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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1927/2004
of 21 October 2004**

on the conclusion of the Agreement in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde for the period 1 July 2004 to 30 June 2005

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 in conjunction with Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) Under the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde ⁽²⁾, the Contracting Parties are to enter into negotiations, before the end of the period of validity of the Protocol to the Agreement, in order to determine by common accord the terms of the Protocol for the following period and, where appropriate, any necessary amendments or additions to the Annex.
- (2) Pending negotiations on the amendments to be made to the existing Protocol ⁽³⁾ approved by Regulation (EC) No 301/2002 ⁽⁴⁾, the two Parties have decided to extend its validity for one year by means of an Agreement in the form of an Exchange of Letters.
- (3) It is in the Community's interest to approve this extension.
- (4) The allocation of fishing opportunities among the Member States under the Protocol approaching expiry should be confirmed,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde for the period 1 July 2004 to 30 June 2005 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

⁽¹⁾ Opinion of 15 September 2004 (not yet published in the Official Journal).

⁽²⁾ OJ L 212, 9.8.1990, p. 3.

⁽³⁾ OJ L 47, 19.2.2002, p. 25.

⁽⁴⁾ OJ L 47, 19.2.2002, p. 2.

Article 2

The fishing opportunities provided for in the Protocol shall be allocated among the Member States as follows:

— tuna seiners:	France:	19 vessels
	Spain:	18 vessels
— pole-and-line tuna vessels:	France:	6 vessels
	Spain:	10 vessels
	Portugal:	2 vessels
— surface longliners:	Spain:	52 vessels
	Portugal:	10 vessels
— bottom longliners:	Portugal:	630 GRT per month, averaged over the year, with no more than four vessels fishing simultaneously.

If licence applications from these Member States do not cover all the fishing opportunities fixed by the Protocol, the Commission may consider licence applications from any other Member State.

Article 3

Member States whose vessels fish under this Agreement shall notify the Commission of the quantities of each stock caught within the Cape Verde fishing zone in accordance with the procedure laid down in Commission Regulation (EC) No 500/2001 ⁽¹⁾.

Article 4

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

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

Done at Luxembourg, 21 October 2004.

For the Council
The President
G. ZALM

⁽¹⁾ OJ L 73, 15.3.2001, p. 8.

AGREEMENT

in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde for the period 1 July 2004 to 30 June 2005

A. Letter from the Community

Gentlemen,

I have the honour to confirm that we agree to the following interim arrangements for the extension of the Protocol currently in force (1 July 2001 to 30 June 2004) setting out the fishing opportunities and financial contribution provided for in the Fisheries Agreement between the European Economic Community and the Government of the Republic of Cape Verde, pending the negotiations on the amendments to be made to the Protocol:

1. The arrangements applicable over the last three years will be renewed from 1 July 2004 until 30 June 2005.

The Community's financial contribution under the interim arrangements will correspond to the annual amount provided for in Article 2 of the Protocol currently in force. The financial compensation will be paid no later than 31 January 2005. Payment for the targeted measures specified in Article 3 of the Protocol will be made once the relevant requirements stipulated in that Article have been met.

2. During this period, fishing licences will be granted within the limits set in Article 1 of the Protocol currently in force, by means of fees or advances corresponding to those set in point 2 of the Annex to the Protocol.

I should be obliged if you would acknowledge receipt of this letter and confirm that you are in agreement with its terms.

Please accept, Gentlemen, the assurance of my highest consideration.

On behalf of the Council of the European Union

B. Letter from the Government of the Republic of Cape Verde

Gentlemen,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'I have the honour to confirm that we agree to the following interim arrangements for the extension of the Protocol currently in force (1 July 2001 to 30 June 2004) setting out the fishing opportunities and financial contribution provided for in the Fisheries Agreement between the European Economic Community and the Government of the Republic of Cape Verde, pending the negotiations on the amendments to be made to the Protocol:

1. The arrangements applicable over the last three years will be renewed from 1 July 2004 until 30 June 2005.

The Community's financial contribution under the interim arrangements will correspond to the annual amount provided for in Article 2 of the Protocol currently in force. The financial compensation will be paid no later than 31 January 2005. Payment for the targeted measures specified in Article 3 of the Protocol will be made once the relevant requirements stipulated in that Article have been met.

2. During this period, fishing licences will be granted within the limits set in Article 1 of the Protocol currently in force, by means of fees or advances corresponding to those set in point 2 of the Annex to the Protocol.

I should be obliged if you would acknowledge receipt of this letter and confirm that you are in agreement with its terms'.

I have the honour to confirm that the terms of your letter are acceptable to the Government of the Republic of Cape Verde and that your letter and this one constitute an agreement in accordance with your proposal.

Please accept, Gentlemen, the assurance of my highest consideration.

For the Government of the Republic of Cape Verde

COUNCIL REGULATION (EC) No 1928/2004**of 25 October 2004****amending Regulation (EC) No 2287/2003 fixing for 2004 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**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy⁽¹⁾, and in particular Article 20 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Annex V to Regulation (EC) No 2287/2003⁽²⁾ lays down an interim fishing effort limitation and additional conditions for monitoring, inspection and surveillance in the context of the recovery of certain fish stocks. Since then the Council has adopted Regulation (EC) No 423/2004 of 26 February 2004 establishing measures for the recovery of cod stocks⁽³⁾. It is appropriate to align the provisions of Annex V to those in Regulation (EC)

No 423/2004. Moreover the implementation of Annex V has shown that certain of its provisions need to be either clarified or made more flexible, in order to improve its applicability and effectiveness. It is necessary to ensure that any change to the scheme does not result in a lesser conservation value for the measures in question.

- (2) Regulation (EC) No 2287/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex V to Regulation (EC) No 2287/2003 shall be replaced by the text appearing in the Annex to this Regulation.

Article 2

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

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

Done at Luxembourg, 25 October 2004.

For the Council
The President
R. VERDONK

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 344, 31.12.2003, p. 1.

⁽³⁾ OJ L 70, 9.3.2004, p. 8.

ANNEX

'ANNEX V

**INTERIM FISHING EFFORT LIMITATION AND ADDITIONAL CONDITIONS FOR MONITORING,
INSPECTION AND SURVEILLANCE IN THE CONTEXT OF CERTAIN FISH STOCKS RECOVERY****General provisions**

1. The conditions laid down in this Annex shall apply to Community fishing vessels of length overall equal to or greater than 10 metres.

2. For the purposes of this Annex, the following geographical area shall apply:

- (a) Kattegat (ICES Division IIIa south),

Skagerrak and North Sea (ICES Divisions IVa,b,c, IIIa north and IIa EC),

West of Scotland (ICES Division VIa),

Eastern Channel (ICES Divisions VIId) and

Irish Sea (ICES Division VIIa).

- (b) For vessels notified to the Commission as being equipped with appropriate vessel monitoring systems, the following definition for the area West of Scotland, (ICES Division VIa) shall apply:

ICES Division VIa excluding that part which lies to the west of a line drawn by sequentially joining with straight lines the following geographical coordinates:

60° 00' N, 04° 00' W

59° 45' N, 05° 00' W

59° 30' N, 06° 00' W

59° 00' N, 07° 00' W

58° 30' N, 08° 00' W

58° 00' N, 08° 00' W

58° 00' N, 08° 30' W

56° 00' N, 08° 30' W

56° 00' N, 09° 00' W

55° 00' N, 09° 00' W

55° 00' N, 10° 00' W

54° 30' N, 10° 00' W.

3. For the purposes of this Annex, a day present within the area and absent from port shall be:

- (a) the 24-hour period between 00.00 of a calendar day and 24.00 of the same calendar day or any part of such a period during which a vessel is present within either of the areas defined in point 2 and absent from port, or
 - (b) any continuous period of 24 hours as recorded in the EC logbook during which a vessel is present within either of the areas defined in point 2 and absent from port or any part of any such time period.

A Member State which wishes to employ the definition of a day present within the area and absent from port laid down under subpoint (b) shall notify the Commission of the means of monitoring the activities of a vessel to ensure compliance with the conditions laid down in subpoint (b).

4. For the purpose of this Annex, the following groupings of fishing gear shall apply:

- (a) demersal trawls, seines or similar towed gear of mesh size equal to or greater than 100 mm except beam trawls;
- (b) beam trawls of mesh size equal to or greater than 80 mm;
- (c) static demersal nets including gill nets, trammel nets and tangle nets;
- (d) demersal longlines;
- (e) demersal trawls, seines or similar towed gear of mesh size between 70 mm and 99 mm except beam trawls with mesh size between 80 mm and 99 mm;
- (f) demersal trawls, seines or similar towed gear of mesh size between 16 mm and 31 mm except beam trawls;

Fishing effort

5. Each Member State shall ensure that, when carrying on board any of the fishing gear referred to in point 4, fishing vessels flying its flag and registered in the Community shall be present within the area and absent from port for no more than the number of days specified in point 6.
6. (a) The maximum number of days in any calendar month for which a vessel may be present within the area and absent from port having carried on board any one of the fishing gear referred to in point 4 is shown in Table I.

Table I

Maximum days present within the area and absent from port by fishing gear

Area defined in point	Grouping of fishing gear referred to in point					
	4a	4b	4c	4d	4e	4f
Kattegat, Skagerrak and North Sea, West of Scotland, Eastern Channel, Irish Sea	10	14	14	17	22	20

- (b) A Member State may aggregate the days present within the area and absent from port in Table I within management periods of up to eleven calendar months. Member States shall notify the Commission of their intention to aggregate management periods before the beginning of any aggregated period.
- (c) An additional number of days on which a vessel may be present within the area and absent from port when carrying on board any of the gear referred to in point 4 may be allocated to Member States by the Commission on the basis of the achieved results of decommissioning programmes that have taken place since 1 January 2002.

Member States wishing to benefit from such allocations shall submit a request to the Commission with reports containing the details of their completed decommissioning programmes.

On the basis of such a request the Commission, following consultation with Member States, may amend the number of days defined in point (a) for that Member State.

- (d) Derogations from the number of days present within the area and absent from port shown in Table I may be allocated to vessels by Member States under the conditions shown in Table II.

Member States wishing to apply this higher allocation of days shall notify the Commission with details of the vessels that will benefit and with details of their track records at least two weeks before the higher allocation of days are to be granted.

Table II*Derogations from days present within the area and absent from port in Table I and associated conditions*

Area Defined in point 2	Gear defined in point 4	2002 vessel track record (*)	Days
2(a)	4(a), 4(e)	Less than 5 % of each of cod, sole and plaice	no days restriction (**)
2(a)	4(a), 4(b)	Less than 5 % cod	100 to < 120 mm up to 14 ≥ 120 mm up to 15
2(a) Kattegat (ICES Division IIIa south), North Sea	4(c) gear of mesh size equal to or greater than 220 mm	Less than 5 % cod and more than 5 % of turbot and lumpfish	Up to 16 days
2(a) Eastern channel ICES Division VIIId	4(c) gear of mesh size equal to or less than 110 mm	Vessels of less than 15 m in length with landings of over 35 % unregulated species and absent from port for no more than 24 hours (**)	Up to 20 days

(*) As verified by the EC logbook — average annual landing in live weight.

(**) Notwithstanding this provision, the derogation shall also apply to a maximum of six vessels flying the flag of France and registered in the Community of length overall equal to or greater than 15 metres. A list of such vessels shall be submitted to the Commission before 1 February 2004.

(***) The vessel may be present within the area for the number of days in the month concerned.

If this higher allocation of days is given to a vessel, as a result of its low percentage track record of catch of certain species, that vessel shall not at any time retain more than the percentage of those species on board as shown in Table II. When this condition is not met by a vessel, that vessel shall with immediate effect no longer be entitled to the additional days.

- (e) Upon the request of a Member State the Commission may allocate a derogation under the first line in Table II in respect of the saithe fishery without the requirement for a track record in previous years of fishing with less than 5 % of each of cod, sole and plaice. Along with its request the Member State shall submit details of the vessels that would benefit, with evidence of their quota holding and planned activity. The request shall be submitted to the Commission at least 4 weeks before the beginning of the first management period in which the days are to be allocated.

Any vessel allocated extra days under this provision may not at any time retain on board more than 5 % of each of cod, sole and plaice.

Inspection and surveillance at sea and in port by the competent authorities shall be undertaken for verification of compliance with the above requirement. Any vessel found to be not complying with the requirement shall with immediate effect no longer be entitled to the additional days.

- (f) In recognition of the area closure in the Irish Sea for the protection of spawning fish and the assumed reduction in fishing mortality on cod, an additional two days will be available for vessels in groupings of fishing gear 4a and 4b which spend more than half of their allocated days in a given management period fishing in the Irish Sea.

7. Before the first day of each management period the master of a vessel or his representative shall notify to the authorities of the flag Member State which gear or gear he intends to use during the forthcoming management period. Until such notification is provided the vessel will not be entitled to fish within the areas defined in point 2 with any of the gear referred to in point 4.

Where the master of a vessel or his representative notifies the use of two of the groupings of fishing gear defined under point 4, the total number of days available during the forthcoming management period shall be no more than half the sum of the days to which the vessel is eligible for each gear, rounded down to the nearest whole day. It shall not be permitted to deploy either of the gear concerned for more days than the number of days laid down for that gear in Table I.

The option to use two gear shall only be available if the following additional monitoring arrangements are met:

- during a given trip the fishing vessel may carry on board only one of the fishing gear referred to in point 4,
- before any trip the master of a vessel or his representative shall give prior notice to the competent authorities of the type of fishing gear that is to be carried on board unless the type of fishing gear has not changed from the one notified for the previous trip.

Inspection and surveillance at sea and in port by the competent authorities shall be undertaken for verification of compliance with the above two requirements. Any vessel found to be not complying with these requirements shall with immediate effect no longer be permitted to use two groupings of fishing gear.

A vessel wishing to combine the use of one or more of the fishing gear referred to in point 4 (regulated gear) with any other fishing gear not referred to in point 4 (unregulated gear) will not be restricted in their use of the unregulated gear. Such vessels must pre-notify when the regulated gear is to be used. When no such notification has been given no gear referred to in point 4 may be carried on board. Such vessels must be authorised and equipped to undertake the alternative fishing activity.

8. A vessel which is present within any of the areas defined in point 2 and carrying on board any one of the fishing gear referred to in point 4 may not simultaneously carry on board any of the other gear referred to in point 4.
9. (a) In any given management period a vessel that has used the number of days present within the area and absent from port to which it is eligible shall remain in port or out of any area referred to in point 2 for the remainder of the management period unless using unregulated gear as described in point 7.

(b) In any given management period a vessel may undertake non-fishing related activities, without that time being counted against its days allocated under point 6, provided that the vessel first notifies the Member State of its intention to do so, the nature of its activity and that it surrenders its fishing licence for this time. Such vessels shall not carry any fishing gear or fish on board during that time.
10. (a) A Member State may permit any of its fishing vessels to transfer days present within the area and absent from port to which it is eligible to another of its vessels for the same management period and within the same area provided that the product of the days received by a vessel multiplied by its engine power in kilowatts (kilowatt days) is equal to or less than the product of the days transferred by the donor vessel multiplied by the engine power in kilowatts of that vessel. The engine power in kilowatts of the vessels shall be that recorded for each vessel in the Community fishing fleet register.

(b) The total number of days present within the area and absent from port transferred under sub-point (a) multiplied by the engine power in kilowatts of the donor vessel shall not be higher than the donor vessel's average annual days as verified by the EC logbook in the years 2001, 2002 and 2003, multiplied by the engine power in kilowatts of that vessel.

(c) The transfer of days as described in sub-point (a) shall only be permitted between vessels operating within the same gear grouping and area categories referred to in point 6(a) and during the same management period.

(d) No transfer of days from vessels benefiting from the allocation referred to in points 6(d), 6(e) and 7 is permitted.

(e) On request from the Commission, Member States shall provide reports on the transfers that have taken place.
11. A vessel with no track record of fishing in one of the areas defined in point 2 is allowed to transit across these areas provided that it has first notified its authorities of its intention to do so. While that vessel is within any of the areas defined in point 2 any fishing gear carried on board must be lashed and stowed in accordance with conditions laid down in Article 20(1) of Regulation (EEC) No 2847/93⁽¹⁾.

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1954/2003 (OJ L 289, 7.11.2003, p. 1).

12. A Member State shall not permit fishing with a gear defined in point 4 in any area defined in point 2 by any of its vessels which have no record of such fishing activity in the years 2001, 2002 or 2003 in that area unless it ensures that equivalent capacity, measured in kilowatts, is prevented from fishing in the regulated area.

However, a vessel with a track record of using a gear defined in point 4 may be authorised to use a different gear defined in point 4, provided that the number of days allocated to this latter gear is greater than or equal to the number of days allocated to the first gear.

13. A Member State shall not count against the days allocated to any of its vessels under this Annex either any days when the vessel has been absent from port but unable to fish because it was assisting another vessel in need of emergency aid or any days when a vessel has been absent from port but unable to fish because it is transporting an injured crew member for emergency medical aid. The Member State shall provide justification to the Commission within one month of any decisions taken on this basis with associated evidence of the emergency from the competent authorities.

Monitoring, inspection and surveillance

14. Notwithstanding Article 19a of Regulation (EEC) No 2847/93, Articles 19b, 19c, 19d, 19e and 19k of that Regulation shall apply to vessels carrying on board the fishing gear defined in point 4 and operating in the areas defined in point 2.
15. Member States may implement alternative control measures to ensure compliance with reporting obligations referred in point 14 of this Annex which are as effective and transparent as these reporting obligations. Such alternative measures shall be notified to the Commission before being implemented.
16. The master of a Community fishing vessel, or his representative, prior to any entry to port or any landing location of a Member State after having been present in an area referred to in Table III with more than the quantities of any species indicated on that table, shall inform, at least four hours in advance of such entry, the competent authorities of that Member State of:
- the name of the port or landing location,
 - the estimated time of arrival at that port or landing location,
 - the quantities in kilograms live weight for all species of which more than 50 kg is retained on board.
17. The competent authorities of a Member State in which a landing requiring pre-notification is to be made may require that the discharge of catch retained on board does not commence until authorised by those authorities.

Table III

Landing quantities in tonnes by area and species above which special conditions apply

Area defined in point	Volume of Species in tonnes: Cod	
	PN	DP
2a Kattegat, North Sea and Skagerrak, West of Scotland, Eastern Channel, Irish Sea	1	2

PN — Prior Notification as referred to in Point 16.
DP — Designated Port as referred to in Point 19.

18. The master of a Community fishing vessel or his representative wishing to tranship or discharge at sea any quantity retained on board or to land in a port or landing location of a third country shall inform the competent authorities of the flag Member State at least 24 hours prior to transhipping or discharging at sea or to landing in a third country the information referred to in point 16.

19. It is not permitted to land in excess of the quantities of any species referred to in Table III (under the DP heading) for a fishing vessel having been in the area defined in the table outside a designated port.

Each Member State shall transmit to the Commission within 15 days of the date of entry into force of this Regulation the list of designated ports and, within 30 days thereafter, inspection and surveillance procedures including, for those ports, the terms and conditions for recording and reporting the quantities of any of the species and stocks referred to in Article 12 of this Regulation within each landing. The Commission shall transmit this information to all Member States.

20. By way of derogation from Article 5(2) of Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish⁽¹⁾, the permitted margin of tolerance, when estimating quantities, in kilograms retained on board of vessels referred to in point 14 shall be 8 % of the logbook figure.
21. It shall be prohibited to retain on board a fishing vessel in any container any quantity of cod mixed with any other species of marine organism. Containers with cod shall be stowed in the hold in such a way that they are kept separate from other containers.
22. The competent authorities of a Member State may require that any quantity of cod caught in any of the areas specified in point 2 and first landed in that Member State is weighed in the presence of controllers before being transported from the port of first landing. For cod first landed in a port designated under point 19, representative samples, amounting to at least 20 % of the landings, shall be weighed in the presence of controllers authorised by the Member States before they are offered for first sale and sold. To this end, the Member States shall submit to the Commission, within one month of the date of entry into force of this Regulation, details of the sampling regime to be employed.
23. By way of derogation from Article 13 of Regulation (EEC) No 2847/93, quantities greater than 50 kg of any species referred to in Article 12 of this Regulation which are transported to a place other than that of landing or import shall be accompanied by a copy of one of the declarations provided for in Article 8(1) of Regulation (EEC) No 2847/93 pertaining to the quantities of these species transported. The exemption provided for in Article 13(4)(b) of Regulation (EEC) No 2847/93 shall not apply.
24. By way of derogation from Article 34c(1) of Regulation (EEC) No 2847/93, the specific monitoring programme for any of the stocks referred to in Article 12 may last more than two years from their date of entry into force.
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⁽¹⁾ OJ L 276, 10.10.1983, p. 1. Regulation as last amended by Commission Regulation (EC) No 1965/2001 (OJ L 268, 9.10.2001, p. 23).'

COMMISSION REGULATION (EC) No 1929/2004**of 5 November 2004****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 November 2004.

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

Done at Brussels, 5 November 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

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

ANNEX

to Commission Regulation of 5 November 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	56,5
	204	67,4
	999	62,0
0707 00 05	052	120,2
	999	120,2
0709 90 70	052	80,5
	204	58,5
	999	69,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	51,3
	528	27,1
	624	93,2
	999	57,2
0805 50 10	052	60,6
	388	40,5
	524	64,5
	528	29,5
	999	48,8
0806 10 10	052	92,5
	400	220,7
	508	263,7
	624	179,5
	999	189,1
0808 10 20, 0808 10 50, 0808 10 90	052	90,5
	388	126,3
	400	99,2
	404	78,5
	512	82,6
	720	34,3
	800	206,8
	999	102,6
0808 20 50	052	112,5
	720	48,0
	999	80,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 October 2004

outlining the general approach for the reallocation of resources under Regulation (EC) No 1267/1999 establishing an Instrument for Structural Policies for Pre-accession

(2004/749/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1267/1999 of 21 June 1999 establishing an Instrument for Structural Policies for Pre-accession⁽¹⁾, and in particular the second subparagraph of Article 15 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Copenhagen European Council of 12 and 13 December 2002 endorsed the results of the negotiations which resulted in the accession to the Community in 2004 of eight countries at the time benefiting from the provisions of Regulation (EC) No 1267/1999. Consequently, during the period from 2004 to 2006, only Bulgaria and Romania will continue to benefit from commitments under that Regulation.
- (2) By endorsing the 'roadmaps' for Bulgaria and Romania proposed by the Commission, the Copenhagen European Council agreed, by way of a general approach for reallocation, that the ratio for reallocation should be fixed at 30/70, respectively, under the Phare programme set up under Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to the Republic of Hungary and the Polish People's Republic⁽²⁾, the special accession programme for agriculture and rural development (Sapard) set up under Regulation (EC) No 1268/1999⁽³⁾ and the Instrument for Structural Policies for Pre-accession (ISPA), set up under Regulation (EC) No 1267/1999.
- (3) In accordance with the first subparagraph of Article 15 of Regulation (EC) No 1267/1999, the ratio takes account of the need and capacity of Bulgaria and

Romania for absorbing assistance, as well as of the criteria laid down in Article 4 of that Regulation.

- (4) Since the 30/70 ratio applies to the three-year period 2004 to 2006 as a whole, it is appropriate to permit an indicative allocation of the total resources on an annual basis consistent with that ratio.
- (5) Consequently, the general approach for reallocation between the remaining beneficiary countries, namely Bulgaria and Romania, should be that the 30/70 ratio is to apply to the three-year period from 2004 to 2006 as a whole, and an indicative allocation of the total resources is to be determined on an annual basis in accordance with a bracket reflecting that overall ratio,

HAS DECIDED AS FOLLOWS:

Sole Article

By way of a general approach for the three-year period 2004 to 2006, the resources under Regulation (EC) No 1267/1999 shall be reallocated between Bulgaria and Romania in accordance with a ratio of 30/70, respectively, applicable to that period as a whole.

During the three-year period referred to in the first subparagraph, the annual allocation of resources under Regulation (EC) No 1267/1999 shall be determined on the basis of an indicative ratio of 65 % to 75 % of total resources in the case of Romania and 25 % to 35 % of total resources in the case of Bulgaria.

Done at Luxembourg, 21 October 2004.

For the Council
The President
G. ZALM

⁽¹⁾ OJ L 161, 26.6.1999, p. 73. Regulation as last amended by Regulation (EC) No 769/2004 (OJ L 123, 27.4.2004, p. 1).

⁽²⁾ OJ L 375, 23.12.1989, p. 11. Regulation as last amended by Regulation (EC) No 769/2004.

⁽³⁾ OJ L 161, 26.6.1999, p. 87. Regulation as last amended by Regulation (EC) No 769/2004.

COUNCIL DECISION**of 21 October 2004****on the opening of the negotiations on an agreement concerning monetary relations with the
Principality of Andorra**

(2004/750/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2004/548/EC of 11 May 2004 on the position to be taken by the Community regarding an agreement concerning the monetary relations with the Principality of Andorra⁽¹⁾, and in particular Article 8 thereof,Having regard to the Recommendation of the Commission⁽²⁾,Having regard to the opinion of the European Central Bank⁽³⁾,

Whereas:

- (1) The opening of the negotiations on an agreement with the Principality of Andorra (hereinafter, Andorra) on monetary matters should be conditional upon the fulfilment of the necessary conditions. The prior initialling by both parties of the agreement on the taxation of income from savings, as well as the undertaking by Andorra to ratify such agreement before a date agreed with the Community, should form part of those conditions.
- (2) Andorra and the Commission have proceeded on 1 July 2004 with the initialling of the agreement providing for measures equivalent to those laid down in Council Directive 2003/48/EC of 3 June 2003⁽⁴⁾ on the taxation of savings income in the form of interest payments.

(3) By virtue of the verbal note from the Ambassador of Andorra to the Community of 1 July 2004, Andorra has undertaken to ratify such agreement before 30 April 2005. This date is acceptable to the Community.

(4) The absence of ratification by Andorra, before the agreed date, of the agreement on the taxation of income from savings should result in the suspension of the negotiations on the monetary agreement until such ratification has taken place,

HAS DECIDED AS FOLLOWS:

Sole Article

The necessary conditions for the opening of the negotiations with the Principality of Andorra on an agreement on monetary matters, as laid down in Article 8 of Decision 2004/548/EC on the position to be taken by the Community regarding an agreement concerning the monetary relations with the Principality of Andorra, have been fulfilled.

The Commission shall inform the Principality of Andorra of the Community's readiness to conclude an agreement on monetary matters and it shall propose negotiations for such an agreement.

Done at Luxembourg, 21 October 2004.

For the Council
The President
G. ZALM

⁽¹⁾ OJ L 244, 16.7.2004, p. 47.

⁽²⁾ OJ C 244, 1.10.2004, p. 19.

⁽³⁾ OJ C 256, 16.10.2004, p. 9.

⁽⁴⁾ OJ L 157, 26.6.2003, p. 38.

COMMISSION

COMMISSION DECISION

of 22 October 2004

approving on behalf of the European Community amendments to Annex V to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products

(notified under document number C(2004) 4022)

(Text with EEA relevance)

(2004/751/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/132/EC of 17 December 1996 on the conclusion of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products⁽¹⁾, and in particular the third paragraph of Article 3 thereof,

Whereas:

- (1) Council Decision 2002/957/EC of 28 November 2002 on the conclusion of an Agreement in the form of an Exchange of Letters concerning the amendment to the Annexes to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products⁽²⁾, provided for the possibility of recognising the equivalence of the New Zealand certification systems for fresh meat and meat-based products and for other animal products.
- (2) The Joint Management Committee for the Agreement established under Article 16 of the Agreement ('the Committee'), at its meeting on 1 and 2 June 2004, issued a recommendation concerning the determination of equivalence of sanitary requirements for bovine embryos, feathered game, live bivalve molluscs for human consumption, honey and wool. The Committee also recommended the determination of equivalence of certification systems for fishery products and issued recommendations concerning the general format of Annex V.
- (3) As a result of those recommendations it is appropriate to amend Annex V to the Agreement.
- (4) Those amendments should be approved on behalf of the Community.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Pursuant to the recommendations made by the Joint Management Committee established under Article 16 of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products, the amendments to Annex V to that Agreement are hereby approved on behalf of the Community.

The text of an Exchange of Letters constituting an Arrangement with New Zealand, including the amendments to Annex V to the Agreement, is attached to this Decision.

Article 2

The Director-General for Health and Consumer Protection is hereby empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Article 3

This Decision shall apply from the first day of the month following the month in which New Zealand notifies the Commission in writing that its internal procedures for the approval of the amendments referred to in Article 1 have been completed.

The Commission shall inform the Council and the Member States of the notification referred to in the first paragraph without delay.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 22 October 2004.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 57, 26.2.1997, p. 4. Decision as amended by Decision 1999/837/EC (OJ L 332, 23.12.1999, p. 1).

⁽²⁾ OJ L 333, 10.12.2002, p. 13.

EXCHANGE OF LETTERS

constituting an Arrangement with New Zealand on the modification of Annex V to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products

A. Letter from the European Community



EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL

The Director-General

SANCO

28. 07. 2004

Brussels,
SANCO E3/WM/gaD(04) 532059

Your Excellency,

With reference to Article 16(2) of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products, I have the honour to propose modifications to Annex V to the Agreement as follows:

As recommended by the Joint Management Committee established under Article 16(1) of the Agreement, replace the text of Annex V with the respective texts of the Annex attached hereto.

I would be obliged if you would confirm New Zealand's concurrence with these modifications to the Annex to the Agreement.

Please accept, Sir, the assurance of my highest consideration.

Yours faithfully,



Robert Madelin

Encl.: Document SANCO/10366/2004 Rev. 17 - unanimously approved by the Standing Committee on the Food Chain and Animal Health of 15. July 2004.

His Excellency
Mr Wade Armstrong
New Zealand Mission to the European Union
Square de Meeus 1
B-1000 BRUXELLES

B. Letter from New Zealand

Brussels 9 September 2004

Sir,

I have the honour to refer to your letter containing details of proposed modifications to Annex V to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products.

In this regard I have the honour to confirm the acceptability to New Zealand of the proposed modifications, as recommended by the Joint Management Committee established under Article 16(1) of the Agreement, a copy of which is attached hereto.

Please accept, Sir, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to be 'A. ...' followed by a flourish.

For the competent authority of New Zealand

Appendix

'ANNEX V

RECOGNITION OF SANITARY MEASURES**Glossary**

<i>Yes (1)</i>	Equivalence agreed. Model health attestations to be used
<i>Yes (2)</i>	Equivalence agreed in principle. Some specific issue(s) to be resolved. Existing certification used until issue(s) resolved
<i>Yes (3)</i>	Equivalence in form of compliance with importing Party's requirements. Existing certification to be used
<i>NE</i>	Not evaluated. Existing certification to be used in the interim
<i>E</i>	Still evaluating - under consideration. Existing certification to be used in the interim
<i>[]</i>	Issues targeted for imminent resolution
<i>No</i>	Not equivalent and/or further evaluation is required. Trade may occur if the exporting Party meets the importing Party's requirements
<i>AI</i>	Avian influenza
<i>BSE</i>	Bovine spongiform encephalopathy
<i>C</i>	Celsius
<i>Channelling</i>	Chapter XI, point 7, of Annex VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council (OJ L 273, 10.10.2002, p. 1).
<i>CSF</i>	Classical swine fever
<i>EBL</i>	Enzootic bovine leucosis
<i>EC/NZ</i>	European Community/New Zealand
<i>EIA</i>	Equine infectious anaemia
<i>IBD</i>	Infectious bursal disease
<i>IBR</i>	Infectious bovine rhinotracheitis
<i>min</i>	minute(s)
<i>ND</i>	Newcastle disease
<i>None</i>	No special conditions
<i>OIE</i>	Office International des Epizooties
<i>PAP</i>	Processed animal protein
<i>PM</i>	Post mortem
<i>Stds</i>	Standard(s)
<i>SVD</i>	Swine vesicular disease
<i>UHT</i>	Ultra high temperature

Section 1
Germplasm and live animals

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
1. Semen										
— Cattle	88/407/EEC	NZ semen standard	E			NZ semen standard Animal Products Act 1999	88/407/EEC 2004/52/EC (Commission Working Document SANCO/10035/ 2004-Rev. 2)	E	IBR see Section 28	For full equivalence beyond end 2004 NZ to demonstrate that semen produced under NZ standards gives the same assurance of IBR disease freedom
— Sheep/goats	92/65/EEC	Biosecurity Act 1993 S 22	No			Animal Products Act 1999	92/65/EEC	NE		
— Pigs	90/429/EEC	Biosecurity Act 1993 S 22	NE			Animal Products Act 1999	90/429/EEC 2002/613/EC	NE		
— Deer	92/65/EEC	Biosecurity Act 1993 S 22	No			Animal Products Act 1999	92/65/EEC	No		(Working document SANCO/10374/ 2004-Rev. 2)
— Horses	92/65/EEC 95/307/EC	Biosecurity Act 1993 S 22	Yes (3)			Animal Products Act 1999	92/65/EEC 96/539/EC	Yes (3)		
— Dogs	92/65/EEC	Biosecurity Act 1993 S 22	NE			Animal Products Act 1999	92/65/EEC	NE		
2. Embryos (except micromanipulated embryos)										
— Cattle	89/556/EEC	NZ embryo standard	E			NZ embryo standard	89/556/EEC 92/471/EEC 92/452/EEC	Yes (1)	IBR see Section 28	
— Sheep/goats	92/65/EEC	Biosecurity Act 1993 S 22	No			Animal Products Act 1999	92/65/EEC	NE		

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival- ence	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
— Pigs	92/65/EEC	Bioregurity Act 1993 S 22		NE		Animal Products Act 1999	92/65/EEC	NE		
— Deer	92/65/EEC	Bioregurity Act 1993 S 22		No		Animal Products Act 1999	92/65/EEC	No		
— Horses	92/65/EEC 95/294/EC	Bioregurity Act 1993 S 22		NE		Animal Products Act 1999	92/65/EEC 96/540/EC	Yes (3)		
— Poultry hatching eggs — Ratites	90/539/EEC 93/342/EEC	Bioregurity Act 1993 S 22		No		Animal Products Act 1999	90/539/EEC 93/342/EEC 96/482/EC 96/483/EC 2001/393/EC 2001/751/EC	Yes (3)	Salmonella see Section 28	

3. Live animals

— Cattle	64/432/EEC 72/462/EEC 90/425/EEC	Bioregulation Act 1993 S 22	No				Animal Products Act 1999	72/462/EEC 79/542/EEC 2004/68/EC 2004/212/EC Regulation (EC) No 999/2001	Yes (3)	IBR see Section 28	
— Sheep/goats	72/462/EEC 90/425/EEC 91/68/EEC Regulation (EC) No 999/2001	Bioregulation Act 1993 S 22	No				Animal Products Act 1999	72/462/EEC 79/542/EEC 2004/68/EC 2004/212/EC Regulation (EC) No 999/2001	Yes (3)		EC to consider Scrapie freedom of NZ
— Swine	64/432/EEC 72/462/EEC 90/425/EEC	Bioregulation Act 1993 S 22	NE				Animal Products Act 1999	72/462/EEC 79/542/EEC 2004/68/EC 2004/212/EC	Yes (3)	Aujeszky's disease see Section 28	
— Deer	92/65/EEC	Bioregulation Act 1993 S 22	NE				Animal Products Act 1999	92/65/EEC 2000/585/EC 2004/68/EC	Yes (3)		

Commodity	EC Exports to New Zealand ⁽¹⁾						New Zealand Exports to EC				
	Trade conditions			Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards	EC standards				NZ standards				
— Horses	90/425/EEC 90/426/EEC 92/260/EEC 93/195/EEC 93/196/EEC 93/197/EEC 94/467/EC	Biosecurity Act 1993 S 22	Yes (3)			Animal Products Act 1999	90/426/EEC 92/260/EEC 93/195/EEC 93/196/EEC 93/197/EEC 94/467/EC	Yes (3)	EIA see Section 28		
— Dogs and cats	92/65/EEC	Biosecurity Act 1993 S 22	Yes (3)	Rabies see Section 28		Animal Products Act 1999	Commercial Imports: 92/65/EEC Non-commercial: 2003/998/EC 2004/592/EC 2004/203/EC (Commission Working document SANCO/10374/ 2004-Rev. 2)	Yes (3)	Rabies see Section 28		
— Live poultry — Ratites	90/539/EEC 93/342/EEC	Biosecurity Act 1993 S 22	No NE			Animal Products Act 1999	90/539/EEC 93/342/EEC 96/482/EC 96/483/EC 2001/751/EC	Yes (3) NE	Salmonella see Section 28		
— Live bees and bee germplasm	2003/881/EC	Biosecurity Act 1993 S 22	NE			Animal Products Act 1999	2003/881/EC	E	Small hive beetle see Section 28	Submission from NZ concerning freedom of tropicalaelaps mite pending	

⁽¹⁾ Commodities must be fully eligible for unrestricted intra-Community trade, unless otherwise indicated.

⁽¹⁾ Commodities must be fully eligible for unrestricted intra-Community trade, unless otherwise indicated.

Section 2

Meat (including fresh meat, poultry meat, farmed and wild game meat), minced meat, meat preparations and meat products for human consumption

Commodity	EC Exports to New Zealand				New Zealand Exports to EC					
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
4. Meat										
4.A. Fresh Meat as defined in 64/433/EEC (1) and 79/542/EEC. Includes minced meat and unprocessed (fresh) blood/bones/fat for human consumption.										
Animal health — Ruminants — Horses	64/432/EEC 72/461/EEC (1) 72/462/EEC (2) 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	72/462/EEC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
— Pigs	64/432/EEC 72/461/EEC 72/462/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)		EU to consider and comment on the PRRS risk assessment of NZ.	Animal Products Act 1999	72/462/EEC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
Public health	64/433/EEC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)	BSE see Section 28		Animal Products Act 1999	72/462/EEC 2004/432/EC Regulation (EC) No 999/2001	Yes (1)	Salmonella and BSE see Section 28 — Minced meat must be frozen — Minced meat can only come from cattle, sheep, pigs and goats	

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
4.B. Fresh Poultry Meat										
Animal health — Poultry	91/494/EEC ⁽¹⁾ 2002/99/EC	Biosecurity Act 1993 S 22		No		Animal Products Act 1999	91/494/EEC 93/342/EEC 94/438/EC 94/984/EC 2002/99/EC	Yes (3)		
— Turkeys				Yes (3)				NE		
Public health	71/118/EEC ⁽¹⁾	Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	71/118/EEC 2004/432/EC	NE		
4.C. Farmed Game Meat										
Animal health — Deer — Pigs	64/432/EEC 72/461/EEC 92/118/EEC ⁽¹⁾ 91/495/EEC ⁽¹⁾ 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)	With respect to pig meat EU to consider and comment on the PRRS risk assessment of NZ. The Scientific Panel will likely be concerned.	Animal Products Act 1999	79/542/EEC 91/495/EEC 92/118/EEC 2002/99/EC	Yes (1)		
— Rabbit	91/495/EEC 92/118/EEC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999	91/495/EEC 92/118/EEC 2000/585/EC 2002/99/EC	Yes (1)		
— Other land mammals	92/118/EEC 91/495/EEC 2002/99/EC	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	91/495/EEC 92/118/EEC 2000/585/EC 2002/99/EC	Yes (1)		

Commodity	EC Exports to New Zealand						New Zealand Exports to EC				
	Trade conditions			Special conditions	Equivalence	Action	Trade conditions			Special conditions	Action
	EC standards	NZ standards	Biosecurity Act 1993 S 22				NZ standards	EC standards	Equivalence		
— Feathered (including ratite)	92/118/EEC 91/494/EEC ⁽¹⁾ 2002/99/EC		Biosecurity Act 1993 S 22	No			Animal Products Act 1999	91/494/EEC 92/118/EEC 2000/585/EC 2002/99/EC	Yes (3)		
Public health — Land mammals	91/495/EEC		Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			Animal Products Act 1999	79/542/EEC 91/495/EEC 2000/585/EC 2004/432/EC	Yes (1)		
— Feathered	91/495/EEC		Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			Animal Products Act 1999	91/495/EEC 2000/585/EC 2004/432/EC	Yes (3)		
— Ratite	71/118/EEC							2000/609/EC	Yes (1)		
4.D. Wild game meat											
Animal health — Deer — Rabbit	92/45/EEC 2002/99/EC		Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	79/542/EEC 92/45/EEC 2000/585/EC 2002/99/EC	Yes (1)		
— Pigs	92/45/EEC ⁽¹⁾ 2002/99/EC		Biosecurity Act 1993 S 22	Yes (1)	CSF see Section 28	With respect to pig meat EU to consider and comment on the PRRS risk assessment of NZ. The Scientific Panel will likely be concerned.	Animal Products Act 1999	79/542/EEC 92/45/EEC 97/220/EC 2002/99/EC	Yes (1)		

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
— Other wild land mammals	92/45/EEC 2002/99/EC	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	92/45/EEC 2000/585/EC 2002/99/EC	NE		
— Feathered	92/45/EEC 2002/99/EC	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	92/45/EEC 2000/585/EC 2002/99/EC	Yes (3)		
Public health — Wild land mammals	92/45/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/45/EEC 2000/585/EC 2004/432/EC	Yes (1)	Pentagonal stamp	
— Feathered	92/45/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/45/EEC 2000/585/EC 2004/432/EC	NE		

5. Meat preparations

5.A. Meat preparations from fresh meat

Animal health — Ruminants — Pigs	64/432/EEC 72/461/EEC 72/462/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	72/462/EEC 79/542/EEC 2000/572/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
Public health	94/65/EC (1) Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)	BSE see Section 28		Animal Products Act 1999	79/542/EEC 94/65/EC 2000/572/EC Regulation (EC) No 999/2001	Yes (1)	Frozen only BSE see Section 28	

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival- ence	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
5.B. Meat preparations derived from fresh poultrymeat										
Animal health — Poultry	91/494/EEC 94/438/EC 2002/99/EC	Biosecurity Act 1993 S 22		No		Animal Products Act 1999	91/494/EEC 93/342/EEC 94/984/EC 2000/572/EC 2002/99/EC	Yes (3)		
— Turkey				Yes (3)				NE		
Public health	94/65/EC	Food Act 1981 Health Act 1956 Animal Products Act 1999		Yes (1)		Animal Products Act 1999	94/65/EC 2000/572/EC	NE	Frozen only	

5.C. Meat preparations derived from farmed game meat

Animal health — Deer — Pigs	72/461/EEC 92/118/EEC 91/495/EEC 64/432/EEC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999	92/118/EEC 91/495/EEC 2000/572/EC 2002/99/EC	Yes (1)		
— Rabbit	92/118/EEC 91/495/EEC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999	92/118/EEC 91/495/EEC 2002/99/EC	Yes (1)		
— Rattles	92/118/EEC 91/494/EEC 91/495/EEC 2002/99/EC	Biosecurity Act 1993 S 22		No		Animal Products Act 1999	92/118/EEC 91/494/EEC 91/495/EEC 2000/609/EC 2002/99/EC	Yes (3)		
— Feathered	92/118/EEC 91/494/EEC 91/495/EEC 2002/99/EC	Biosecurity Act 1993 S 22		No		Animal Products Act 1999	92/118/EEC 91/494/EEC 91/495/EEC 2002/99/EC	Yes (3)		

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
Public health — Deer — Pigs — Rabbit	94/65/EC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	94/65/EC 2000/572/EC	Yes (1)	Frozen only	
— Feathered	94/65/EC			Yes (1)			94/65/EC 2000/572/EC	NE		
— Ratites							2000/609/EC	Yes (1)		

5.D. Meat preparations derived from wild game meat

Animal health — Deer — Rabbit	92/45/EEC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999	92/45/EEC 2002/99/EC	Yes (1)		
— Pigs	92/45/EEC 2002/99/EC	Biosecurity Act 1993 S 22	CSF see Section 28	Yes (1)		Animal Products Act 1999	92/45/EEC 2002/99/EC	Yes (1)		
— Feathered	92/45/EEC 2002/99/EC	Biosecurity Act 1993 S 22		No		Animal Products Act 1999	92/45/EEC 2002/99/EC	Yes (3)		
Public health — Wild land mammals	94/65/EC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	94/65/EC 2000/572/EC	Yes (1)	Frozen Only	
— Feathered	94/65/EC			Yes (1)			94/65/EC 2000/572/EC	NE		

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival- ence	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
6. Meat products										
6.A. Meat products derived from fresh meat										
Animal health — Ruminants — Horses — Pigs	64/432/EEC 72/461/EEC 72/462/EEC 80/215/EEC ⁽¹⁾ 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999	72/462/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
	64/433/EEC 77/99/EEC 92/118/EC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)	BSE see Section 28	Animal Products Act 1999	72/462/EEC 92/118/EC Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28	
6.B. Meat products derived from fresh poultrymeat										
Animal health	80/215/EEC 92/118/EEC 94/438/EC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment	Animal Products Act 1999	92/118/EEC 97/221/EC 2002/99/EC	Yes (3)		
Public health	77/99/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	77/99/EEC 92/118/EEC 97/41/EC	NE		

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
6.C. Meat products derived from farmed game										
Animal health — Pigs — Deer — Rabbit	91/495/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999	91/495/EEC 92/118/EEC 97/221/EC 2002/99/EC	Yes (1)		
	92/118/EEC 91/495/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Heat treated, shelf stable, F ₀ ³ treatment	Yes (1)		Animal Products Act 1999	91/495/EEC 92/118/EEC 97/221/EC 2000/609/EC 2002/99/EC	Yes (3)		
	— Other feathered	92/118/EEC 91/495/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Heat treated, shelf stable, F ₀ ³ treatment	Yes (1)		Animal Products Act 1999	91/495/EEC 92/118/EEC 97/221/EC 2002/99/EC	Yes (3)	
Public health — Pigs — Deer — Rabbit	77/99/EEC (1) 91/495/EEC 92/118/EEC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/118/EC 97/41/EC Regulation (EC) No 999/2001	Yes (1)		
	91/495/EEC 92/118/EC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/118/EC 97/41/EC	Yes (3)		
	— Ratite						2000/609/EC	Yes (1)		

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
6.D. Meat products derived from wild game										
Animal health Wild game — Pigs	92/45/EEC 2002/99/EC	Biosecurity Act 1993 S 22	CSF see section 28	Yes (1)		Animal Products Act 1999	92/45/EEC 97/221/EC 2002/99/EC	Yes (1)		
— Deer — Rabbit	92/45/EEC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999	92/45/EEC 97/221/EC 2002/99/EC	Yes (1)		
— Feathered	92/45/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Heat treated, shelf stable, F ₀₃ treatment	Yes (1)		Animal Products Act 1999	97/221/EC 92/45/EEC 2002/99/EC	Yes (3)		
Public health Wild game	77/99/EEC 92/45/EEC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/118/EEC 97/41/EC Regulation (EC) No 999/2001	Yes (1)		
— Feathered	77/99/EEC 92/45/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/118/EEC 97/41/EC	NE		

(1) Replaced by European Council and Parliament Regulations (EC) No 853/2004 (OJ L 139, 30.4.2004, p. 55) and 854/2004 (OJ L 139, 30.4.2004, p. 206) as of 1 January 2006.

(2) As from 1 January 2005, the animal health rules of Directive 72/462 shall continue to apply only to the import of live animals.

(1) Replaced by European Council and Parliament Regulations (EC) No 853/2004 (OJ L 139, 30.4.2004, p. 55) and 854/2004 (OJ L 139, 30.4.2004, p. 206) as of 1 January 2006.

(2) As from 1 January 2005, the animal health rules of Directive 72/462 shall continue to apply only to the import of live animals.

Section 3

Other products for human consumption

Commodity	EC Exports to New Zealand (1)				New Zealand Exports to EC					
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			

7. Products intended for human consumption as defined in Dir 77/99/EEC

7.A. Animal casings

Animal health — Cattle — Sheep — Goats — Pigs	64/432/EEC 72/461/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	72/462/EEC 92/118/EEC 97/221/EC 2003/779/EC Regulation (EC) No 999/2001	Yes (1)		
Public health	77/99/EEC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)	BSE see Section 28		Animal Products Act 1999	92/118/EEC Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28	

7.B. Processed bones and bone products for human consumption

Animal health Fresh meat: — Ruminants — Horses — Pigs	64/432/EEC 72/461/EEC 80/215/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	72/462/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
Poultry	91/494/EEC (?) 92/118/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment		Animal Products Act 1999	91/494/EEC 92/118/EEC 94/438/EC 97/221/EC 2002/99/EC	Yes (3)		

Commodity	EC Exports to New Zealand ⁽¹⁾						New Zealand Exports to EC			
	Trade conditions			Equival- ence	Special conditions	Action	Trade conditions			Special conditions
	EC standards	NZ standards	Biosecurity Act 1993 S 22				NZ standards	EC standards	Equival- ence	
Farmed game — Pigs — Deer	91/495/EEC 92/118/EC 2002/99/EC			Yes (1)			Animal Products Act 1999	91/495/EEC 92/118/EEC 97/221/EC 2002/99/EC	Yes (1)	
Feathered				Yes (1)	Heat treated, shelf stable, F ₀ 3 treatment				Yes (3)	
Wild game — Deer — Pigs	92/45/EEC ⁽²⁾ 92/118/EC 2002/99/EC		Biosecurity Act 1993 S 22	Yes (1)	CSF see Section 28		Animal Products Act 1999	92/45/EEC 92/118/EC 97/221/EC 2002/99/EC	Yes (1)	
— Feathered				Yes (1)	Heat treated, shelf stable, F ₀ 3 treatment				Yes (3)	
Public health Fresh meat: — Ruminants — Horses — Pigs	77/99/EEC 92/118/EEC Regulation (EC) No 999/2001		Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)	BSE see Section 28		Animal Products Act 1999	92/118/EEC Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				EC standards	NZ standards			
Poultry Fresh meat	77/99/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			92/118/EEC 97/41/EC	Animal Products Act 1999 Food Act 1981 Health Act 1956	NE		
Farmed game — Mammals	77/99/EEC 91/495/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			92/118/EEC 97/41/EC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)		
— Feathered			Yes (1)					NE		
Wild game — Mammals	77/99/EEC 92/45/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			92/118/EEC 97/41/EC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)	Pentagonal stamp (wild game)	
— Feathered			Yes (1)					NE		

7.C. Processed animal protein for human consumption

Animal health PAP derived from fresh meat: — Ruminants — Horses — Pigs	64/432/EEC 72/461/EEC ⁽²⁾ 80/215/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			72/462/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Animal Products Act 1999	Yes (1)		
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Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
Poultry PAP derived from fresh meat	91/494/EEC ⁽²⁾ 92/118/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment		Animal Products Act 1999	91/494/EEC 94/438/EC 92/118/EEC 97/221/EC 2002/99/EC	Yes (3)		
Farmed game — Pigs — Deer — Feathered	91/495/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	91/495/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
Wild game — Pigs — Deer — Feathered	92/45/EEC ⁽²⁾ 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)	CSF see Section 28		Animal Products Act 1999	92/45/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
			Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment				Yes (3)		
Public health PAP derived from fresh meat — Ruminants — Horses — Pigs	77/99/EEC 92/118/EEC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)	BSE see Section 28		Animal Products Act 1999	92/118/EEC Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28	

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
Poultry PAP derived from fresh meat	77/99/EEC 92/118/EEC ⁽²⁾	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			Animal Products Act 1999	92/118/EEC 97/41/EC	NE		
Farmed game	77/99/EEC 91/495/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			Animal Products Act 1999	92/118/EEC ⁽²⁾ 97/41/EC	Yes (1)		
— Feathered			Yes (1)					NE		
Wild game	77/99/EEC 92/45/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			Animal Products Act 1999	92/118/EEC 97/41/EC	Yes (1)	Pentagonal stamp (wild game)	
— Feathered			Yes (1)					NE		

7.D. Blood and blood products for human consumption

Animal health Blood and blood products derived from fresh meat: — Ruminants — Horses — Pigs	64/432/EEC 72/461/EEC ⁽²⁾ 80/215/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	72/462/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
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Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
Poultry Blood and blood products fresh poultry meat	91/494/EEC ⁽²⁾ 92/118/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment		Animal Products Act 1999	91/494/EEC 94/438/EC 92/118/EEC 97/221/EC 2002/99/EC	Yes (3)		
Farmed game — Pigs — Deer	91/495/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	91/495/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
— Feathered			Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment				Yes (3)		
Wild game — Pigs — Deer	92/45/EEC ⁽²⁾ 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)	CSF see Section 28		Animal Products Act 1999	92/45/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
— Feathered			Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment				Yes (3)		
Public health — Ruminants — Horses — Pigs Fresh meat	77/99/EEC 92/118/EEC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)	BSE see Section 28		Animal Products Act 1999	92/118/EEC Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28	

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
Poultry Fresh meat	77/99/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			Animal Products Act 1999	92/118/EEC 97/41/EC	NE		
Farmed game — Mammalian	77/99/EEC 91/495/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			Animal Products Act 1999	92/118/EEC 97/41/EC	Yes (1)		
— Feathered			Yes (1)					NE		
Wild game — Mammalian	77/99/EEC 92/45/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956	Yes (1)			Animal Products Act 1999	92/118/EEC 97/41/EC	Yes (1)	Pentagonal stamp (wild game)	
— Feathered			Yes (1)					NE		

7.E. Lard and rendered fats for human consumption

Animal health Domestic Mammals Products derived from fresh meat: — Ruminants — Horses — Pigs	64/432/EEC 72/461/EEC 80/215/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)			Animal Products Act 1999	72/462/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)		
Poultry Products derived from fresh meat:	91/494/EEC 92/118/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment		Animal Products Act 1999	91/494/EEC 94/438/EC 92/118/EEC 97/221/EC 2002/99/EC	Yes (3)		

Commodity	EC Exports to New Zealand ⁽¹⁾						New Zealand Exports to EC					
	Trade conditions			Equival- ence	Special conditions	Action	Trade conditions			Equival- ence	Special conditions	Action
	EC standards	NZ standards					NZ standards	EC standards				
Farmed game — Pigs — Deer — Feathered	91/495/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22		Yes (1)			Animal Products Act 1999	91/495/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)			
				Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment				Yes (3)			
Wild game — Pigs — Deer — Feathered	92/45/EEC 92/118/EEC 2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22		Yes (1)	CSF see Section 28		Animal Products Act 1999	92/45/EEC 92/118/EEC 97/221/EC 2002/99/EC Regulation (EC) No 999/2001	Yes (1)			
				Yes (1)	Heat treated, shelf stable, F ₀ ³ treatment				Yes (3)			
Public health — Ruminants — Horses — Pigs Fresh meat	77/99/EEC 92/118/EEC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)	BSE see Section 28		Animal Products Act 1999	92/118/EEC Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28		

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equivalence	Action	Trade conditions		Equivalence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
Poultry Fresh meat	77/99/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/118/EEC 97/41/EC	NE		
Farmed game	77/99/EEC 91/495/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/118/EEC 97/41/EC	Yes (1)		
— Feathered				Yes (1)				NE		
Wild game	77/99/EEC 92/45/EEC 92/118/EEC	Animal Products Act 1999 Food Act 1981 Health Act 1956		Yes (1)		Animal Products Act 1999	92/118/EEC 97/41/EC	Yes (1)	Pentagonal stamp (wild game)	
— Feathered				Yes (1)				NE		

7.F. Gelatines for human consumption

Animal health	2002/99/EC Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	NE			Animal Products Act 1999	97/221/EC 2002/99/EC Regulation (EC) No 999/2001	NE		
Public health	92/118/EC Regulation (EC) No 999/2001	Animal Products Act 1999 Food Act 1981 Health Act 1956	NE	BSE see Section 28		Animal Products Act 1999 Food Act 1981 Health Act 1956	92/118/EC Regulation (EC) No 999/2001	NE	BSE see Section 28	

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
8. Milk and milk products for human consumption										
Animal health Domestic mammals including — Cattle — Buffalo — Sheep — Goats	64/432/EEC 92/46/EEC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999 Animal Products Act 1999	92/46/EEC 95/343/EC	Yes (1)		
		Food Act 1981 Health Act 1956		Yes (1)		Dairy Industry Act 1952 Food Act 1981 Animal Products Act 1999	92/46/EEC 2004/432/EC	Yes (1)		
— Not pasteurised, thermised cheeses	92/46/EEC	Food Act 1981 NZ (milk and milk products processing) food standards 2002	Thermised cheeses see Section 28	Yes (1)		Dairy Industry Act 1952 Food Act 1981 Animal Products Act 1999	92/46/EEC 2004/432/EC	Yes (1)		
— Soft raw milk cheeses	92/46/EEC	Food Act 1981 Health Act 1956		E		Dairy Industry Act 1952 Food Act 1981 Animal Products Act 1999	92/46/EEC 2004/432/EC	E		

Commodity	EC Exports to New Zealand ⁽¹⁾				New Zealand Exports to EC			
	Trade conditions		Special conditions	Action	Trade conditions		Special conditions	Action
	EC standards	NZ standards			NZ standards	EC standards		
— Hard raw milk cheeses (Parmesan type)	92/46/EEC	Food Act 1981 Health Act 1956	E		Dairy Industry Act 1952 Food Act 1981 Animal Products Act 1999	92/46/EEC 2004/432/EC	E	

9. Fishery products for human consumption (excluding live)

Animal health Wild marine — Finfish — Eggs/roes — Molluscs — Echinoderms — Tunicates, gastropods and crustaceans	91/67/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Yes (1)	Salmonids see Section 28 Eggs/roes see Section 28	Animal Products Act 1999	91/67/EEC	Yes (1)	
Wild fresh water — Salmonids — Eggs/roes — Crayfish	91/67/EEC 2002/99/EC	Biosecurity Act 1993 S 22	Yes (1)	Salmonids see Section 28 Eggs/roes see Section 28 Crayfish (frozen or processed)	Animal Products Act 1999	91/67/EEC	Yes (1)	Crayfish (frozen or processed)
— Finfish (non salmonid) — Molluscs — Crustaceans	91/67/EEC 2002/99/EC	Biosecurity Act 1993 S 22	NE		Animal Products Act 1999	91/67/EEC	Yes (1)	

Commodity	EC Exports to New Zealand ⁽¹⁾						New Zealand Exports to EC					
	Trade conditions			Equival- ence	Special conditions	Action	Trade conditions			Equival- ence	Special conditions	Action
	EC standards	NZ standards					NZ standards	EC standards				
Aquaculture products (marine and fresh water — farmed) — Salmonids — Eggs/roes	91/67/EEC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)	Salmonids see Section 28 Eggs/roes see Section 28		Animal Products Act 1999	91/67/EEC		Yes (1)	Salmonids (gutted)	
— Molluscs, echinoderms, — Tunicates, gastropods and crus- taceans	91/67/EEC 2002/99/EC	Biosecurity Act 1993 S 22		Yes (1)	Frozen or processed		Animal Products Act 1999	91/67/EEC		Yes (1)	Frozen or processed	
— Finfish (non salmonid)	91/67/EEC 2002/99/EC	Biosecurity Act 1993 S 22		NE			Animal Products Act 1999	91/67/EEC		Yes (1)		
Public health — Finfish — Eggs/roes — Bivalve molluscs, echinoderms, tunicates, gastropods and crus- taceans	91/493/EEC 91/492/EEC	Food Act 1981 Health Act 1956		Yes (1)			Animal Products Act 1999	91/493/EEC 91/492/EEC 2004/432/EC (for aquaculture)		Yes (1)		

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equivalence	Action	Trade conditions		Equivalence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			

11. Miscellaneous products for human consumption

11.A. Honey

Animal health	2002/99/EC	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	2002/99/EC	Yes (3)		
Public health	92/118/EEC 2001/110	Food Act 1981 Health Act 1956		NE		Food Act 1981 Health Act 1956 Animal Products Act 1999	92/118/EEC 2004/432/EC 2001/110/EC	Yes (3)		

11.B. Frogs' legs

Animal health	2002/99/EC	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	2002/99/EC	NE		
Public health	92/118/EEC	Food Act 1981 Health Act 1956		NE		Food Act 1981 Health Act 1956 Animal Products Act 1999	92/118/EEC	NE		

11.C. Snails for human consumption

Animal health	2002/99/EC	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	2002/99/EC	NE		
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Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
Public health	92/118/EEC	Food Act 1981 Health Act 1956	NE			Food Act 1981 Health Act 1956 Animal Products Act 1999	92/118/EEC	NE		
11.D. Egg products										
Animal health	90/539/EEC 2002/99/EC	Biosecurity Act 1993 S 22	NE			Animal Products Act 1999	90/539/EEC 2002/99/EC	NE		
Public health	89/437/EEC ⁽¹⁾ 92/118/EEC	Food Act 1981 Health Act 1956	NE			Food Act 1981 Health Act 1956 Animal Products Act 1999	89/437/EEC 92/118/EEC	NE		

⁽¹⁾ Replaced by Regulation (EC) No 853/2004 and 854/2004 as of 1 January 2006.

⁽²⁾ As from 1 January 2005, the animal health rules of Directive 72/462/EEC shall continue to apply only to the import of live animals.

Section 4

Products not intended for human consumption

Commodity	EC Exports to New Zealand (1)				New Zealand Exports to EC			
	Trade conditions		Special conditions	Action	Trade conditions		Special conditions	Action
	EC standards	NZ standards			NZ standards	EC standards		
12. Animal casings								
Animal health — Cattle — Sheep — Goats — Pigs	Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001 64/432/EEC 72/461/EEC 72/462/EEC	Biosecurity Act 1993 S 22	Yes (2)	TSE-related restrictions apply	Animal Products Act 1999	Regulation (EC) No 1774/2002 2003/779/EC Regulation (EC) No 999/2001	Yes (1)	
Public health	Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001	Health Act 1956 Agricultural Compounds and Veterinary Medicines Act 1997	Yes (1)	BSE see Section 28		Regulation (EC) No 999/2001 Regulation (EC) No 1774/2002	Yes (1)	BSE see Section 28
13. Milk and milk products not intended for human consumption								
Animal health — Cattle — Sheep — Goats Pasteurised, UHT or sterilised	Regulation (EC) No 1774/2002 64/432/EEC	Biosecurity Act 1993 S 22	Yes (1)		Animal Products Act 1999	Regulation (EC) No 1774/2002	Yes (1)	
Unpasteurised colostrum and milk for pharmaceutical use	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22	Yes (3)		Animal Products Act 1999	Regulation (EC) No 1774/2002	Yes (3)	
Public health				None				None

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				EC standards	NZ standards			
14. Bones and bone products (excluding bone meal), horns and horn products (excluding horn meal) and hooves and hoof products (excluding hoof meal) intended for uses other than as feed material, organic fertilizers or soil improvers (products covered by Chapter X Annex VIII of Regulation (EC) No 1774/2002)										
Animal health	Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	NE			Animal Products Act 1999	Regulation (EC) No 1774/2002 94/446/EC Regulation (EC) No 999/2001	Yes (1)	Channelling BSE see Section 28	
Public health				None					None	

15. Processed (rendered) animal protein for feedingsuffs

Animal health PAP intended for the production of petfood	Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001		Yes (1)	BSE see Section 28		Animal Products Act 1999	Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28	
PAP derived from non-mammalian material — fish material — avian material	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22	Yes (1) Yes (2)	70 °C/50 min, 80 °C/9 min or 100 °C/1 min or equivalent		Animal Products Act 1999	Regulation (EC) No 1774/2002	Yes (1) Yes (1)		
Public health				None					None	

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
16. Processed blood and blood products (excluding serum from <i>equidae</i>) for pharmaceutical or technical use										
Animal health Fresh meat: — Bovine, ovine, caprine, porcine	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		Yes (1)		Animal Products Act 1999	Regulation (EC) No 1774/2002	Yes (1)		
— <i>Equidae</i>	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	Regulation (EC) No 1774/2002	NE		
— Avian	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	Regulation (EC) No 1774/2002	NE		
Public health	Regulation (EC) No 1774/2002	Health Act 1956 Agricultural Compounds & Veterinary Medicines Act		NE					None	

17. Lard and rendered fats not for human consumption, including fish oils

Animal health — Rendered fats and oils	72/461/EEC ⁽²⁾ 2000/766 Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)	BSE see Section 28 Additional BSE-related labelling requirements apply	Animal Products Act 1999	2000/766/EC Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28	
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Commodity	EC Exports to New Zealand (1)					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
— Ratite (ostrich, emu, rhea)	91/495/EEC Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		NE			Regulation (EC) No 1774/2002	Yes (1)		
Public health					None				None	
20. Wool and fibre/hair										
Animal health — Sheep, goats, camelids	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		Yes (1)	Scoured wool only	Clean and washed at 75 °C or equivalent	Animal Products Act 1999	Regulation (EC) No 1774/2002	Yes (1)	
— Other ruminants and pigs				NE					Yes (1)	
— Other				NE					Yes (1)	
Public health					None					None
21. Petfood (includes processed) containing only category 3 material										
Animal health Processed petfood (mammalian) — Hermetically sealed containers — Semi-moist and dried petfood — Dog chews from ungulates (excluding equidae)	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		Yes (1)	For BSE see Section 28		Animal Products Act 1999	Regulation (EC) No 1774/2002	Yes (1)	For BSE see Section 28

Commodity	EC Exports to New Zealand ⁽¹⁾				New Zealand Exports to EC			
	Trade conditions		Special conditions	Equivalence	Trade conditions		Special conditions	Action
	EC standards	NZ standards			NZ standards	EC standards		
Processed petfood (non-mammalian) — Hermetically sealed containers — Semi-moist and dried petfood — fish material — avian material	Regulation (EC) No 1774/2002		70 °C/50 min, 80 °C/9 min or 100 °C/1 min or equivalent	Yes (1) Yes (1) Yes (2)		Regulation (EC) No 1774/2002	Yes (1) Yes (1) Yes (1)	
Raw petfood for direct consumption	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		NE	Animal Products Act 1999	Regulation (EC) No 1774/2002	NE	BSE (see Section 28)
Public health			None					None

22. Serum from *equidae*

Animal health	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		NE	Animal Products Act 1999	Regulation (EC) No 1774/2002	NE	
Public health			None					None

Commodity	EC Exports to New Zealand ⁽¹⁾				New Zealand Exports to EC					
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
23. Other raw materials for feeding stuffs, pharmaceutical or technical use										
Animal health Fresh meat Farmed game — Pigs — Deer Wild game — Pigs — Deer	Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001	Biosecurity Act 1993 S 22	Yes (1)	Product to be derived from fresh meat, farmed and wild game with Yes (1) for animal health indicated previously Additional BSE-related labelling requirements apply CSF see Section 28	BSE see Section 28	Animal Products Act 1999	Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001	Yes (1)	BSE see Section 28	
Fresh meat — Poultry Farmed and wild game — Feathered	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22	NE			Animal Products Act 1999	Regulation (EC) No 1774/2002	NE		
Public health				None					None	

24. Apiculture products — not for human consumption

Animal health	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22	NE			Animal Products Act 1999	Regulation (EC) No 1774/2002	NE		
Public health				None					None	

Commodity	EC Exports to New Zealand ⁽¹⁾					New Zealand Exports to EC				
	Trade conditions		Special conditions	Equival-ence	Action	Trade conditions		Equival-ence	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
25. Game trophies										
Animal health — Mammalian — Avian	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		Yes (1) NE		Animal Products Act 1999	Regulation (EC) No 1774/2002	Yes (1) NE		
Public health					None				None	
26. Manure										
Animal health	Regulation (EC) No 1774/2002	Biosecurity Act 1993 S 22		NE		Animal Products Act 1999	Regulation (EC) No 1774/2002	NE		
Public health					None				None	

⁽¹⁾ Replaced by Regulation (EC) No 853/2004 and 854/2004 as of 1 January 2006.

⁽²⁾ As from 1 January 2005, the animal health rules of Directive 72/462/EEC shall continue to apply only to the import of live animals.

⁽¹⁾ Replaced by Regulation (EC) No 853/2004 and 854/2004 as of 1 January 2006.

⁽²⁾ As from 1 January 2005, the animal health rules of Directive 72/462/EEC shall continue to apply only to the import of live animals.

Section 5

General horizontal issues

Commodity	EC Exports to New Zealand ⁽¹⁾				New Zealand Exports to EC				
	Trade conditions		Special conditions	Action	Equival-ence	Trade conditions		Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards		
27. Definitions									
Water	98/83/EC	Animal Products Act 1999 Health Act 1956	Yes (1)		Animal Products Act 1999	98/83/EC	Yes (1)		
Residues Residue moni- toring — Red meat species — Other species other products	96/22/EC 96/23/EC	Animal Products Act 1999 Food Act 1981	Yes (1) Yes (3)		Animal Products Act 1999	96/22/EC 96/23/EC	Yes (1) Yes (3)		
Certification Systems	96/93/EC	Animal Products Act 1999	Yes (1)	Equivalency status applies to all animals and animal product commodities accorded both animal and public health equivalence (Yes 1) as appropriate.	Animal Products Act 1999	72/462/EEC 91/495/EEC 92/5/EEC 92/45/EEC 92/118/EEC 94/65/EC ⁽²⁾ 96/93/EC 1774/2002/EC 91/492/EEC 91/493/EEC 91/67/EEC	Yes (1)	Equivalency status applies to animals and animal product commodities under the scope of Directives 72/462/EEC, 91/67/EEC, 91/492/EEC, 91/493/EEC, 91/495/EEC, 92/5/EEC, 92/118/EEC (Annex I, Chapters 2, 5, 6, 7, 9 and 11, and Annex II Chapter 1) 92/45/EEC, 94/65/EC, 1774/2002 (Annex X, Chapters 1, 3, 4(B), 4(C), 5, 8, 9, 10) accorded	For commodities other than those accorded certification systems equivalence the EC to evaluate equivalence.

Commodity	EC Exports to New Zealand ⁽¹⁾				New Zealand Exports to EC			
	Trade conditions		Equival- ence	Special conditions	Action	Trade conditions		Equival- ence
	EC standards	NZ standards				NZ standards	EC standards	
								both animal and public health equivalence (Yes 1) as appropriate. When the official health certificate is issued after the departure of the consignment, it shall include reference to the appropriate Eligibility Number (ED), date of issuance of the eligibility document that supports the official health certificate, the date of departure of the consignment and the date of signing of the official health certificate. New Zealand shall inform the border inspection post of arrival of any certification problem after departure from New Zealand.

⁽¹⁾ Replaced by Regulation (EC) No 853/2004 and 854/2004 as of 1 January 2006.

⁽²⁾ As from 1 January 2005, the animal health rules of Directive 72/462/EEC shall continue to apply only to the import of live animals.

27.B. Horizontal issues	Issue	Action
Premises listings	Competent authority to recommend listing. Still require lists currently.	Lists to be maintained by the competent authority of the exporting country and be made readily accessible in the public domain.
Premises supervision	Veterinary supervision	EC to clarify internal/external requirements
28. Miscellaneous certification provisions: Attestations are to appear on the public or animal health certificate.		
Issue	Certification provisions	
Q-fever & BVD Type II	New Zealand is recognised as free of Q-fever and BVD Type II. For trade from the EC to New Zealand in bovine semen and embryos (NZ to insert attestations).	
IBR	For trade in live bovine animals, New Zealand will certify in accordance with Article 2 of Commission Decision 2004/215/EC for trade to Germany and Article 3 of Commission Decision 2004/215/EC for trade to Denmark, Austria, Finland, Sweden and the province of Bolzano (Italy). This attestation will appear on the health certificate according to Council Decision 79/542/EEC.	
Aujeszky's disease	For trade from New Zealand to Great Britain, Denmark, Southwest France, Germany, Finland, Sweden, Austria and Luxembourg, in live pigs, New Zealand will certify in accordance with Commission Decision 2001/618/EC. This attestation will appear on the health certificate according to Council Decision 79/542/EEC.	
BSE	EC exports of products containing bovine, ovine or caprine materials to NZ (in addition to full compliance with all other relevant EC standards) <i>This product does not contain and is not derived from bovine, ovine and caprine materials other than those derived from animals born, continuously reared and slaughtered in the European Union and which has been produced in full compliance with Regulations of the European Parliament and the Council (EC) No 999/2001 and (EC) No 1774/2002 as applicable.</i> Note: Products which contain bovine, ovine or caprine materials other than from those derived from animals born, continuously reared and slaughtered in the European Union are required to have that component certified in accordance with the relevant, additional third country provisions in the applicable NZ certification decision.	
BSE	NZ export of products containing bovine, ovine or caprine materials to EC <i>This product does not contain and is not derived from (delete as appropriate) specified risk material as defined in Annex XI, section A, to Regulation (EC) No 999/2001 produced after March 2001, or mechanically recovered meat obtained from bones of bovine, ovine or caprine animals produced after 31 March 2001. After March 31 2001 the bovine, ovine or caprine animals, from which this product is derived, have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity</i> or bovine, ovine and caprine materials other than those derived from animals born, continuously reared and slaughtered in the following countries: (insert name of a country or countries assigned a GBR and/or Category 1 status by the EC).	

CSF — feral pigs only	For trade from the EC to NZ the Member State competent authority will certify that the products were derived from areas free from CSF in the feral porcine population for the preceding 60 days. This attestation will appear on the health certificate.
Rabies	New Zealand, UK, Malta, Ireland and Sweden are recognised as free of rabies.
Equine Infectious Anaemia	New Zealand is recognised as free of EIA.
Brucellosis	New Zealand is recognised as free of <i>B. abortus</i> and <i>B. melitensis</i> .
Colours for sanitary stamps	Directive 94/36/EC prescribes the colours that could be used for sanitary stamps.
Salmonella	For trade from New Zealand to Sweden and Finland. New Zealand will certify in accordance with Council Decision 95/409/EC (fresh veal, beef and pigmeat), Council Decision 95/410/EC (live poultry for slaughter), Council Decision 95/411/EC (fresh poultrymeat), Commission Decision 95/160/EC (breeding poultry and day old chicks), Commission Decision 95/161/EC (laying hens) and Commission Decision 95/168/EC (table eggs for human consumption). No attestation is required for fresh meat as defined in Council Directive 72/462/EEC intended for the purposes of pasteurisation, sterilisation or for treatment having an equivalent effect.
Salmonids	For trade from EC to NZ 'The consignment contains only beheaded, gilled, gutted and sexually immature Salmonids of the genera <i>Onchorhynchus</i> , <i>Salmo</i> or <i>Salvelinus</i> '.
Small hive beetle	New Zealand is recognised as free of small hive beetle.
Eggs/roes	For trade from EC to NZ Must be heat treated, shelf stable, F03 treatment
Thermised cheeses	For trade from EC to NZ The thermised cheese has a moisture content of less than 39 % and pH less than 5.6. The milk used to produce this cheese was rapidly heated to at least 64.5 °Celsius for 16 seconds. The cheese was stored at not less than 7 °Celsius for 90 days.'

CORRIGENDA**Corrigendum to Decision No 3/2004 (2004/419/EC) of the Joint Committee of 29 April 2004 on the amendments to the Appendices to Annex 9 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products**

(Official Journal of the European Union L 151 of 30 April 2004)

Decision No 3/2004 of the Joint Committee on Agriculture should read as follows:

**DECISION No 3/2004 OF THE JOINT COMMITTEE
of 29 April 2004****on the amendments to the Appendices to Annex 9 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products**

(2004/419/EC)

THE JOINT COMMITTEE ON AGRICULTURE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, and in particular Article 11 thereof,

Whereas:

- (1) This Agreement entered into force on 1 June 2002.
- (2) The purpose of Annex 9 is to foster trade in organically produced agricultural products and foodstuffs from the Community and Switzerland.
- (3) Under Article 8(2) of Annex 9, the Working Party is to review the Parties' internal laws and regulations and put forward proposals to the Joint Committee on Agriculture with a view to adapting and updating the relevant Appendices.
- (4) Appendix 1 to Annex 9 concerns the laws and regulations applicable to the marketing of agricultural products and foodstuffs organically produced in the Community and in Switzerland,

HAS ADOPTED THIS DECISION:

Article 1

Appendices 1 and 2 are hereby replaced by the text attached to this Decision.

Article 2

This Decision shall enter into force on 1 July 2004.

Done at Brussels, 29 April 2004.

For the Joint Committee on Agriculture

*The Chairman and Head of the
Community Delegation*
Aldo LONGO

The head of the Swiss delegation
Christian HÄBERLI

The Committee secretary
Hans-Christian BEAUMOND

APPENDIX 1 TO ANNEX 9

List of acts referred to in Article 3 relating to organically produced agricultural products and foodstuffs

Regulations applicable in the Community

- Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 198, 22.7.1991, p. 1), as last amended by Commission Regulation (EC) No 599/2003 of 1 April 2003 (OJ L 85, 2.4.2003, p. 15)
- Commission Regulation (EEC) No 94/92 of 14 January 1992 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 11, 17.1.1992, p. 14), as last amended by Commission Regulation (EC) No 545/2003 of 27 March 2003 (OJ L 81, 28.3.2003, p. 10)
- Commission Regulation (EEC) No 207/93 of 29 January 1993 defining the content of Annex VI to Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs and laying down detailed rules for implementing the provisions of Article 5(4) thereof (OJ L 25, 2.2.1993, p. 5), as last amended by Commission Regulation (EC) No 2020/2000 of 25 September 2000 (OJ L 241, 26.9.2000, p. 39)
- Commission Regulation (EC) No 1788/2001 of 7 September 2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 243, 13.9.2001, p. 3), as last amended by Regulation (EC) No 1918/2002 of 25 October 2002 (OJ L 289, 26.10.2002, p. 15)
- Commission Regulation (EC) No 223/2003 of 5 February 2003 on labelling requirements related to the organic production method for feedingstuffs, compound feedingstuffs and feed materials and amending Council Regulation (EEC) No 2092/91 (OJ L 31, 6.2.2003, p. 3).

Regulations applicable in Switzerland

- Ordinance of 22 September 1997 on organic farming and the labelling of organically produced products and foodstuffs (Ordinance on organic farming), as last amended on 26 November 2003 (RO 2003 5347)
- Ordinance of the Département Fédéral de l'Economie of 22 September 1997 on organic farming, as last amended on 26 November 2003 (RO 2003 5357).

Exclusion from the equivalence arrangements.

Swiss products based on ingredients produced under the arrangements for conversion to organic farming.

Swiss goat products, where the animals are covered by the derogation provided for in Article 39d of Ordinance 910.18 on organic farming and the labelling of organically produced products and foodstuffs.

APPENDIX 2 TO ANNEX 9

Implementing rules

The labelling rules of the importing Party shall apply to labelling related to the organic production method for feedingstuffs.

NOTICE TO READERS

1 November 2004 EUR-Lex the new version:

europa.eu.int/eur-lex/lex/

The new site incorporates the CELEX service and provides free and easy access in 20 languages to the largest documentary database on EU law.