submitted are such that applications may be accepted in full. However, quantities covered by applications in respect of certain beef and veal products originating in Poland must be reduced proportionately in accordance with Article 4(4) of that Regulation.

(2) Article 2 of Regulation (EC) No 1279/98 states that if for the quota period the quantities for which applications for import licences have been submitted for the first, second or third period specified in the preceding subparagraph are less than the quantities available, the remaining quantities are to be added to the quantities in respect of the following period. Taking into account the quantities remaining from the second period, the quantities available for the six countries concerned for the third period running from 1 January to 31 March 2002 should accordingly be determined,

1. The following percentages of quantities covered by import licence applications submitted in respect of the period 1 October to 31 December 2001 under the quotas referred to in Regulation (EC) No 1279/98 may be allowed:

- (a) 100 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Hungary and the Czech Republic;
- (b) 100 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202, 1602 50 31, 1602 50 39 and 1602 50 80 originating in Romania;
- (c) 71,3696 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202, and 1602 50 originating in Poland.

2. The quantities available for the period referred to in Article 2 of Regulation (EC) No 1279/98 running from 1 January to 31 March 2002 shall amount to:

- (a) beef and veal falling within CN codes 0201 and 0202:
 - 7 896,25 t for meat originating in Hungary,
 - 2 315 t for meat originating in the Czech Republic,
 - 2 625 t for meat originating in Slovakia,
 - 187,5 t for meat originating in Bulgaria;
- (b) 4 400 t for beef and veal falling within CN codes 0201 and 0202 originating in Poland, or 2 056,074 t for processed products falling within CN code 1602 50 originating in Poland;
- (c) 1 957,5 t for beef and veal products falling within CN codes 0201, 0202, 1602 50 31, 1602 50 39 and 1602 50 80 originating in Romania.

Article 2

⁽¹⁾ OJ L 176, 20.6.1998, p. 12.

⁽²⁾ OJ L 332, 28.12.2000, p. 55.

This Regulation shall enter into force on 20 October 2001.

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

Done at Brussels, 19 October 2001.

For the Commission
Franz FISCHLER
Member of the Commission

**COMMISSION REGULATION (EC) No 2061/2001
of 19 October 2001
determining the world market price for unginne d cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginne d cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 18,441/100 kg.

Article 2

This Regulation shall enter into force on 20 October 2001.

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

Done at Brussels, 19 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

**COMMISSION REGULATION (EC) No 2062/2001
of 19 October 2001**

amending, for the third time, Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan and repealing Regulation (EC) No 337/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 467/2001 of 6 March 2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan and repealing Regulation (EC) No 337/2000 ⁽¹⁾, as last amended by Commission Regulation (EC) No 1996/2001 ⁽²⁾, and in particular Article 10(1), second indent, thereof,

Whereas:

- (1) Article 10 of Regulation (EC) No 467/2001 empowers the Commission to amend Annex I on the basis of determinations by either the United Nations Security Council or the Taliban Sanctions Committee.
- (2) Annex I to Regulation (EC) No 467/2001 lays down the list of persons and entities covered by the freeze of funds under that Regulation.
- (3) On 17 October 2001 the Taliban Sanctions Committee determined to amend the list of persons and entities to whom the freeze of funds shall apply and therefore Annex I should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The following persons and entities shall be added to Annex I Regulation (EC) No 467/2001:

Entities (6):

AL-HAMATI SWEETS BAKERIES, Al-Mukallah, Hadhramawt Governorate, Yemen

AL-NUR HONEY PRESS SHOPS (aka AL-NUR HONEY CENTER), Sanaa, Yemen

AL-SHIFA HONEY PRESS FOR INDUSTRY AND COMMERCE, PO Box 8089, Al-Hasabah, Sanaa, Yemen; By the Shrine Next to the Gas Station, Jamal Street, Taiz, Yemen; Al-Arudh Square, Khur Maksar, Aden, Yemen; Al-Nasr Street, Doha, Qatar

JAISH-I-MOHAMMED (aka ARMY OF MOHAMMED), Pakistan

JAMYAH TAAWUN AL-ISLAMIA (aka SOCIETY OF ISLAMIC COOPERATION; aka JAMIYAT AL TAAWUN AL ISLAMIIYA; aka JIT), Qandahar City, Afghanistan

RABITA TRUST, Room 9A, Second Floor, Wahdat Road, Education Town, Lahore, Pakistan; Wares Colony, Lahore, Pakistan

Individuals (25):

AGHA, Haji Abdul Manan (aka SAIYID; Abd Al-Manam), Pakistan

AL-HAMATI, Muhammad (aka AL-AHDAL, Mohammad Hamdi Sadiq; aka AL-MAKKI, Abu Asim), Yemen

AL-HAQ, Amin (aka AMIN, Muhammad; aka AH HAQ, Dr Amin; aka UL-HAQ, Dr Amin); born 1960, Nangahar Province, Afghanistan

AL-JADAWI, Saqar; born 1965

AL-KADR, Ahmad Said (aka AL-KANADI, Abu Abd Al-Rahman); born 1.3.1948, Cairo, Egypt

AL-QADI, Yasin (aka KADI, Shaykh Yassin Abdullah; aka KAHDI, Yasin), Jeddah, Saudi Arabia

AL-SHARIF, Sad; born 1969, Saudi Arabia

BIN MARWAN, Bilal; born 1947

BIN MUHAMMAD, Ayadi Chafiq (aka AYADI SHAFIQ, Ben Muhammad; aka AYADI CHAFIK, Ben Muhammad; aka AIADI, Ben Muhammad; aka AIADY, Ben Muhammad), Helene Meyer Ring 10-1415-80809, Munich, Germany; 129 Park Road, London NW8, England; 28 Chausse Di Lille, Moscron, Belgium; Darvingasse 1/2/58-60, Vienna, Austria; Tunisia; born 21.1.1963, Safais (Sfax), Tunisia

DARKAZANLI, Mamoun, Uhenhorser Weg 34, Haburg, 2085 Germany; born 4.8.1958, Aleppo, Syria; Passport No 1310636262 (Germany)

HIJAZI, Riad (aka HIJAZI, Raed M.; aka AL-HAWEN, Abu-Ahmad; aka ALMAGHRIBI, Rashid (The Moroccan); aka AL-AMRIKI, Abu-Ahmad (The American); aka AL-SHAHID, Abu-Ahmad), Jordan; born 1968, California, USA; SSN: 548-91-5411

LADEHYANOY, Mufti Rashid Ahmad (aka LUDHIANVI, Mufti Rashid Ahmad; aka AHMAD, Mufti Rasheed; aka WADEHYANOY, Mufti Rashid Ahmad); Karachi, Pakistan

UTHMAN, Omar Mahmoud (aka AL-FILISTINI, Abu Qatada; aka TAKFIRI, Abu Umr; aka ABU UMAR, Abu Omar; aka UTHMAN, Al-Samman; aka UMAR, Abu Umar; aka UTHMAN, Umar; aka ABU ISMAIL), London, England; born 30.12.1960 or 13.12.1960

YULDASHEV, Tohir (aka YULDASHEV, Takhir), Uzbekistan

⁽¹⁾ OJ L 67, 9.3.2001, p. 1.

⁽²⁾ OJ L 271, 12.10.2001, p. 21.

ZIA, Mohammad (aka ZIA, Ahmad); c/o Ahmed Shah s/o Pinda Mohammad al-Karim Set, Peshawar, Pakistan; c/o Alam General Store Shop 17, Awami Market, Peshawar, Pakistan; c/o Zahir Shah s/o Murad Khan Ander Sher, Peshawar, Pakistan
Abdullah Ahmed Abdullah (aka ABU MARIAM; aka AL-MASRI, Abu Mohamed; aka SALEH), Afghanistan; born 1963, Egypt; citizen Egypt (individual)

Muhsin Musa Matwalli Atwah (aka ABDEL RAHMAN; aka ABDUL RAHMAN; aka AL-MUHAJIR, Abdul Rahman; aka AL-NAMER, Mohammed K.A.), Afghanistan; born 19.6.1964, Egypt; citizen Egypt (individual)

Anas al-Liby (aka AL-LIBI, Anas; aka AL-RAGHIE, Nazih; aka ALRAGHIE, Nazih Abdul Hamed; aka AL-SABAI, Anas), Afghanistan; born 30.3.1964 or 14.5.1964, Tripoli, Libya; citizen Libya (individual)

Ahmed Khalfan Ghailani (aka AHMED THE TANZANIAN; aka FOOPIE; aka FUPI; aka AHMAD, Abu Bakr; aka AHMED, A; aka AHMED, Abubakar; aka AHMED, Abubakar K.; aka AHMED, Abubakar Khalfan; aka AHMED, Abubakary K.; aka AHMED, Ahmed Khalfan; aka AL TANZANI, Ahmad; aka ALI, Ahmed Khalfan; aka BAKR, Abu; aka GHAILANI, Abubakary Khalfan Ahmed; aka GHAILANI, Ahmed; aka GHILANI, Ahmad Khalafan; aka HUSSEIN, Mahafudh Abubakar Ahmed Abdallah; aka KHABAR, Abu; aka KHALFAN, Ahmed; aka MOHAMMED, Shariff Omar; born 14.3.1974 or 13.4.1974 or 14.4.1974 or 1.8.1970, Zanzibar, Tanzania; citizen Tanzania (individual)

Ahmed Mohammed Hamed Ali (aka ABDUREHMAN, Ahmed Mohammed; aka ABU FATIMA; aka ABU ISLAM; aka ABU KHADIJAH; aka AHMED HAMED; aka Ahmed The Egyptian; aka AHMED, Ahmed; aka AL-MASRI, Ahmad; aka AL-SURIR, Abu Islam; aka ALI, Ahmed Mohammed; aka ALI, Hamed; aka HEMED, Ahmed; aka SHIEB, Ahmed; aka SHUAIB), Afghanistan; born 1965, Egypt; citizen Egypt (individual)

Fazul Abdullah Mohammed (aka ABDALLA, Fazul; aka ADBALLAH, Fazul; aka AISHA, Abu; aka AL SUDANI, Abu Seif; aka ALI, Fadel Abdallah Mohammed; aka FAZUL, Abdalla; aka FAZUL, Abdallah; aka FAZUL, Abdallah Mohammed; aka

FAZUL, Haroon; aka FAZUL, Harun; aka HAROON; aka HAROUN, Fadhil; aka HARUN; aka LUQMAN, Abu; aka MOHAMMED, Fazul; aka MOHAMMED, Fazul Abdilahi; aka MOHAMMED, Fouad; aka MUHAMAD, Fadil Abdallah; born 25.8.1972 or 25.12.1974 or 25.2.1974, Moroni, Comoros Islands; citizen Comoros or citizen Kenya (individual)

Mustafa Mohamed Fadhil (aka AL MASRI, Abd Al Wakil; aka AL-NUBI, Abu; aka ALI, Hassan; aka ANIS, Abu; aka ELBISHY, Moustafa Ali; aka FADIL, Mustafa Muhamad; aka FAZUL, Mustafa; aka HUSSEIN; aka JIHAD, Abu; aka KHALID; aka MAN, Nu; aka MOHAMMED, Mustafa; aka YUSSRR, Abu; born 23.6.1976, Cairo, Egypt; citizen Egypt or citizen Kenya; Kenyan ID No 12773667; serial No 201735161 (individual)

Sheikh Ahmed Salim Swedan (aka Ahmed the Tall; aka ALLY, Ahmed; aka BAHAMAD; aka BAHAMAD, Sheik; aka BAHAMADI, Sheikh; aka SUWEIDAN, Sheikh Ahmad Salem; aka SWEDAN, Sheikh; aka SWEDAN, Sheikh Ahmed Salem; born 9.4.1969 or 9.4.1960, Mombasa, Kenya; citizen Kenya (individual)

Fahid Mohammed Ally Msalam (aka AL-KINI, Usama; aka ALLY, Fahid Mohammed; aka MSALAM, Fahad Ally; aka MSALAM, Fahid Mohammed Ali; aka MSALAM, Mohammed Ally; aka MUSALAAM, Fahid Mohammed Ali; aka SALEM, Fahid Muhamad Ali; born 19.2.1976, Mombasa, Kenya; citizen Kenya (individual)

Abdul Rahman Yasin (aka TAHA, Abdul Rahman S.; aka TAHER, Abdul Rahman S.; aka YASIN, Abdul Rahman Said; aka YASIN, Aboud; born 10.4.1960, Bloomington, Indiana USA; SSN 156-92-9858 (USA); passport No 27082171 (USA (issued 21.6.1992 in Amman, Jordan) or passport No M0887925 (Iraq); citizen USA (individual).

Article 2

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

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

Done at Brussels, 19 October 2001.

For the Commission

Christopher PATTEN

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 October 2001

approving the plan for the monitoring and control of salmonella in fowl presented by the Netherlands

(notified under document number C(2001) 3095)

(Only the Dutch text is authentic)

(Text with EEA relevance)

(2001/738/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/117/EEC of 17 December 1992 concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications ⁽¹⁾, as last amended by Directive 1999/72/EC ⁽²⁾, and in particular Article 8(3) thereof,

Whereas:

- (1) In accordance with Article 8(2) of Directive 92/117/EEC, the Netherlands forwarded by letters dated 31 May 2000, 16 July 2000 and 22 August 2001 a plan for the monitoring and control of salmonella in fowl in the Netherlands.
- (2) The abovementioned plan satisfies the Community requirements on the subject, in particular those set out in Article 8(2) of Directive 92/117/EEC, and must therefore be approved.
- (3) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

Article 1

The plan for the monitoring and control of salmonella presented by the Netherlands is hereby approved.

Article 2

The Netherlands shall bring into force by 1 January 2002 the laws, regulations and administrative provisions necessary to implement the plan referred to in Article 1.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 17 October 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 62, 15.3.1993, p. 38.

⁽²⁾ OJ L 210, 10.8.1999, p. 12.

COMMISSION DECISION
of 17 October 2001
on the total amount of Community aid for the eradication of classical swine fever in the Netherlands in 1998

(notified under document number C(2001) 3110)

(Only the Dutch text is authentic)

(2001/739/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 2001/572/EC ⁽²⁾, and in particular Article 3(3) and (5) thereof,

Whereas:

(1) An epidemic of classical swine fever occurred in the Netherlands in 1997 and in 1998. The appearance of the disease represents a serious danger to the Community pig herd. With a view to the speedy eradication of the disease the Community is able to contribute to the expenditure incurred by the Member State.

(2) In relation to the outbreak of classical swine fever which occurred in 1997 the Commission adopted Decision 2000/362/EC ⁽³⁾ on the total amount of Community aid for the eradication of classical swine fever in the Netherlands in 1997. This Decision provided for the payment of a total amount of EUR 109 937 795.

(3) On 10 September 1999 the Netherlands presented an application for reimbursement of all the expenditure incurred in the country in relation to the outbreaks of classical swine fever in 1998. At the request of the Commission, the Netherlands provided further information on this matter on 6 December 1999, 7 February 2000 and 21 April 2000.

(4) The Commission has checked to see whether all Community veterinary legal provisions have been observed and all the conditions for Community financial assistance have been met.

(5) As a result of these checks, not all of the expenditure submitted could be accepted as eligible. This position is consistent with the special report on classical swine fever issued by the Court of Auditors ⁽⁴⁾ and with Decision 2000/362/EC.

(6) The Commission's comments on the application submitted by the Netherlands were officially notified to the Dutch authorities on 11 December 2000.

(7) The total amount of Community aid for the expenditure related to the outbreaks of classical swine fever in the Netherlands in 1998 must now be fixed.

(8) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 ⁽⁵⁾, veterinary and plant health measures undertaken in accordance with Community rules shall be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. For financial control purposes, Article 8 and 9 of Regulation (EC) No 1258/1999 apply.

(9) The Standing Veterinary Committee has not given a favourable opinion. The Commission therefore proposed these measures to the Council on 19 June 2001 in accordance with Article 41 of Decision 90/424/EEC, the Council being required to act within three months.

(10) However, the Council has not acted within the required time limit. These measures should now be adopted by the Commission,

HAS ADOPTED THIS DECISION:

Article 1

The total amount of Community financial aid for the eradication of classical swine fever in the Netherlands in 1998 is hereby fixed at EUR 6 277 156.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 28.7.2001, p. 16.

⁽³⁾ OJ L 129, 30.5.2000, p. 33.

⁽⁴⁾ OJ C 85, 23.3.2000, p. 1.

⁽⁵⁾ OJ L 160, 26.6.1999, p. 103.

Article 2

The amount referred to in Article 1 shall be paid after adoption of the present Decision.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 17 October 2001.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION
of 19 October 2001
concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Decision 2001/356/EC

(notified under document number C(2001) 3160)

(Text with EEA relevance)

(2001/740/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 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 thereof,

Whereas:

- (1) Outbreaks of foot-and-mouth disease have been declared in the United Kingdom.
- (2) The foot-and-mouth disease situation in the United Kingdom is liable to endanger the herds of other Member States in view of the placing on the market and trade in live biungulate animals and certain of their products.
- (3) The United Kingdom has taken measures in the framework of Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease ⁽⁴⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and furthermore has introduced further measures within the affected areas.
- (4) The disease situation in the United Kingdom requires reinforcing the control measures for foot-and-mouth disease taken by the United Kingdom by adopting additional Community protective measures.

- (5) In collaboration with the Member State concerned the Commission adopted Decision 2001/356/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom ⁽⁵⁾, as last amended by Decision 2001/708/EC ⁽⁶⁾.
- (6) Council Directive 64/432/EEC ⁽⁷⁾, as last amended by Directive 2000/20/EC ⁽⁸⁾, concerns health problems affecting intra-Community trade in bovine animals and swine.
- (7) Council Directive 91/68/EEC ⁽⁹⁾, as last amended by Commission Decision 94/953/EC ⁽¹⁰⁾, concerns animal health conditions governing intra-Community trade in ovine and caprine animals.
- (8) Council Directive 64/433/EEC ⁽¹¹⁾, as last amended by Directive 95/23/EC ⁽¹²⁾, concerns health conditions for the production and marketing of fresh meat.
- (9) Council Directive 94/65/EC ⁽¹³⁾ lays down the requirements for the production and placing on the market of minced meat and meat preparations.
- (10) Council Directive 91/495/EEC ⁽¹⁴⁾, as last amended by Directive 94/65/EC, concerns public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat.
- (11) Council Directive 80/215/EEC ⁽¹⁵⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, concerns animal health problems affecting intra-Community trade in meat products.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 395, 30.12.1989, p. 13.

⁽⁴⁾ OJ L 315, 26.11.1985, p. 11.

⁽⁵⁾ OJ L 125, 5.5.2001, p. 46.

⁽⁶⁾ OJ L 261, 29.9.2001, p. 67.

⁽⁷⁾ OJ L 121, 29.7.1964, p. 1977/64.

⁽⁸⁾ OJ L 163, 4.7.2000, p. 35.

⁽⁹⁾ OJ L 46, 19.2.1991, p. 19.

⁽¹⁰⁾ OJ L 371, 31.12.1994, p. 14.

⁽¹¹⁾ OJ L 121, 29.7.1964, p. 2012/64.

⁽¹²⁾ OJ L 243, 11.10.1995, p. 7.

⁽¹³⁾ OJ L 368, 31.12.1994, p. 10.

⁽¹⁴⁾ OJ L 268, 24.9.1991, p. 41.

⁽¹⁵⁾ OJ L 47, 21.2.1980, p. 4.

- (12) Council Directive 77/1999/EEC ⁽¹⁾, as last amended by Council Directive 97/76/EC ⁽²⁾, concerns health problems affecting the production and marketing of meat products and certain other products of animal origin.
- (13) Council Directive 92/118/EEC ⁽³⁾, as last amended by Directive 2001/7/EC ⁽⁴⁾, lays down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC.
- (14) Council Directive 88/407/EEC ⁽⁵⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, lays down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species.
- (15) Council Directive 89/556/EEC ⁽⁶⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, concerns the animal health conditions governing intra-Community trade in and imports from third countries of embryos of domestic animals of the bovine species.
- (16) Council Directive 90/429/EEC ⁽⁷⁾, as last amended by Council Decision 2001/36/EC ⁽⁸⁾, lays down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species.
- (17) Council Decision 90/426/EEC ⁽⁹⁾, as last amended by Commission Decision 2001/298/EC ⁽¹⁰⁾, concerns animal health conditions governing the movement and import from third countries of equidae.
- (18) Commission Decision 2001/304/EC ⁽¹¹⁾, as amended by Decision 2001/345/EC ⁽¹²⁾, concerns marking and use of certain animal products in relation to Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom. Fresh meat bearing the health mark established by Decision 2001/304/EC shall be placed on the market only in Great Britain.
- (19) Certain areas within the areas of the United Kingdom listed in Annex I have had no outbreak of foot-and-mouth disease during this epidemic or have remained free from the disease for more than 3 months. It appears therefore appropriate to lay down the conditions for dispatch of meat derived from animals resident on holdings situated in disease free areas from the parts of the United Kingdom listed in Annex I.
- (20) It appears appropriate to allow under certain conditions the dispatch from areas listed in Annex I of certain milk products which underwent a ripening process including acidification should. Furthermore clarification is necessary with regard to the heat treatment of certain milk products.
- (21) Furthermore, it appears appropriate to extend the derogation on frozen semen introduced by Decision 2001/708/EC to frozen porcine semen meeting the same animal health requirements with regard to foot-and-mouth disease.
- (22) Decision 2001/356/EC has been amended seven times and therefore it appears appropriate to consolidate the provisions of this Decision. It is therefore necessary to repeal Decision 2001/356/EC but for practical reasons to construe any reference to Decisions 2001/172/EC or 2001/356/EC as reference to the present Decision. In this context it is also appropriate to maintain separate Annexes I and II with a view to possible regionalisation.
- (23) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 6-7 November 2001 and the measures adapted where necessary.
- (24) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,
- HAS ADOPTED THIS DECISION:

Article 1

Without prejudice to the measures taken by the United Kingdom within the framework of Council Directive 85/511/EEC, the United Kingdom shall ensure that:

1. no live animals of the bovine, ovine, caprine and porcine species and other biungulates move between those parts of its territory listed in Annex I and Annex II;

⁽¹⁾ OJ L 26, 31.1.1977, p. 85.

⁽²⁾ OJ L 10, 16.1.1998, p. 25.

⁽³⁾ OJ L 62, 15.3.1993, p. 49.

⁽⁴⁾ OJ L 2, 5.1.2001, p. 27.

⁽⁵⁾ OJ L 194, 22.7.1988, p. 10.

⁽⁶⁾ OJ L 302, 19.10.1989, p. 1.

⁽⁷⁾ OJ L 224, 18.8.1990, p. 62.

⁽⁸⁾ OJ L 13, 19.1.2000, p. 21.

⁽⁹⁾ OJ L 224, 18.8.1990, p. 42.

⁽¹⁰⁾ OJ L 102, 12.4.2001, p. 63.

⁽¹¹⁾ OJ L 104, 13.4.2001, p. 6.

⁽¹²⁾ OJ L 122, 3.5.2001, p. 31.

2. no live animals of the bovine, ovine, caprine and porcine species and other biungulates are dispatched from or moved through those parts of its territory listed in Annex I and Annex II.

Without prejudice to the restrictions on movement of susceptible animals within and through Great Britain applied by the competent authorities of the United Kingdom, and derogating from the provisions in the first paragraph the competent authorities may authorize the direct and uninterrupted transit of biungulate animals through the areas listed in Annex I and Annex II on main roads and railway lines;

3. the health certificates provided for in Council Directive 64/432/EEC accompanying live bovine and porcine animals and in Council Directive 91/68/EEC accompanying live ovine and caprine animals consigned from parts of the territory of the United Kingdom not listed in Annex I and Annex II to other Member States shall bear the following words:

‘Animals conforming to Commission Decision 2001/172/EC of 1 March 2001 concerning certain protective measures with regard to foot-and-mouth disease in the United Kingdom’;

4. the health certificates accompanying biungulates, other than those covered by the certificates mentioned in paragraph 3, consigned from parts of the territory of the United Kingdom not listed in Annex I and Annex II to other Member States shall bear the following words:

‘Live biungulates conforming to Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom’;

5. the movement to other Member States of animals accompanied by an animal health certificate referred to in paragraphs 3 or 4 shall only be allowed following three days advance notification dispatched by the local veterinary authority to the central and local veterinary authorities in the Member State of destination.

Article 2

1. The United Kingdom shall not dispatch fresh meat of the bovine, ovine, caprine and porcine species and other biungulates coming from those parts of its territory listed in the Annex I or obtained from animals originating in those parts of the United Kingdom.

Fresh meat referred to in the first subparagraph shall include minced meat and meat preparations as defined in Council Directive 94/65/EC.

2. The prohibitions provided for in paragraph 1 shall not apply to:

- (a) fresh meat obtained before 1 February 2001 provided that the meat is clearly identified, and since this date has been transported and stored separately from meat which is not eligible for dispatch outside the areas mentioned in Annex I;
- (b) fresh meat obtained from animals reared outside the areas listed in Annex I and Annex II and transported in derogation to Article 1(1) directly and under official control in sealed means of transport to a slaughterhouse situated in the area listed in Annex I outside the protection zone for immediate slaughter. Such meat shall only be placed on the market in Great Britain and conform to the following conditions:
 - all such fresh meat must bear the health mark in accordance with Commission Decision 2001/304/EC,
 - the plant will be operated under strict veterinary control,
 - the fresh meat must be clearly identified, and transported and stored separately from meat which is eligible for dispatch outside the United Kingdom,
 - the control of the compliance with the above listed conditions shall be carried out by the competent veterinary authority under the supervision of the central veterinary authorities who will communicate to the other Member States and the Commission a list of those establishments which they have approved in application of these provisions;
- (c) fresh meat obtained from cutting plants situated in the area listed in Annex I under the following conditions:
 - only fresh meat as described in subparagraph (a), or fresh meat obtained from animals reared and slaughtered outside the area listed in the Annex I, or fresh meat obtained from animals reared and slaughtered within the areas listed in Annex III will be processed in this establishment, on any same day. Cleaning and disinfection will be carried out after processing of any meat not meeting this requirement,
 - all such fresh meat must bear the health mark in accordance with Chapter XI of Annex I to Council Directive 64/433/EEC or in the case of meat from other biungulates the health mark provided for in Chapter III of Annex I of Directive 91/495/EEC,
 - the plant will be operated under strict veterinary control,
 - the fresh meat must be clearly identified, and transported and stored separately from meat which is not eligible for dispatch outside the areas mentioned in Annex I,
 - the control of the compliance with the above listed conditions shall be carried out by the competent veterinary authority under the supervision of the central veterinary authorities who will communicate to the other Member States and the Commission a list of those establishments which they have approved in application of these provisions;

(d) fresh meat obtained from porcine animals reared within the areas listed in Annex I and conforming to the following conditions:

- the dispatch of such meat is authorised by the competent veterinary authorities of the United Kingdom,
- there has been no outbreak of foot-and-mouth disease in the group of counties listed in Annex III during the past 90 days,
- during the past 30 days prior to transport to the slaughterhouse the animals have remained under the supervision of the competent veterinary authorities on a single holding situated within the areas listed in Annex III in the centre of a circle around the holding of at least 10 km radius where there has been no outbreak of foot-and-mouth disease during at least the past 30 days,
- no animal of species susceptible to foot-and-mouth disease has been introduced into the holding referred to in the third indent during the past 30 days prior to loading, except in the case of pigs coming from a supplying holding which meets the requirements laid down in the third indent, in which case this period may be reduced to 7 days,
- the animals have been transported under official control from the holding referred to in the third indent directly to the designated slaughterhouse situated in the areas listed in Annex III in sealed means of transport that have been cleaned and disinfected before loading,
- the animals have been slaughtered within less than 24 hours after arrival at the slaughterhouse separately from animals whose meat is not eligible for dispatch from the areas listed in Annex I,
- during inspection by the official veterinarian at the slaughterhouse no clinical signs or post-mortem evidence of foot-and-mouth disease were established,
- the meat derived from such animals remained in the establishment for at least 24 hours after slaughter,
- all such fresh meat must bear the health mark in accordance with Chapter XI of Annex I to Council Directive 64/433/EEC,
- the plant is operated under strict veterinary control,
- in the case where foot-and-mouth disease has been diagnosed in the establishment, any further preparation of meat for dispatch outside the areas listed in Annex I shall only be authorised after the slaughter of all animals present, removal of all meat and dead animals and not earlier than 24 hours after the completion of the total cleaning and disinfection of the said establishments under the control of an official veterinarian,
- the fresh meat must be clearly identified, and transported and stored separately from meat which is not eligible for dispatch outside the areas mentioned in Annex I,

— the control of the compliance with the above listed conditions shall be carried out by the competent veterinary authority under the supervision of the central veterinary authorities who will communicate to the other Member States and the Commission a list of those establishments which they have approved in application of these provisions,

— where such meat is subject to further processing in a cutting plant, the provisions of subparagraph (c), second to fifth indent, shall apply.

3. Meat consigned from the United Kingdom to other Member States shall be accompanied by a certificate from an official veterinarian. The certificate shall bear the following words:

'Meat conforming to Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom'.

Article 3

1. The United Kingdom shall not dispatch meat products of animals of the bovine, ovine, caprine and porcine species and other biungulates coming from those parts of the United Kingdom listed in the Annex I or prepared using meat obtained from animals originating in those parts of the United Kingdom.

2. The restrictions described in paragraph 1 shall not apply to meat products which have undergone one of the treatments laid down in Article 4(1) of Council Directive 80/215/EEC, or to meat products as defined in Council Directive 77/199/EEC which have been subjected during preparation uniformly throughout the substance to a pH value of less than 6.

3. The prohibitions described in paragraph 1 shall not apply to:

(a) meat products prepared from meat derived from biungulate animals slaughtered before 1 February 2001, provided that the meat products are clearly identified, and since this date have been transported and stored separately from meat products which are not eligible for dispatch outside the areas mentioned in Annex I;

(b) meat products prepared in establishments under the following conditions:

— all fresh meat used in the establishment must conform to the conditions of Article 2(2)(a), (c) or (d),

— all meat products used in the final product will conform to the conditions of paragraph (a) or be made from fresh meat obtained from animals reared and slaughtered outside the area listed in the Annex I,

— all meat products must bear the health mark in accordance with Chapter VI of Annex B to Directive 77/199/EEC,

— the establishment is operated under strict veterinary control,

- the meat products must be clearly identified and transported and stored separately from meat and meat products which are not eligible for dispatch outside the areas mentioned in Annex I,
 - the control of the compliance with the above listed conditions shall be carried out by the competent authority under the responsibility of the central veterinary authorities who will communicate to other Member States and the Commission a list of those establishments which they have approved in application of these provisions;
- (c) meat products prepared in the parts of the territory which are not included in Annex I using meat obtained before 1 February 2001 from parts of the territory included in Annex I, provided that the meat and meat products are clearly identified and transported and stored separately from meat and meat products which are not eligible for dispatch outside the areas mentioned in Annex I.
4. Meat products consigned from the United Kingdom to other Member States shall be accompanied by an official certificate. The certificate shall bear the following words:
- 'Meat products conforming to Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom'.
5. Derogating from the provisions in paragraph 4 it shall be sufficient, in the case of meat products which conform to the requirements of paragraph 2 and have been processed in an establishment operating HACCP ⁽¹⁾ and an auditable standard operating procedure which ensures that standards for treatment are met and recorded, that compliance with the conditions required for the treatment laid down in paragraph 2 is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).
6. Derogating from the provisions in paragraph 4 it shall be sufficient in the case of meat products heat treated in hermetically sealed containers so as to ensure that they are shelf stable, to be accompanied by a commercial document stating the heat treatment applied.
- (a) an initial pasteurisation in accordance with the norms defined in paragraph 3(b) of Chapter 1 in Annex I to 92/118/EEC, followed by a second heat treatment by high temperature pasteurization, UHT, sterilization so as to produce a negative reaction to the peroxidase test or by a drying process which includes a heat treatment with an equivalent effect to one of the above, or
- (b) an initial pasteurisation in accordance with the norms defined in paragraph 3(b) of Chapter 1 in Annex I to 92/118/EEC, combined with the treatment by which the pH is lowered below 6 and held there for at least one hour.
3. The prohibitions described in paragraph 1 shall not apply to milk prepared in establishments situated in the areas listed in Annex I under the following conditions:
- (a) all milk used in the establishment must either conform to the conditions of paragraph 2 or be obtained from animals reared and milked outside the area listed in Annex I,
- (b) the establishment is operated under strict veterinary control,
- (c) the milk must be clearly identified and transported and stored separately from milk and milk products which are not eligible for dispatch outside the areas mentioned in Annex I,
- (d) transport of raw milk from holdings situated outside the areas mentioned in Annex I to the establishments referred to above is carried out in vehicles which were cleaned and disinfected prior to operation and had no subsequent contact with holdings in the areas mentioned in Annex I keeping animals of species susceptible to foot-and-mouth disease,
- (e) the control of the compliance with the above listed conditions shall be carried out by the competent veterinary authority under the supervision of the central veterinary authorities who will communicate to other Member States and the Commission a list of those establishments which they have approved in application of these provisions.
4. Milk consigned from the United Kingdom to other Member States shall be accompanied by an official certificate. The certificate shall bear the following words:
- 'Milk conforming to Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom'.
5. Derogating from the provisions in paragraph 4 it shall be sufficient, in the case of milk which conforms to the requirements of paragraph 2(a) or (b) and has been processed in an establishment operating HACCP and an auditable standard operating procedure which ensures that standards for treatment are met and recorded, that compliance with the conditions required for the treatment laid down in paragraph 2(a) or (b) is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

Article 4

1. The United Kingdom shall not dispatch milk intended or not intended for human consumption from those parts of its territory listed in the Annex I.
2. The prohibitions described in paragraph 1 shall not apply to milk intended or not intended for human consumption which has been subjected to at least

⁽¹⁾ HACCP = Hazard Analysis and Critical Control Points.

6. Derogating from the provisions in paragraph 4 it shall be sufficient in the case of milk which conforms to the requirements in paragraph 2(a) or (b) and which has been treated in hermetically sealed containers so as to ensure that it is shelf stable, to be accompanied by a commercial document stating the heat treatment applied.

Article 5

1. The United Kingdom shall not dispatch milk products intended or not intended for human consumption from those parts of its territory listed in Annex I.

2. The prohibitions described in paragraph 1 shall not apply to milk products intended or not intended for human consumption:

- (a) produced before 1 February 2001;
- (b) prepared from milk complying with the provisions in Article 4(2) or (3),
- (c) for export to a third country where import conditions permit such products to be subject to treatment other than laid down in this Decision which ensures the inactivation of the foot-and-mouth disease virus.

3. The prohibitions described in paragraph 1 shall not apply to milk products intended for human consumption:

- (a) produced from milk of a pH less than 7,0 and subject to a heat treatment at a temperature of at least 72 °C for at least 15 seconds, on the understanding that such treatment was not necessary for finished products, the ingredients of which comply with the respective animal health conditions laid down in this Decision;
- (b) produced from raw milk of bovine, ovine or caprine animals which have been resident for at least 30 days on a holding situated, within an area listed in Annex I, in the centre of a circle of at least 10 km radius where no outbreak of foot-and-mouth disease has occurred during the 30 days prior to producing the raw milk, and which are subject to a maturation or ripening process of at least 90 days during which the pH is lowered below 6,0 throughout the substance, and the rind of which has been treated with 0,2 % citric acid immediately prior to wrapping or packaging.

4. The prohibitions described in paragraph 1 shall not apply to:

- (a) milk products prepared in establishments situated in the areas listed in Annex I under the following conditions:
 - all milk used in the establishment will either conform to the conditions of Article 4(2) or be obtained from animals outside the area listed in Annex I,

- all milk products used in the final product will either conform to the conditions of paragraph 2(a) or (b) or be made from milk obtained from animals outside the area listed in Annex I,
- the milk products are only intended for human consumption and all milk products used in the final product will either conform to the conditions of the first and second indent above or meet the conditions of paragraph 3,
- the establishment is operated under strict veterinary control,
- the milk products must be clearly identified and transported and stored separately from milk and milk products which are not eligible for dispatch outside the areas mentioned in Annex I,
- the control of the compliance with the above listed conditions shall be carried out by the competent authority under the responsibility of the central veterinary authorities who will communicate to other Member States and the Commission a list of those establishments which they have approved in application of these provisions;

- (b) milk products prepared in the parts of the territory outside the areas mentioned in Annex I using milk obtained before 1 February 2001 from parts of the territory mentioned in Annex I provided that the milk products are clearly identified and transported and stored separately from milk products which are not eligible for dispatch outside the areas mentioned in Annex I.

5. Milk products consigned from the United Kingdom to other Member States shall be accompanied by an official certificate. The certificate shall bear the following words:

'Milk products conforming to Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom'.

6. Derogating from the provisions in paragraph 5 it shall be sufficient in the case of milk products which conform to the requirements of paragraphs 2(a) and (b), 3 and 4 and have been processed in an establishment operating HACCP and an auditable standard operating procedure which ensures that standards for treatment are met and recorded, that compliance with the conditions laid down in paragraphs 2(a) and (b), 3 and 4 is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

7. Derogating from the provisions in paragraph 5 it shall be sufficient in the case of milk products which conform to the requirements of paragraphs 2(a) and (b), 3 and 4 and which have been treated in hermetically sealed containers so as to ensure that they are shelf stable to be accompanied by a commercial document stating the heat treatment applied.

Article 6

1. The United Kingdom shall not dispatch semen, ova and embryos of the bovine, ovine, caprine and porcine species and other biungulates from those parts of its territory listed in the Annex I to other parts of the United Kingdom.

2. The United Kingdom shall not dispatch semen, ova and embryos of the bovine, ovine, caprine and porcine species and other biungulates from those parts of its territory listed in Annex I and Annex II.

3. The prohibitions in paragraphs 1 and 2 shall not apply to:

- (a) frozen bovine and porcine semen produced before 1 February 2001;
- (b) frozen bovine and porcine semen and bovine embryos imported into the United Kingdom in accordance with the conditions laid down in Council Directives 88/407/EEC, 90/429/EEC and 89/556/EEC respectively, and which since introduction into the United Kingdom has/have been stored and transported separately from semen and embryos not eligible for dispatch in accordance with paragraphs 1 and 2;
- (c) frozen bovine and porcine semen produced in accordance with the provisions of Directives 88/407/EEC and 90/429/EEC respectively after the date of 30 September 2001 and complying with the following additional conditions:
 - the donor bull or boar showed no clinical sign of foot-and-mouth disease on the day of collection of the semen,
 - the donor bull or boar has been kept for at least three months prior to collection of the semen in the approved semen collection centre, this residence period may include the isolation period of at least 30 days in an attached isolation accommodation,
 - no animal has been introduced into the approved semen collection centre during the 30 days prior to the collection of the semen,
 - the semen collection centre has been free from foot-and-mouth disease for at least three months and no case of foot-and-mouth disease has occurred within a 10 km radius around the semen collection centre for the 30 days before and after collection of semen,
 - no animal in the semen collection centre has been vaccinated against foot-and-mouth disease,
 - the donor bull or boar showed a negative response to a test for antibodies against foot-and-mouth disease virus carried out at least 21 days after the collection of the last semen of the consignment and the negative test results have to be available before dispatch of the semen,
 - the frozen semen was stored for a period of at least 30 days between collection and dispatch, and during this period no animal in the semen collection centre where

the donor bull or boar was kept showed any sign of foot-and-mouth disease,

- the semen is collected, processed and stored separately from semen not eligible for dispatch in accordance with paragraphs 1 and 2,
- all semen collected, processed and frozen in the collection centre is dispatched from the semen collection centre in such a way that any risk of introducing foot-and-mouth disease into the centre is avoided.

Before the dispatch of the semen the United Kingdom shall provide the Commission and the other Member States with the list of centres authorized for the purpose of this paragraph.

4. The health certificate provided for in Council Directive 88/407/EEC and accompanying frozen bovine semen consigned from the United Kingdom to other Member States shall bear the following words:

'Frozen bovine semen conforming to Commission Decision 2001/172/EC of 1 March 2001 on certain protective measures with regard to foot-and-mouth disease in the United Kingdom'.

5. The health certificate provided for in Council Directive 90/429/EEC and accompanying frozen porcine semen consigned from the United Kingdom to other Member States shall bear the following words:

'Frozen porcine semen conforming to Commission Decision 2001/740/EC of 19 October 2001 on certain protective measures with regard to foot-and-mouth disease in the United Kingdom'.

6. The health certificate provided for in Council Directive 89/556/EEC and accompanying bovine embryos consigned from the United Kingdom to other Member States shall bear the following words:

'Bovine embryos conforming to Commission Decision 2001/172/EC of 1 March 2001 on certain protective measures with regard to foot-and-mouth disease in the United Kingdom'.

Article 7

1. The United Kingdom shall not dispatch hides and skins of bovine, ovine, caprine and porcine species and other biungulates from those parts of its territory listed in the Annex I.

2. This prohibition shall not apply to hides and skins which were produced before 1 February 2001 or which conform to the requirements of paragraph 1(A) indents 2 to 5 or paragraph 1(B), indents 3 and 4 of Chapter 3 of Annex 1 to Directive 92/118/EEC. Care must be taken to separate effectively treated hides and skins from untreated hides and skins.

3. The United Kingdom shall ensure that hides and skins of bovine, ovine, caprine and porcine species and other biungulates to be sent to other Member States shall be accompanied by a certificate which bears the following words:

'Hides and skins conforming to Commission Decision 2001/172/EC of 1 March 2001 on certain protective measures with regard to foot-and-mouth disease in the United Kingdom'.

4. Derogating from the provisions in paragraph 3 it shall be sufficient, in the case of hides and skins which conform to the requirements of paragraph 1(A) indents 2 to 5 of Chapter 3 of Annex I to Directive 92/118/EEC, to be accompanied by a commercial document stating compliance with the conditions required for the treatment laid down in paragraph 1(A) indents 2 to 5 of Chapter 3 of Annex I to Directive 92/118/EEC.

5. Derogating from the provisions in paragraph 3 it shall be sufficient, in the case of hides and skins which conform to the requirements of paragraph 1(B) indents 3 and 4 of Chapter 3 of Annex I to Directive 92/118/EEC, that compliance with the conditions required for the treatment laid down in paragraph 1(B) indents 3 and 4 of Chapter 3 of Annex I to Directive 92/118/EEC is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

Article 8

1. The United Kingdom shall not dispatch animal products of the bovine, ovine, caprine and porcine species and other biungulates not mentioned in Articles 2, 3, 4, 5, 6 and 7 produced after the 1 February 2001 from those parts of its territory listed in Annex I.

The United Kingdom shall not dispatch dung and manure from those parts of its territory listed in Annex I.

2. The prohibitions mentioned in paragraph 1 first subparagraph shall not apply to:

- (a) animal products which have been subjected to:
 - heat treatment in a hermetically sealed container with a Fo value of 3,00 or more, or
 - heat treatment in which the centre temperature is raised to at least 70 °C;
- (b) blood and blood products as defined in Chapter 7 of Annex I to Council Directive 92/118/EEC which have been subject to at least one of the following treatments:
 - heat treatment at a temperature of 65 °C for at least three hours, followed by an effectiveness check,
 - irradiation at 2,5 megarads or gamma rays followed by an effectiveness check,
 - change of pH to pH 5 or lower for at least two hours, followed by an effectiveness check,
 - a treatment as provided for in Chapter 4 of Annex I to Directive 92/118/EEC;

(c) lard and rendered fats which have been subject to the heat treatment prescribed in paragraph 2(A) of Chapter 9 of Annex I to Council Directive 92/118/EEC;

(d) animal casings to which the provisions in paragraph B Chapter 2 of Annex I to Council Directive 92/118/EEC apply *mutatis mutandis*;

(e) sheep wool, ruminant hair and pigs bristles which have undergone factory washing or have been obtained from tanning and unprocessed sheep wool, ruminant hair and pigs bristles which are securely enclosed in packaging and dry;

(f) semi-moist and dried petfood conforming to the requirements of paragraphs 2 and 3 respectively of Chapter 4 of Annex I to Directive 92/118/EEC;

(g) composite products which are not subject to further treatment containing products of animal origin on the understanding that the treatment was not necessary for finished products the ingredients of which comply with the respective animal health conditions laid down in this Decision;

(h) game trophies in accordance with paragraph 2(b) of part B in Chapter 13 of Annex I to Council Directive 92/118/EEC;

(i) packed products intended for use as in-vitro diagnostic or laboratory reagents.

3. The United Kingdom shall ensure that the animal products mentioned in paragraph 2 to be sent to other Member States shall be accompanied by an official certificate which bears the following words:

'Animal products conforming to Commission Decision 2001/172/EC of 1 March 2001 concerning certain protective measures with regard to foot-and-mouth disease in the United Kingdom'.

4. Derogating from the provisions in paragraph 3 it shall be sufficient in the case of products mentioned in paragraphs 2(b), (c) and (d) that compliance with the conditions for the treatment stated in the commercial document required in accordance with the respective Community legislation is endorsed in accordance with Article 9(1).

5. Derogating from the provisions in paragraph 3 it shall be sufficient in the case of products mentioned in paragraph 2(e) to be accompanied by a commercial document stating either the factory washing or origin from tanning or compliance with the conditions laid down in paragraphs 2 and 4 of Chapter 15 of Annex I to Council Directive 92/118/EEC.

6. Derogating from the provisions in paragraph 3 it shall be sufficient, in the case of products mentioned in paragraphs 2(g) which have been produced in an establishment operating HACCP and an auditable standard operating procedure which ensures that pre-processed ingredients comply with the respective animal health conditions laid down in this Decision, that this is stated on the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

7. Derogating from the provisions in paragraph 3 it shall be sufficient in the case of products mentioned in paragraph 2(i), to be accompanied by a commercial document stating that the products are for use as in-vitro diagnostic or laboratory reagents, provided that the products are clearly labelled 'for in-vitro diagnostic use only' or 'for laboratory use only'.

Article 9

1. Where reference is made to this Article, the competent authorities of the United Kingdom shall ensure that the commercial document required by Community legislation for intra-Community trade be endorsed by the attachment of a copy of an official certificate stating that the production process has been audited and found in compliance with the appropriate requirements in Community legislation and suitable to destroy the foot-and-mouth disease virus or that the products concerned have been produced from preprocessed materials which had been certified accordingly, and provisions are in place to avoid possible recontamination with the foot-and-mouth disease virus after treatment.

Such verifying certification of the production process shall bear a reference to this Decision, shall be valid for 30 days, shall state the expiry date and shall be renewable after inspection of the establishment.

2. In case of products for retail sale to the final consumer, the competent authorities of the United Kingdom may authorize consolidated loads of products other than fresh meat, minced meat and meat preparations, each of which is eligible for dispatch in accordance with this Decision, to be accompanied by a commercial document endorsed by the attachment of a copy of an official veterinary certificate confirming that the premises of dispatch has in place a system to ensure that goods can only be dispatched if they are traceable to documentary evidence of compliance with this Decision, and that this system has been audited and found satisfactory. The verifying certification of the traceability system shall bear a reference to this Decision, shall be valid for 30 days, shall state the expiry date and shall be renewable only after the establishment had been audited with satisfactory results. The competent authorities of the United Kingdom shall communicate to the other Member States and the Commission the list of establishments they have approved in application of these provisions.

Article 10

1. The United Kingdom shall ensure that vehicles which have been used for the transport of live animals in the areas listed in Annex I and Annex II are cleaned and disinfected after each operation, and shall furnish proof of such disinfection.

2. The United Kingdom shall ensure that operators of ports of exit in the United Kingdom ensure that the tyres of road

vehicles departing from the United Kingdom are exposed to disinfectant.

Article 11

The restrictions laid down in Articles 3, 4, 5 and 8 shall not apply to the dispatch from the parts of the territory of the United Kingdom listed in Annex I of the products referred to in Articles 3, 4, 5 and 8, if such products were:

- either not produced in the United Kingdom and remained in their original packaging indicating the country of origin of the products, or
- produced in an approved establishment situated in the parts of the territory of the United Kingdom listed in Annex I from preprocessed products not originating from these areas, which have been since introduction onto the territory of the United Kingdom transported, stored and processed separately from products which are not eligible for dispatch outside the areas mentioned in Annex I and are accompanied by a commercial document or official certificate as required by this Decision.

Article 12

1. The United Kingdom shall ensure that equidae dispatched from those parts of its territory listed in Annex I and Annex II to other parts of its territory or to another Member State are accompanied by a health certificate in accordance with the Model in Annex C of Council Directive 90/426/EEC. This certificate shall only be issued for equidae coming from a holding that is not subject to official prohibition in accordance with Article 4 or Article 5 of Council Directive 85/511/EEC.

2. In addition, where the equine animal is to be certified in accordance with the provisions in the first subparagraph the certifying official veterinarian must:

- inspect and certify the equine animal only if it is groomed to remove as far as practicable visible faeces, dirt and debris and its hooves are cleaned and disinfected to the satisfaction of the official veterinarian, and
- ensure that a written declaration is received from the owner of the animal or the owner's representative stating that the equine animal will remain on the holding until dispatch to the place of destination stated in the health certificate, without stopping at any holding that is subject to official prohibitions in accordance with Article 4 or Article 5 of Council Directive 85/511/EEC.

3. The animal health certificate accompanying equidae dispatched from the United Kingdom to another Member State in accordance with the provisions in the first subparagraph shall bear the following words:

'Equidae conforming to Commission Decision 2001/356/EC of 4 May 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom'.

Article 13

1. Member States other than the United Kingdom shall not send live animals of susceptible species to the part of the territory of the United Kingdom listed in Annex I.

2. Member States shall co-operate in monitoring personal luggage of passengers travelling from those parts of the United Kingdom listed in Annex I and in information campaigns carried out to prevent introduction of products of animal origin onto the territory of Member States other than the United Kingdom.

Article 14

1. Any reference to Decisions 2001/172/EEC and 2001/356/EC shall be construed as reference to the present Decision.

2. Commission Decision 2001/356/EC is hereby repealed.

Article 15

Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 16

This Decision shall apply as from 22 October 2001 and until midnight on 31 December 2001.

Article 17

This Decision is addressed to the Member States.

Done at Brussels, 19 October 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

United Kingdom, except Northern Ireland and the Isle of Man

ANNEX II

United Kingdom, except Northern Ireland and the Isle of Man

ANNEX III

Group	County	ADNS	LVU
1	Shetland Islands	82	0708803
	Orkney Islands	83	0708803
	Western Isles	84	0708703
2	Highland	87 + 85	0708703
	Moray	86	0708803
	Aberdeenshire	88	0708803
	Angus	89	0709003
	Perth and Kinross	90	0709003
	Fife	91	0709003
	West Lothian	92	0709303
	East Lothian	92	0709303
	Midlothian	92	0709303
	Edinburgh	92	0709303
	Clackmannanshire	94	0709003
	Stirling	94	0709003
	Argyll and Bute	95	0709003
	North Lanarkshire	96	0709303
	South Lanarkshire	96	0709303
	East Dunbartonshire	96	0709003
	West Dunbartonshire	96	0709003
	Inverclyde	96	0709703
	East Renfrewshire	96	0709703
	Renfrewshire	96	0709703
	City of Glasgow	96	0709303
	Falkirk	96	0709303
	North Ayrshire	97	0709703
	South Ayrshire	97	0709703
	East Ayrshire	97	0709703
3	Humberside consisting of	51	0702401
	East Yorkshire	51	0702401
	Kingston upon Hull	51	0702401
	North Lincolnshire	51	0702401
	North East Lincolnshire	51	0702401
	Lincolnshire	24	0702401
	Norfolk	28	0703801
	Suffolk	38	0703801
	Cambridgeshire consisting of	05	0703801
	Cambridgeshire	05	0703801
	Peterborough	05	0703801

Group	County	ADNS	LVU
	Nottinghamshire consisting of	32	0702401
	Nottinghamshire	32	0702401
	Nottingham	32	0702401
	Bedfordshire consisting of	01	0701301
	Bedfordshire	01	0701301
	Luton	01	0701301
	Milton Keynes	01	0701301
	Hertfordshire	18	0701301
	Buckinghamshire	03	0700201
	Surrey	40	0704001
	East Sussex	41	0704001
	West Sussex consisting of	42	0704001
	West Sussex	42	0704001
	Brighton and Hove	42	0704001
	Hampshire consisting of	15	0700201
	Hampshire	15	0700201
	Portsmouth	15	0700201
	Southampton	15	0700201
	Dorset consisting of	11	0703601
	Dorset	11	0703601
	Bournemouth	11	0703601
	Poole	11	0703601
	Isle of Wight	16	0700201
4	Gwynedd excluding the Isle of Anglesey	53	0705302
	Clwyd consisting of	56	0705302
	Conwy	56	0705302
	Denbigshire	56	0705302
	Flintshire	56	0705302
	Wrexham	56	0705302

ADNS = Animal Disease Notification System Code (Decision 2000/807/EC)

LVU = Local Veterinary Unit Code (Decision 2000/287/EC)