

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2382/2001
of 4 December 2001
amending Regulation (EC) No 1267/1999 establishing an Instrument for Structural Policies for
Pre-Accession**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Following consultation of the opinion of the Committee of the Regions,

Whereas:

- (1) The first measures to benefit from Community assistance under the Instrument for Structural Policies for Pre-Accession (ISPA) established by Regulation (EC) No 1267/1999 ⁽⁴⁾ were appraised and approved by the Commission in the course of 2000.
- (2) Certain provisions of Regulation (EC) No 1267/1999 should be amended in the light of experience acquired in the meantime in appraising and approving measures to be financed under ISPA.
- (3) Co-financing of measures together with international financial institutions in particular and the use of private financing are key elements of the functioning of ISPA. In certain cases, access to sources of financing other than Community assistance is essential to allow the beneficiary countries to co-finance measures which fully meet the conditions for eligibility and the objectives of ISPA.
- (4) In order to allow or facilitate co-financing together with international financial institutions and/or private sources, provision should be made for the possibility of derogating, after examination on a case-by-case basis, from the general rules on participation in invitations to tender and contracts co-financed under ISPA.
- (5) Article 114(2) of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁵⁾ stipulates that in exceptional

cases and with proper justification, it may be decided, on the basis of the specific conditions laid down in the basic instruments governing cooperation and in accordance with the appropriate authorisation procedures, to allow nationals of third countries to tender for contracts. Regulation (EC) No 1267/1999 is such a basic instrument.

- (6) In this connection, inspiration may usefully be drawn from certain provisions applicable under the PHARE programme established by Regulation (EEC) No 3906/89 ⁽⁶⁾ on economic aid to certain countries of Central and Eastern Europe.
- (7) A more precise definition of the concept of eligible expenditure is required so as to allow co-financing of ISPA measures by other sources of external aid.
- (8) The provisions of Regulation (EC) No 1267/1999 should moreover be adapted to take account of Council Decision 1999/468/EC of 28 June 1999 laying down procedures for the exercise of implementing powers conferred on the Commission ⁽⁷⁾.
- (9) The Treaty does not provide, for the adoption of this Regulation, powers other than those of Article 308,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1267/1999 is hereby amended as follows:

1. The following Article shall be inserted:

'Article 6a

Award of contracts

1. In the case of measures for which the Community is the sole source of external aid, participation in invitations to tender and contracts shall be open on equal terms to all natural and legal persons of the Member States and of the countries referred to in the second subparagraph of Article 1(1).

⁽¹⁾ OJ C 180 E, 26.6.2001, p. 197.

⁽²⁾ Opinion delivered on 20 September 2001 (not yet published in the Official Journal).

⁽³⁾ OJ C 221, 7.8.2001, p. 166.

⁽⁴⁾ OJ L 161, 26.6.1999, p. 73.

⁽⁵⁾ OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Regulation (EC, ECSC, Euratom) No 2673/1999 (OJ L 326, 18.12.1999, p. 1).

⁽⁶⁾ OJ L 375, 23.12.1989, p. 11. Regulation as last amended by Regulation (EC) No 2666/2000 (OJ L 306, 7.12.2000, p. 1).

⁽⁷⁾ OJ L 184, 17.7.1999, p. 23.

2. Paragraph 1 shall also apply to co-financing.

In the case of co-financing, however, the participation of third countries in invitations to tender and contracts may be authorised by the Commission, after examination on a case-by-case basis.'

2. The following paragraph shall be added to Article 7:

'8. Where a measure is co-financed together with international financial institutions, expenditure meeting the rules for eligibility referred to in paragraph 7 but carried out in accordance with procedures appropriate to external sources of financing other than Community assistance and borne by those financial institutions may be used in calculating total eligible expenditure for that measure.'

3. Paragraphs 1, 2 and 3 of Article 14 shall be replaced by the following:

'1. The Commission shall be assisted by a committee, composed of representatives of the Member States and chaired by the representative of the Commission (hereinafter referred to as "the Committee"). The European Investment Bank shall appoint a non-voting representative.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

3. The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at one month.'

Article 2

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

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

Done at Brussels, 4 December 2001.

For the Council
The President
D. REYNERS

COMMISSION REGULATION (EC) No 2383/2001
of 6 December 2001
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 December 2001.

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

Done at Brussels, 6 December 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 6 December 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	102,8
	204	62,7
	999	82,8
0707 00 05	052	160,3
	220	225,9
	628	169,6
0709 90 70	999	185,3
	052	141,0
	204	155,8
0805 10 10, 0805 10 30, 0805 10 50	999	148,4
	052	64,3
	204	50,2
	388	40,4
	508	22,4
	528	31,2
0805 20 10	999	41,7
	052	67,5
	204	63,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	999	65,7
	052	64,2
	204	88,4
	464	161,2
	999	104,6
0805 30 10	052	59,4
	388	49,2
	600	49,9
	999	52,8
0808 10 20, 0808 10 50, 0808 10 90	060	37,9
	400	75,7
	404	87,3
	720	120,7
	728	114,0
	999	87,1
0808 20 50	052	103,1
	064	66,2
	400	76,9
	720	111,4
	999	89,4

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

**COMMISSION REGULATION (EC) No 2384/2001
of 6 December 2001**

**fixing the maximum export refund for white sugar for the 19th partial invitation to tender issued
within the framework of the standing invitation to tender provided for in Regulation (EC) No
1430/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 27(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1430/2001 of 13 July 2001 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾ requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1430/2001 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community

and world markets in sugar, for the partial invitation to tender in question.

- (3) Following an examination of the tenders submitted in response to the 19th partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The Management Committee for Sugar has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the 19th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1430/2001 the maximum amount of the export refund is fixed at 40,834 EUR/100 kg.

Article 2

This Regulation shall enter into force on 7 December 2001.

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

Done at Brussels, 6 December 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 192, 14.7.2001, p. 3.

COMMISSION REGULATION (EC) No 2385/2001**of 6 December 2001****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, and in particular Article 1(2) and Article 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 December 2001.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 12.

⁽³⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 6 December 2001.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 6 December 2001 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	9,25	—	0
1703 90 00 ⁽¹⁾	13,45	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 2386/2001**of 6 December 2001****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the third subparagraph of Article 27(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2316/2001 ⁽²⁾, as amended by Regulation (EC) No 2342/2001 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 2316/2001 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 2316/2001 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 December 2001.

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

Done at Brussels, 6 December 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 313, 30.11.2001, p. 6.

⁽³⁾ OJ L 315, 1.12.2001, p. 24.

ANNEX

**to the Commission Regulation of 6 December 2001 altering the export refunds on white sugar and raw sugar
exported in its unaltered state**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	34,69 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	34,80 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	34,69 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	34,80 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3771
1701 99 10 9100	A00	EUR/100 kg	37,71
1701 99 10 9910	A00	EUR/100 kg	37,83
1701 99 10 9950	A00	EUR/100 kg	37,83
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3771

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 28(4) of Council Regulation (EC) No 1260/2001.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26.9.1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21.11.1985, p. 14).

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

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

COMMISSION REGULATION (EC) No 2387/2001**of 6 December 2001****approving operations to check conformity to the marketing standards applicable to fresh fruit and vegetables carried out in Hungary prior to import into the European Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 911/2001 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1148/2001 of 12 June 2001 on checks on conformity to the marketing standards applicable to fresh fruit and vegetables ⁽³⁾, as last amended by Regulation (EC) No 2379/2001 ⁽⁴⁾, lays down the conditions under which the Commission may approve checking operations performed by certain third countries which so request prior to import into the Community, in compliance with the conditions laid down in Article 7 of Regulation (EC) No 1148/2001.
- (2) On 30 August 2001 the Hungarian authorities sent the Commission a request for the approval of checking operations performed by animal health and foodstuff control centres under the responsibility of the Ministry of Agriculture and Regional Development. This states that Hungary's animal health and foodstuff control centres have the necessary staff, equipment and facilities to carry out checks, that they use methods equivalent to those referred to in Article 9 of Regulation (EC) No 1148/2001 and that the fresh fruit and vegetables exported from Hungary to the Community must meet the Community marketing standards.
- (3) The information sent by the Member States and in the possession of the Commission departments shows that, in the period 1997 to 2000, imports of fresh fruit and vegetables from Hungary presented a relatively low incidence of non-conformity with the marketing standards.
- (4) For a number of years the Hungarian inspection bodies, and their supervisory authorities, have been regular participants in international efforts to agree trading standards for fruit and vegetables, such as the Working Party on Standardisation of Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UNECE) and the OECD Scheme for the Application of International Standards for Fruit and Vegetables.

- (5) Imports of fresh fruit and vegetables by Hungary from the Community accompanied by a certificate of conformity issued by the competent body of the Member State are not systematically subject to a quality check prior to release for free circulation on the Hungarian market.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Checks on conformity to the marketing standards carried out by Hungary on fresh fruit and vegetables from Hungary shall be approved in accordance with the conditions laid down in Article 7(1) of Regulation (EC) No 1148/2001.

Article 2

The official correspondent in Hungary, under whose responsibility the checking operations are performed, and the inspection bodies in charge of carrying out those checks, as referred to in Article 7(2) of Regulation (EC) No 1148/2001, are given in Annex I to this Regulation.

Article 3

1. The certificates referred to in the second subparagraph of Article 7(3) of Regulation (EC) No 1148/2001, issued following the checks referred to in Article 1 of this Regulation, must be drawn up on forms in conformity with the model given in Annex II to this Regulation.

2. Notwithstanding the sixth subparagraph of Article 7(3) of Regulation (EC) No 1148/2001, box 3 of the form referred to in paragraph 1 of this Article may be partly printed in Hungarian.

Article 4

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

It shall apply from the date of publication in the C series of the *Official Journal of the European Communities* of the notice referred to in Article 7(8) of Regulation (EC) No 1148/2001 relating to the establishment of administrative cooperation between the European Community and Hungary.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 129, 11.5.2001, p. 3.

⁽³⁾ OJ L 156, 13.6.2001, p. 9.

⁽⁴⁾ OJ L 321, 6.12.2001, p. 15.

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

Done at Brussels, 6 December 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Official correspondent pursuant to Article 7(2) of Regulation (EC) No 1148/2001

Ministry of Agriculture and Regional Development
Department of Animal Health and Foodstuffs Control
Kossuth L. tér 11
H-1055 Budapest
Tel. (36-1) 301 45 30
Fax (36-1) 301 46 69

Inspection bodies pursuant to Article 7(2) of Regulation (EC) No 1148/2001

Budapest fővárosi állategészségügyi és élelmiszer ellenőrző állomás
Budapest Animal Health and Foodstuffs Control Centre
Lehel út 43-47
H-1135 Budapest
Tel. (36-1) 239 01 71
Fax (36-1) 239 01 71

Bács-Kiskun megyei állategészségügyi és élelmiszer ellenőrző állomás
Bács-Kiskun Region Animal Health and Foodstuffs Control Centre
Halasi út 34
H-6001 Kecskemét
Tel. (36-76) 48 70 51
Fax (36-76) 32 80 08

Baranya megyei állategészségügyi és élelmiszer ellenőrző állomás
Baranya Region Animal Health and Foodstuffs Control Centre
Megyeri út 24
H-7601 Pécs
Tel. (36-72) 52 02 00
Fax (36-72) 52 02 20

Békés megyei állategészségügyi és élelmiszer ellenőrző állomás
Békés Region Animal Health and Foodstuffs Control Centre
Szerdahelyi u. 2
H-5601 Békéscsaba
Tel. (36-66) 45 35 53
Fax (36-66) 44 17 29

Borsod-Abaúj-Zemplén megyei állategészségügyi és élelmiszer ellenőrző állomás
Borsod-Abaúj-Zemplén Region Animal Health and Foodstuffs Control Centre
Vologda u. 1
H-3501 Miskolc
Tel. (36-46) 34 20 23
Fax (36-46) 34 20 23

Csongrád megyei állategészségügyi és élelmiszer ellenőrző állomás
Csongrád Region Animal Health and Foodstuffs Control Centre
Vasasszentpéteri u. 9
H-6724 Szeged
Tel. (36-62) 42 56 90
Fax (36-62) 42 56 80

Fejér megyei állategészségügyi és élelmiszer ellenőrző állomás
Fejér Region Animal Health and Foodstuffs Control Centre
Csíkvári u. 15
H-8001 Székesfehérvár
Tel. (36-22) 51 11 60
Fax (36-22) 50 20 63

Győr-Moson-Sopron megyei állategészségügyi és élelmiszer ellenőrző állomás
Győr-Moson-Sopron Region Animal Health and Foodstuffs Control Centre
Régi Vespri u. 10
H-9200 Győr
Tel. (36-96) 41 88 11
Fax (36-96) 41 88 32

Hajdú-Bihar megyei állategészségügyi és élelmiszer ellenőrző állomás
Hajdú-Bihar Region Animal Health and Foodstuffs Control Centre
Diószegi u. 30
H-4013 Debrecen
Tel. (36-52) 52 62 95
Fax (36-62) 44 28 41

Heves megyei állategészségügyi és élelmiszer ellenőrző állomás
Heves Region Animal Health and Foodstuffs Control Centre
Szövetkezet u. 4
H-3301 Eger
Tel. (36-36) 31 23 88
Fax (36-36) 51 57 46

Jász-Nagykun megyei állategészségügyi és élelmiszer ellenőrző állomás
Jász-Nagykun-Szolnok Region Animal Health and Foodstuffs Control Centre
Verseghy u. 9
H-5001 Szolnok
Tel. (36-56) 42 47 44
Fax (36-56) 42 01 01

Komárom-Esztergom megyei állategészségügyi és élelmiszer ellenőrző állomás
Komárom-Esztergom Region Animal Health and Foodstuffs Control Centre
Györi u. 29
H-2801 Tatabánya
Tel. (36-34) 31 60 77
Fax (36-34) 38 06 88

Nógrád megyei állategészségügyi és élelmiszer ellenőrző állomás
Nógrád Region Animal Health and Foodstuffs Control Centre
Baglyasi u. 2
H-3101 Salgótarján
Tel. (36-32) 44 13 88
Fax (36-32) 44 08 90

Pest megyei állategészségügyi és élelmiszer ellenőrző állomás
Pest Region Animal Health and Foodstuffs Control Centre
Koltán S. u. 1
H-2100 Gödöllő
Tel. (36-28) 42 06 11
Fax (36-28) 41 00 44

Somogy megyei állategészségügyi és élelmiszer ellenőrző állomás
Somogy Region Animal Health and Foodstuffs Control Centre
Cseri major
H-7400 Kaposvár
Tel. (36-82) 31 13 11
Fax (36-82) 31 23 57

Szabolcs-Szatmár-Berg megyei állategészségügyi és élelmiszer ellenőrző állomás
Szabolcs-Szatmár-Bereg Region Animal Health and Foodstuffs Control Centre
Keleti u. 1
H-4401 Nyíregyháza
Tel. (36-42) 45 12 00
Fax (36-42) 45 12 21

Tolna megyei állategészségügyi és élelmiszer ellenőrző állomás
Tolna Region Animal Health and Foodstuffs Control Centre
Tormay B. u. 18
H-7101 Szekszárd
Tel. (36-74) 41 54 22
Fax (36-74) 31 24 23

Vas megyei állategészségügyi és élelmiszer ellenőrző állomás
Vas Region Animal Health and Foodstuffs Control Centre
Zanati u. 3
H-9700 Szombathely
Tel. (36-94) 31 31 56
Fax (36-94) 32 78 52

Veszprém megyei állategészségügyi és élelmiszer ellenőrző állomás
Veszprém Region Animal Health and Foodstuffs Control Centre
Dózsa Gy. u. 33
H-8201 Veszprém
Tel. (36-88) 32 62 11
Fax. (36-88) 32 84 99

Zala megyei állategészségügyi és élelmiszer ellenőrző állomás
Zala Region Animal Health and Foodstuffs Control Centre
Göcseji u. 18
H-8901 Zalaegerszeg
Tel. (36-92) 31 43 51
Fax (36-92) 31 13 54

ANNEX II

Model certificate pursuant to Article 7(3) of Regulation (EC) No 1148/2001

1. Trader/Importer ⁽¹⁾		Inspection Certificate No This certificate is exclusively for the use of inspection bodies		
2. Packer identified on packaging (if other than trader)		3. Inspection body MEGYEI/FÖVÁROSI ÁLLATEGÉSZSÉGÜGYI ⁽¹⁾ ÉS ÉLELMISZER ELLENÖRZŐ ÁLLOMÁS		
		4. Place of inspection/country of origin ⁽²⁾	5. Region or country of destination	
6. Identifier of means of transport		7. Check at destination (where applicable)	7(a) ☐ Internal ☐ Import ☐ Export	
8. Packages (number and type)	9. Type of product (variety) if the standard specifies	10. Quality class	11. Total weight in kg gross/net ⁽¹⁾	
12. The abovementioned inspection body certifies, following inspection by sampling, the above goods corresponded at the time of inspection to the quality standards in force Customs office: entry/exit ⁽¹⁾ Place and date of issue: Period of validity: days  Inspector: Signature: (name in block letters)				
13. Observations				
⁽¹⁾ Delete as appropriate. ⁽²⁾ If re-exporting, indicate the origin in box 9.				

COMMISSION REGULATION (EC) No 2388/2001**of 6 December 2001****granting Spain and Italy a derogation, for the 1998/1999 to 2003/04 marketing years, from Articles 1(1) and 20(1) of Regulation (EC) No 2366/98 laying down detailed rules for the application of the system of production aid for olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 1513/2001 ⁽²⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EC) No 1638/98 of 20 July 1998 amending Regulation No 136/66/EEC on the establishment of a common organisation of the market in oils and fats ⁽³⁾, as amended by Regulation (EC) No 1513/2001, and in particular Article 2(4) thereof,

Having regard to Council Regulation (EEC) No 2261/84 of 17 July 1984 laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organisations ⁽⁴⁾, as last amended by Regulation (EC) No 1639/98 ⁽⁵⁾, and in particular Article 19 thereof,

Whereas:

- (1) Article 1 of Commission Regulation (EC) No 2366/98 of 30 October 1998 laying down detailed rules for the application of the system of production aid for olive oil for the 1998/1999 to 2003/04 marketing years ⁽⁶⁾, as last amended by Regulation (EC) No 2070/2001 ⁽⁷⁾, stipulates that olive growers must lodge crop declarations before 1 December of each marketing year.
- (2) Article 20(1) of that Regulation stipulates that producer organisations or, where appropriate, associations thereof must submit their members' crop declarations and any amendments thereto to the competent agency of the Member State concerned before 1 January of each marketing year.
- (3) The Geographical Information System (GIS) in Spain and Italy should be operational so that it can directly register crop declarations after 1 December 2001. It is necessary for the time limit for the lodging of crop declarations by olive growers or by producer organisations and associa-

tions thereof for the 2001/02 marketing year to be postponed so that the Spanish and Italian authorities can input the declarations into the GIS as they are lodged and deal immediately with any adjustments that are necessary. In view of the importance of the GIS for improving control operations, the time limits for lodging crop declarations for the 2001/02 marketing year in Spain and Italy should therefore be postponed from 1 December 2001 to 1 March 2002 in the case of olive growers and from 1 January 2002 to 1 April 2002 in the case of producer organisations and associations thereof. Postponement of the time limits for lodging crop declarations for olive growers and producer organisations and associations thereof is without prejudice to the application of the provisions on controls within the time limits laid down in Community rules.

- (4) In view of the need to postpone, *inter alia*, the 1 December 2001 time limit, this Regulation should apply from 30 November 2001.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 1(1) of Regulation (EC) No 2366/98, and without prejudice to the controls provided for in Community rules, olive growers in Spain and Italy are hereby authorised to lodge crop declarations for their olive trees in production and the olive groves they manage as at 1 November of the marketing year in respect of which the declaration is made, no later than 1 March 2002 for the 2001/02 marketing year.

Article 2

Notwithstanding Article 20(1) of Regulation (EC) No 2366/98, producer organisations or, where appropriate, associations thereof in Spain and Italy are hereby authorised to lodge members' crop declarations and any amendments thereto no later than 1 April 2002 for the 2001/02 marketing year.

⁽¹⁾ OJ L 172, 30.9.1966, p. 3025 to 3066.

⁽²⁾ OJ L 201, 26.7.2001, p. 4.

⁽³⁾ OJ L 210, 28.7.1998, p. 32.

⁽⁴⁾ OJ L 208, 3.8.1984, p. 3.

⁽⁵⁾ OJ L 210, 28.7.1998, p. 38.

⁽⁶⁾ OJ L 293, 31.10.1998, p. 50.

⁽⁷⁾ OJ L 280, 24.10.2001, p. 3.

Article 3

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

It shall apply from 30 November 2001.

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

Done at Brussels, 6 December 2001.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2389/2001**of 6 December 2001****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 943/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of Poland was opened pursuant to Commission Regulation (EC) No 943/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 November to 6 December 2001, pursuant to the invitation to tender issued in Regulation (EC) No 943/2001, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 7 December 2001.

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

Done at Brussels, 6 December 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 133, 16.5.2001, p. 3.

COMMISSION REGULATION (EC) No 2390/2001
of 6 December 2001
fixing the maximum export refund on barley in connection with the invitation to tender issued in
Regulation (EC) No 1558/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 1558/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 November to 6 December 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1558/2001, the maximum refund on exportation of barley shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 7 December 2001.

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

Done at Brussels, 6 December 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 205, 31.7.2001, p. 33.

COMMISSION REGULATION (EC) No 2391/2001
of 6 December 2001
concerning tenders notified in response to the invitation to tender for the export of rye issued in
Regulation (EC) No 1005/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1005/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92

and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 30 November to 6 December 2001 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 1005/2001.

Article 2

This Regulation shall enter into force on 7 December 2001.

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

Done at Brussels, 6 December 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 140, 24.5.2001, p. 10.

COMMISSION REGULATION (EC) No 2392/2001**of 6 December 2001****fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 1789/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾,

Having regard to Commission Regulation (EC) No 1789/2001 of 12 September 2001 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1789/2001.
- (2) Article 8 of Regulation (EC) No 1789/2001 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 November to 6 December 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1789/2001, the maximum refund on exportation of oats shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 7 December 2001.

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

Done at Brussels, 6 December 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 243, 13.9.2001, p. 15.

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 3/2001 OF THE EU-SLOVENIA ASSOCIATION COUNCIL

of 4 July 2001

establishing the financial contribution of Slovenia for participation in the Socrates II and Youth programmes in the years 2001 to 2006

(2001/864/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other ⁽¹⁾, and in particular Article 106 thereof,

Whereas:

- (1) Decision No 2/2000 of 4 August 2000 of the EU-Slovenia Association Council ⁽²⁾ adopted the terms and conditions for the participation of the Republic of Slovenia in the second phase of the Leonardo da Vinci and Socrates programmes, and it applies for the duration of these programmes.
- (2) Decision No 3/2000 of 29 September 2000 of the EU-Slovenia Association Council ⁽³⁾ adopted the terms and conditions for the participation of the Republic of Slovenia in the Youth programme, and it applies for the duration of this programme.
- (3) Annex II, point 2 of Decision No 2/2000, and Annex II, point 1 of Decision No 3/2000 provide that the financial contribution to be paid by Slovenia to the budget of the European Union to participate in the Socrates II and Youth programmes respectively in the years 2001 to 2006 will be decided by the Association Council in the course of the year 2000,

HAS DECIDED AS FOLLOWS:

Article 1

The financial contribution to be paid by Slovenia to the budget of the European Union to participate in the Socrates II programme in the years 2001 to 2006 shall be the following:

(EUR)

2001	2002	2003	2004	2005	2006
989 000	1 013 000	1 036 000	1 064 000	1 096 000	1 137 000

⁽¹⁾ OJ L 51, 26.2.1999, p. 3.

⁽²⁾ OJ L 248, 3.10.2000, p. 28.

⁽³⁾ OJ L 290, 17.11.2000, p. 30.

Article 2

The financial contribution to be paid by Slovenia to the budget of the European Union to participate in the Youth programme in the years 2001 to 2006 shall be the following:

(EUR)

2001	2002	2003	2004	2005	2006
570 000	604 000	639 000	671 000	703 000	746 000

Article 3

PHARE funds shall be requested according to the following schedule:

— for the financial contribution to the Socrates II programme, the following yearly amounts:

(EUR)

2001	2002	2003	2004	2005	2006
396 000	334 000	269 000	202 000	132 000	57 000

— for the financial contribution to the Youth programme, the following yearly amounts:

(EUR)

2001	2002	2003	2004	2005	2006
274 000	260 000	243 000	221 000	197 000	172 000

The remaining part of Slovenia's contribution shall be covered from the Slovenian State budget.

Article 4

This Decision shall enter into force the day of its adoption by the Association Council.

Done at Brussels, 4 July 2001.

For the Association Council

L. MICHEL

The President

COUNCIL DECISION

of 6 November 2001

authorising the Kingdom of Spain to apply a measure derogating from Article 11 of the sixth Directive 77/388/EEC on the harmonisation of the laws of Member States relating to turnover taxes

(2001/865/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment⁽¹⁾, hereinafter the 'sixth VAT Directive' and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) In a letter registered by the Commission's Secretariat General on 7 March 2001, the Spanish Government requested authorisation on the basis of Article 27 of the sixth VAT Directive, to apply a measure derogating from Article 11(A)(1)(a) of that Directive.

(2) Under Article 27(1) of the sixth VAT Directive, the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to introduce special measures for derogation from the provisions of the Directive, in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion or avoidance.

(3) In accordance with the said Article 27, the other Member States were informed of the request from the Kingdom of Spain by letter of 15 March 2001.

(4) Article 11(A)(1)(a) of the sixth VAT Directive states that, in principle, the taxable amount in respect of supplies of goods and services shall be everything which constitutes the consideration which has been or is to be obtained by the supplier for such supplies from the purchaser, the customer or a third party.

(5) The Kingdom of Spain, by way of derogation from these provisions, has requested authorisation to include in the taxable amount for a service of working investment gold

the value of the raw material provided by the purchaser of the service and used to make the finished product.

(6) The aim of the derogation is to avoid abuse of the exemption for investment gold and thus to prevent certain types of tax evasion or avoidance. It therefore meets the conditions set out in Article 27 of the sixth VAT Directive.

(7) The forms of tax evasion or avoidance in question consist mainly of the purchase of VAT-exempt investment gold which is then worked to make jewellery or other goods, with no VAT being paid on the value of the investment gold involved in the transaction.

(8) The derogation will expire on 31 December 2004, so that an assessment can then be made as to whether it is appropriate in the light of changes in the application of the special system for investment gold established by Directive 98/80/EC⁽²⁾.

(9) The derogation will have no negative impact on the European Communities' own resources provided from value added tax,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Spain is authorised, by way of derogation from Article 11(A)(1)(a) of the sixth VAT Directive, to include in the taxable amount in respect of the supply of goods or services involving the working of non-taxed investment gold the value of the gold contained in the finished product based on the current market value of the investment gold.

Article 2

The authorisation granted under Article 1 shall expire on 31 December 2004.

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive last amended by Directive 2001/41/EC (OJ L 22, 24.1.2001, p. 17).

⁽²⁾ OJ L 281, 17.10.1998, p. 31.

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 6 November 2001.

For the Council
The President
D. REYNDERS

COMMISSION

COMMISSION DECISION

of 3 December 2001

concerning a specific financial contribution by the Community relating to the surveillance programme of *Campylobacter* in broilers presented by Sweden

(notified under document number C(2001) 3820)

(Only the Swedish text is authentic)

(2001/866/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the prevalence of *Campylobacter* at farm level needs further scrutiny.

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 2001/572/EC ⁽²⁾ and, in particular, Article 19 and Article 20 thereof,

Whereas:

- (1) The protection of human health against diseases and infections directly or indirectly transmissible from animals to man (zoonoses) is of paramount importance.
- (2) The Community is currently in the process of reviewing its policy on the control and prevention of zoonoses.
- (3) In this framework, the Scientific Committee on Veterinary Measures relating to Public Health was requested to express an opinion on the basis of zoonosis-control policies, where special attention should be paid to the assessment of risks related to zoonotic diseases causing major concern to public health.
- (4) In its conclusions of the opinion of 12 April 2000, the Scientific Committee on Veterinary Measures relating to Public Health identified *Salmonella* and *Campylobacter* as the most important food-borne zoonoses currently, if referring to the number of reported human cases.
- (5) It is recognised that a number of gaps exist in the knowledge of the epidemiology of *Campylobacter* as a food-borne zoonosis and the above opinion indicated in particular that the efficiency of establishing strict hygiene barriers at poultry farm level should be documented, and that the efficiency of procedures to lower

- (6) A surveillance programme for broilers operated by the Swedish poultry meat industry association started in 1991. The surveillance programme, which included sampling of slaughter groups at the abattoir and voluntary measures in farms, showed some success in reducing the prevalence of *Campylobacter* in the slaughter groups of broilers.
- (7) The Swedish authorities presented on 31 May 2000, with a view to obtaining financial support from the Community, a multiannual national surveillance programme of *Campylobacter* in broilers, and a revised programme on 13 October 2000, to estimate the baseline prevalence both in primary production and in the food chain, and to progressively reinforce implementation of hygienic measures in farms with a view to lowering the prevalence at farm level and subsequently along the food chain. The programme started on 1 July 2001.
- (8) The said programme can provide technical and scientific information potentially valuable for the development of Community veterinary legislation.
- (9) In the light of the importance of *Campylobacter* as a zoonosis, it is useful to provide financial assistance for an appropriate period of time within a maximum of four years, to cover certain costs incurred by Sweden and to collect valuable technical and scientific information. For budgetary reasons, Community assistance is decided each year. By Commission Decision 2001/29/EC ⁽³⁾, the Community provided financial assistance for the second semester of the year 2001.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.⁽²⁾ OJ L 203, 28.7.2001, p. 16.⁽³⁾ OJ L 6, 11.1.2001, p. 22.

- (10) The Swedish authorities presented on 31 May 2001 a programme for Community financial assistance during 2002, and a revised programme on 26 July 2001 and 19 October 2001. The financial assistance provided for the period 1 January 2002 to 31 December 2002 shall be up to a maximum of EUR 160 000.
- (11) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 ⁽¹⁾, veterinary and plant health measures undertaken in accordance with Community rules shall be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund; for financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (12) A financial contribution from the Community shall be granted in so far as the actions provided for are effectively carried out and provided that the authorities furnish all the necessary information within the time limits provided for.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The surveillance programme for *Campylobacter* in broilers presented by Sweden is hereby approved for a period of 12 months starting from 1 January 2002.
2. The financial assistance from the Community for the programme referred to in paragraph 1 shall be 50 % of the costs (VAT excluded) incurred by Sweden for laboratory testing, up to SEK 150 per test and up to a maximum of EUR 160 000.

Article 2

The financial assistance referred to under Article 1(2) shall be granted to Sweden subject to:

- (a) bringing into force by 1 January 2002 the laws, regulations and administrative provisions for implementing the programme;
 - (b) forwarding a report to the Commission by 1 July 2002 on the progress of the programme and the costs incurred. The report shall conform to the model as set out in the Annex;
 - (c) forwarding a final report by 31 March 2003 at the latest on the technical execution of the programme accompanied by justifying evidence as to the costs incurred and the results attained during the period 1 January to 31 December 2002;
 - (d) these reports providing substantive and valuable technical and scientific information corresponding to the purpose of the Community intervention;
 - (e) implementing the programme effectively;
- and provided that Community veterinary legislation has been respected.

Article 3

This decision is addressed to Sweden.

It shall apply from 1 January 2002.

Done at Brussels, 3 December 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

ANNEX

Technical and financial information related to implementation of a surveillance programme for *Campylobacter* in broilers in Sweden

Section A. Technical report on control

Reporting period: from to

1. Examination carried out a diagnostic laboratories

	Number of slaughter groups sampled	Number of swab samples	Number of neck skin samples	Total number of samples
Bacteriology <i>Campylobacter</i>				

2. Follow-up to sampling

Number of follow-up mails to producers

Number of follow-up farm visits

3. Description of epidemiological situation (results and analysis of results from sampling, visits to farms)

4. Name and address of reporting authority:

Section B. Statement on costs incurred for control ⁽¹⁾

Reporting period: from to

Reference number of Commission Decision providing financial assistance:

Costs incurred related to functions at/by	Costs incurred during the reporting period (national currency)
Bacteriology for <i>Campylobacter</i>	

⁽¹⁾ When presenting the final report referred to in Article 2(c), for each item a listing of all expenditure shall be provided together with a copy of supporting documents.

COMMISSION DECISION
of 3 December 2001
amending Council Directive 90/539/EEC as regards health certificates for intra-Community trade in
poultry and hatching eggs

(notified under document number C(2001) 3821)

(Text with EEA relevance)

(2001/867/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs ⁽¹⁾, as last amended by Commission Decision 2000/505/EC ⁽²⁾, and in particular Article 34 thereof,

Whereas:

- (1) The certificates for intra-Community trade in poultry and hatching eggs laid down in Annex IV to Directive 90/539/EEC do not contain any information on the vaccination status of poultry and hatching eggs for Newcastle disease.
- (2) Experience gained during outbreaks of Newcastle disease within the Community suggests that information on the vaccination applied either to the poultry itself or to the parent flock from which the day-old chicks or hatching eggs derived is of special value for epizootiological inquiries.
- (3) It is necessary to ensure that information concerning the vaccination against Newcastle disease is included in the health certificates foreseen for the intra-Community trade of poultry and hatching eggs.

(4) Directive 90/539/EEC should therefore be amended accordingly.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Annex IV to Directive 90/539/EEC is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply for live poultry and hatching eggs certified as from 1 January 2002.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 3 December 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 303, 31.10.1990, p. 6.

⁽²⁾ OJ L 201, 9.8.2000, p. 8.

ANNEX

'ANNEX IV

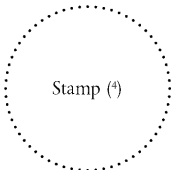
HEALTH CERTIFICATES FOR INTRA-COMMUNITY TRADE

(Models 1 to 6)

MODEL 1

EUROPEAN COMMUNITY

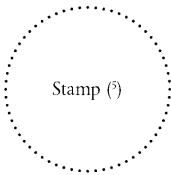
HATCHING EGGS

1. Consignor (name and address in full):	HEALTH CERTIFICATE	
	No	Original
	2. Member State of origin:	
3. Consignee (name and address in full): — initial — final:	4.1. Competent authority (ministry):	
	4.2. Competent authority (local level):	
Notes: (a) A separate certificate must be provided for each consignment of hatching eggs.	(b) The original of the certificate must accompany the consignment to its final destination.	
5.1. Place of loading: 5.2. Means of transport ⁽¹⁾ :	6.1. Address of establishment where eggs were collected:	
	6.2. Approval number of the establishment:	
7.1. Member State of destination:	8.1. Poultry species:	
7.2. Final destination:	8.2. Category: pure line/grandparents/parents/laying pullets/fattening/others ⁽²⁾ :	
9. Consignment identification details (including any container seal numbers):		
10. Quantity (in words and figures): 10.1. Number of eggs: 10.2. Number of containers/boxes:	11. Date collected:	
	12.1. Identification details of parent flock: 12.2. Brand name:	
13. I, the undersigned official veterinarian, certify that the hatching eggs described above: (a) comply with the provisions of Articles 6, 7 and 15 of Council Directive 90/539/EEC; (b) comply with the provisions of Article 12(1)(a) of Council Directive 90/539/EEC ⁽³⁾ ; (c) comply with the provisions of Commission Decision(s): . . . / . . . /EC concerning additional guarantees with regard to (indicate disease(s) and in accordance with Article 13 or Article 14 of Council Directive 90/539/EEC ⁽²⁾); (d) — are derived from poultry which have not been vaccinated against Newcastle disease ⁽²⁾ ; — are derived from poultry which have been vaccinated against Newcastle disease ⁽²⁾ using:		
Date(s) of vaccination:	Name, type (inactivated or live) and NDV strain(s) used:	
Done at, (date)  Stamp ⁽⁴⁾ (Signature of official veterinarian) ⁽⁴⁾ (Name in capital letters, qualifications, title)		
⁽¹⁾ Indicate means of transport and registration marks, or registered name, as appropriate. ⁽²⁾ Delete unnecessary reference. ⁽³⁾ To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle diseases currently: Denmark, Finland and Sweden otherwise delete reference. ⁽⁴⁾ Stamp and signature in a colour different to that of the printing.		

MODEL 2

EUROPEAN COMMUNITY

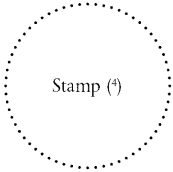
DAY-OLD CHICKS

1. Consignor (name and address in full):	HEALTH CERTIFICATE	
	No	Original
2. Consignee (name and address in full): — initial: — final:	3. Member State of dispatch: 4. If derived from imported hatching eggs: ⁽¹⁾ ⁽²⁾ : 4.1. Country of origin: 4.2. Number of accompanying animal health certificate:	
5. Place of loading:	6.1. Competent authority (ministry): 6.2. Competent authority (local level):	
9.1. Member State of destination: 9.2. Final destination:	10.1. Poultry species: 10.2. Category: pure line/grandparents/parents/laying pullets/fattening/others ⁽¹⁾ : 10.3. Date hatched:	
11. Consignment identification details (including any container seal numbers):	12. Quantity (in words and figures): 12.1. Number of animals: 12.2. Number of crates or cages:	
Notes: (a) A separate certificate must be provided for each consignment of day-old chicks.	(b) The original of the certificate must accompany the consignment to its final destination.	
13. I, the undersigned official veterinarian, hereby certify that the day-old chicks described above: (a) comply either with: (i) the provisions of Articles 6, 8 and 15 of Council Directive 90/539/EEC ⁽¹⁾ , or (ii) if derived from hatching eggs imported according to the requirements of Model B of Commission Decision 96/482/EC, with the provisions of Article 6(1) and Article 8(b) and (c) of Council Directive 90/539/EEC ⁽¹⁾ ⁽²⁾ ; (b) comply with Article 12(1)(b) of Council Directive 90/539/EEC ⁽⁴⁾ ; (c) comply with the provisions of Commission Decision(s): . . . / . . . /EC concerning additional guarantees with regard to (indicate disease(s)) in accordance with Article 13 or 14 of Council Directive 90/539/EEC ⁽¹⁾ ; (d) — have not been vaccinated against Newcastle disease ⁽¹⁾ ; — are derived from poultry which have not been vaccinated against Newcastle disease ⁽¹⁾ , — have been vaccinated against Newcastle disease ⁽¹⁾ using: — are derived from poultry which have been vaccinated against Newcastle disease ⁽¹⁾ using:		
Date(s) of vaccination:	Name, type (inactivated or live) and NDV strain(s) used:	
Done at, (date)  Stamp (?) (Signature of the official veterinarian) ⁽⁵⁾ (Name in capital letters, qualifications and title)		
⁽¹⁾ Delete unnecessary reference. ⁽²⁾ In those cases where day-old chicks come from eggs imported from a third country the period of isolation on the holding of destination has to be respected as foreseen in Article 3 of Commission Decision 96/482/EC. The competent authority of the final destination of the day-old chicks has to be informed through the ANIMO system about this requirement. ⁽³⁾ Indicate means of transport and registration marks, or registered name, as appropriate. ⁽⁴⁾ To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle disease currently: Denmark, Finland and Sweden otherwise delete reference. ⁽⁵⁾ Stamp and signature in a colour different to that of the printing.		

MODEL 3

EUROPEAN COMMUNITY

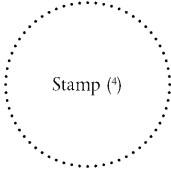
BREEDING AND PRODUCTIVE POULTRY

1. Consignor (name and address in full):	HEALTH CERTIFICATE	
	No	Original
3. Consignee (name and address in full): — initial: — final:	2. Member State of origin:	
	4.1. Competent authority (ministry): 4.2. Competent authority (local level):	
Notes: (a) A separate certificate must be provided for each consignment of poultry.	(b) The original of the certificate must accompany the consignment to its final destination.	
5.1. Place of loading: 5.2. Means of transport ⁽¹⁾ :	6.1. Address of establishment of origin: 6.2. Approval number of the establishment:	
	7.1. Member State of destination: 7.2. Final destination: 8.1. Poultry species: 8.2. Category: pure line/grandparents/parents/laying pullets/fattening/others ⁽²⁾ :	
9. Consignment identification details (including any container seal numbers):		
10. Quantity (in words and figures): 10.1. Number of heads of poultry: 10.2. Number of containers/boxes:	11.1. Identification details of flock of origin: 11.2. Brand name:	
	12. I, the undersigned official veterinarian, certify that the poultry describe above: (a) comply with the provisions of Articles 6, 9 and 15 of Council Directive 90/539/EEC; (b) comply with Article 12(1)(c) Council Directive 90/539/EEC ⁽³⁾ ; (c) comply with the provisions of Commission Decision(s): . . . /EC concerning additional guarantees with regard to (indicate disease(s)) in accordance with Article 13 or 14 of Council Directive 90/539/EEC ⁽²⁾ ; (d) — have not been vaccinated against Newcastle disease ⁽²⁾ , — have been vaccinated against Newcastle disease ⁽²⁾ using:	
Date(s) of vaccination:	Name, type (inactivated or live) and NDV strain(s) used:	
Done at , (date)  Stamp (*) (Signature of official veterinarian) ⁽⁴⁾ (Name in capital letters, qualifications, title)		
⁽¹⁾ Indicate means of transport and registration marks, or registered name, as appropriate. ⁽²⁾ Delete unnecessary reference. ⁽³⁾ To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle disease currently: ⁽⁴⁾ Stamp and signature in a colour different to that of the printing.		

MODEL 4

EUROPEAN COMMUNITY

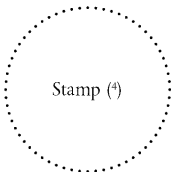
**POULTRY, DAY-OLD CHICKS AND EGGS FOR HATCHING
IN LOTS OF UNDER 20**
(except for ratites and hatching eggs thereof)

1. Consignor (name and address in full):	HEALTH CERTIFICATE	
	No	Original
	2. Member State of origin:	
3. Consignee (name and address in full): — initial: — final:	4.1. Competent authority (ministry): 4.2. Competent authority (local level):	
Notes: (a) A separate certificate must be provided for each consignment of poultry, day-old chicks or hatching eggs.	(b) The original of the certificate must accompany the consignment to its final destination.	
5.1. Place of loading: 5.2. Means of transport ⁽¹⁾ :	6.1. Address of establishment or holding of origin: 6.2. Approval number of the establishment (where applicable):	
7.1. Member State of destination: 7.2. Final destination:	8.1. Poultry species: 8.2. Category: pure line/grandparents/parents/laying pullets/fattening/others ⁽²⁾ :	
9. Consignment identification details (including any container seal numbers):		
10. Quantity (in words and figures): 10.1. Number of eggs or head of poultry: 10.2. Number of containers/boxes:	11.1. Date collected (in case of eggs): 11.2. Approximate age (in case of poultry):	
	12. Identification details of flocks of origin:	
13. I, the undersigned official veterinarian, certify that: (a) the poultry, day-old chicks or hatching eggs described above comply with the provisions of Article 11 of Council Directive 90/539/EEC; (b) the poultry, day-old chicks or hatching eggs described above comply with Article 12(1) of Council Directive 90/539/EEC ⁽³⁾ ; (c) the poultry, day-old chicks or hatching eggs comply with the provisions of Commission Decisions(s): . . . /EC concerning additional guarantees with regard to . . . (indicate disease(s)) in accordance with Article 13 or 14 of Council Directive 90/539/EEC ⁽³⁾ ; (d) the poultry/day-old chicks ⁽²⁾ have not been vaccinated against Newcastle disease ⁽²⁾ ; the poultry/day-old chicks ⁽²⁾ have been vaccinated against Newcastle disease ⁽²⁾ using: the poultry from which the day-old chicks/hatching eggs ⁽²⁾ are derived have not been vaccinated against Newcastle disease ⁽²⁾ ; the poultry from which the day-old chicks/hatching eggs ⁽²⁾ are derived have been vaccinated against Newcastle disease ⁽²⁾ using:		
Date(s) of vaccination:	Name, type (inactivated or live) and NDV strain(s) used:	
Done at , (date)  Stamp ⁽⁴⁾ (Signature of official veterinarian) ⁽⁴⁾ (Name in capital letters, qualifications, title)		
⁽¹⁾ Indicate means of transport and registration marks, or registered name, as appropriate. ⁽²⁾ Delete unnecessary reference. ⁽³⁾ To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle disease currently: Denmark, Finland and Sweden otherwise delete reference. ⁽⁴⁾ Stamp and signature in a colour different to that of the printing.		

MODEL 5

EUROPEAN COMMUNITY

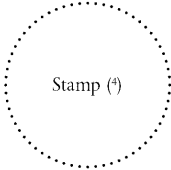
SLAUGHTER POULTRY

1. Consignor (name and address in full):	HEALTH CERTIFICATE No _____ Original _____	
	2. Member State of origin:	
3. Consignee (name and address in full): — initial: — final	4.1. Competent authority (Ministry): 4.2. Competent authority (local level):	
Notes: (a) A separate certificate must be provided for each consignment of poultry.	(b) The original of the certificate must accompany the consignment to its final destination.	
5.1. Place of loading: 5.2. Means of transport ⁽¹⁾ :	6.1. Address of establishment or holding of origin: 6.2. Approval number of the establishment (where applicable):	
7.1. Member State of destination: 7.2. Final destination:	8.1. Poultry species: 8.2. Category: pure line/grandparents/parents/laying pullets/fattening/others ⁽²⁾ :	
9. Consignment identification details (including any container seal numbers):		
10. Quantity (in words and figures): 10.1. Number of heads of poultry: 10.2. Number of containers/boxes:	11. Approximate age of the poultry:	
	12.1. Identification details of parent flock: 12.2. Brand name:	
13. I, the undersigned official veterinarian, certify that the poultry described above: (a) comply with the provisions of Articles 10 and 15 of Council Directive 90/539/EEC; (b) comply with Articles 12(1)(d) of Council Directive 90/539/EEC ⁽³⁾ ; (c) comply with the provisions of Commission Decision(s): .../.../EC concerning additional guarantees with regard to (indicate disease(s)) in accordance with Article 13 or 14 of Council Directive 90/539/EEC ⁽²⁾ ; (d) — have not been vaccinated against Newcastle disease ⁽²⁾ ; — have been vaccinated against Newcastle disease ⁽²⁾ using:		
Date(s) of vaccination:	Name, type (inactivated or live) and NDV strain(s) used:	
Done at _____, (date) _____  Stamp ⁽⁴⁾ (Signature of official veterinarian) ⁽⁴⁾ (Name in capital letters, qualifications, title)		
⁽¹⁾ Indicate means of transport and registration marks, or registered name, as appropriate. ⁽²⁾ Delete unnecessary reference. ⁽³⁾ To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle disease currently: Denmark, Finland and Sweden otherwise delete reference. ⁽⁴⁾ Stamp and signature in a colour different to that of the printing.		

MODEL 6

EUROPEAN COMMUNITY

POULTRY FOR RESTOCKING GAME SUPPLIES

1. Consignor (name and address in full)	HEALTH CERTIFICATE No _____ Original _____	
	2. Member State of origin:	
3. Consignee (name and address in full) — initial: — final:	4.1. Competent authority (ministry): 4.2. Competent authority (local level):	
Notes (a) A separate certificate must be provided for each consignment of poultry.	(b) The original of the certificate must accompany the consignment to its final destination.	
5.1. Place of loading: 5.2. Means of transport ⁽¹⁾ :	6.1. Address of establishment or holding of origin: 6.2. Approval number of the establishment (where appropriate):	
7.1. Member State of destination: 7.2. Final destination:	8.1. Poultry species: 8.2. Category: pure line/grandparents/parents/laying pullets/fattening/others ⁽²⁾ :	
9. Consignment identification details (including any container seal numbers):		
10. Quantity (in words and figures): 10.1. Number of heads of poultry: 10.2. Number of containers/boxes:	11. Approximate age of the poultry:	
	12. Identification details of flocks of origin:	
13. I, the undersigned official veterinarian, certify that the poultry described above: (a) comply with the provisions of Articles 10a and 15 of Council Directive 90/539/EEC; (b) comply with Article 12(1)(c) of Council Directive 90/539/EEC ⁽³⁾ ; (c) comply with the provisions of Commission Decision(s): . . . / . . . /EC concerning additional guarantees with regard to (indicate disease(s)) in accordance with Article 13 or 14 of Council Directive 90/539/EEC ⁽²⁾ ; (d) — have not been vaccinated against Newcastle disease ⁽²⁾ , — have been vaccinated against newcastle disease ⁽²⁾ using:		
Date(s) of vaccination:	Name, type (inactivated or live) and NDV strain(s) used:	
Done at, (date)  Stamp ⁽⁴⁾ (Signature of official veterinarian) ⁽⁴⁾ (Name in capital letters, qualifications, title)		
⁽¹⁾ Indicate means of transport and registration marks, or registered name, as appropriate. ⁽²⁾ Delete unnecessary reference. ⁽³⁾ To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle disease currently: Denmark, Finland and Sweden otherwise delete reference. ⁽⁴⁾ Stamp and signature in a colour different to that of the printing.		