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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 92/107/EEC

of 11 December 1992

amending Council Directive 69/208/EEC on the marketing of seed of oil and fibre plants

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽¹⁾, as last amended by Commission Directive 92/9/EEC⁽²⁾, and in particular Article 20a thereof,

Whereas in the light of the development of scientific and technical knowledge Annex II to Directive 69/208/EEC should be amended so as to improve the standards to be satisfied in respect of the minimum varietal purity by seed of soya bean;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Annex II (1) to Directive 69/208/EEC the figures '97' and '95' in column 2 ('Minimum varietal purity %') given respectively for basic seed and certified seed of *Glycine max* shall be replaced by the figures '99,5' and '99'.

Article 2

Member States shall take the necessary measures to comply with this Directive by 1 July 1994. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 11 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽²⁾ OJ No L 70, 17. 2. 1992, p. 25.

COMMISSION DIRECTIVE 92/113/EEC
of 16 December 1992
amending Council Directive 70/524/EEC concerning additives in feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, as last amended by Commission Directive 92/99/EEC⁽²⁾, and in particular Article 7 thereof,

Whereas Directive 70/524/EEC provides for regular amendment of the content of its Annexes to take account of advances in scientific and technical knowledge; whereas the Annexes have been codified by Commission Directive 91/248/EEC⁽³⁾;

Whereas the use of the preservative methylpropionic acid has been widely tested in certain Member States; whereas, on the basis of experience gained, it appears that this new use can be authorized throughout the Community;

Whereas it is advisable to provide specific provisions concerning the addition of iodine in feedingstuffs in order to prevent unfavourable effects for certain species;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 70/524/EEC is hereby amended as set out in the Annex hereto.

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 30 June 1993 at the latest. They shall immediately inform the Commission thereof.

When Member States adopt these measures, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 16 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 350, 1. 12. 1992, p. 83.

⁽³⁾ OJ No L 124, 18. 5. 1991, p. 1.

ANNEX

1. In Part G 'Preservatives', the following item is added :

EEC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedingsstuff		Other provisions
					Minimum content	Maximum content	
E 285	Methylpropionic acid	$C_4H_8O_2$	Ruminants, at the beginning of rumination	—	1 000	4 000	—

2. In Part I 'Trace elements' item E 2 'Iodine-I' is replaced by the following item :

EEC No	Element	Additive	Chemical formula	Maximum content of the element in mg/kg of the complete feedingsstuff	Other provisions
E 2	Iodine-I	Calcium iodate, hexahydrate Calcium iodate, anhydrous Sodium iodide Potassium iodide	$Ca(IO_3)_2 \cdot 6H_2O$ $Ca(IO_3)_2$ NaI KI	Equines : 4 (total) Other species or categories of animal : 40 (Total)	— — — —

COMMISSION DECISION
of 10 December 1992
approving the Danish programme of agricultural income aid
(93/19/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 768/89 of 21 March 1989 establishing a system of transitional aids to agricultural income⁽¹⁾, and in particular Article 7 (3) thereof,

Having regard to Commission Regulation (EEC) No 3813/89 of 19 December 1989 laying down detailed rules for the application of the system of transitional aids to agricultural income⁽²⁾, as last amended by Regulation (EEC) No 1110/91⁽³⁾, and in particular Article 10 (3) thereof,

Whereas on 21 September 1992 the Danish authorities notified the Commission of its intention to introduce a programme of agricultural income aid; whereas additional information concerning this programme was received by the Commission from the Danish authorities, most recently on 8 October 1992;

Whereas the measures provided for in this Decision are in accordance with the provisions of Regulation (EEC) No 768/89 and the detailed rules for their application and in particular, with the aims of the second subparagraph of Article 1 (2) of the said Regulation;

Following the consultation of the Management Committee for Agriculture Income Aids on 23 November 1992 on the measures provided for in this Decision;

Following the consultation of the EAGGF Committee on 24 November 1992 on the maximum amounts that may

be charged annually to the Community budget as a result of approving the programme,

HAS ADOPTED THIS DECISION:

Article 1

The programme of agricultural income aid for farmers in Denmark notified to the Commission by the Danish authorities on 21 September 1992 is hereby approved.

Article 2

The maximum amounts that may be charged annually to the Community budget as a result of this Decision shall be as follows:

<i>(ECU)</i>	
1993	650 000
1994	552 500
1995	455 000
1996	357 500
1997	260 000

Article 3

This Decision is addressed to all the Member States.

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 29. 3. 1989, p. 8.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 17.

⁽³⁾ OJ No L 110, 1. 5. 1991, p. 72.

COMMISSION DECISION

of 10 December 1992

concerning the import of fresh pigmeat, pigmeat products and live pigs from Hungary and amending Decisions 82/8/EEC, 91/449/EEC and 92/322/EEC

(93/20/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries ⁽¹⁾, as last amended by Council Regulation (EEC) No 1601/92 ⁽²⁾, and in particular Articles 6, 11, 15, 16, 21 and 22 thereof,

Whereas the animal health conditions and veterinary certification for imports of fresh meat from Hungary were established by Commission Decision 82/8/EEC ⁽³⁾;

Whereas the model for the veterinary certification for import of meat products from Hungary was established by Commission Decision 91/449/EEC ⁽⁴⁾;

Whereas the animal health conditions and veterinary certification for imports of domestic animals of the bovine and porcine species from Hungary were established by Commission Decision 92/322/EEC ⁽⁵⁾;

Whereas the competent veterinary authorities of Hungary have reported outbreaks of classical swine fever in the County of Békés;

Whereas this situation constituted a serious risk to animal health in the European Community and therefore the suspension of imports from Hungary of live pigs, fresh pigmeat, porcine semen, porcine embryos and pigmeat products (other than those having undergone a complete heat treatment) was established by Commission Decision 92/539/EEC ⁽⁶⁾;

Whereas the competent veterinary authorities of Hungary have taken all necessary health measures including the prevention of movement of live pigs, pigmeat and certain pigmeat products from the above County to the rest of the country;

Whereas following a Commission mission to Hungary, the situation is under control and it is now possible to

regionalize Hungary to allow imports of live pigs, fresh pig meat and certain pig meat products from Hungary excluding the County of Békés;

Whereas the relevant animal health certificates must be amended accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

Member States shall authorize imports of domestic animals of the porcine species, fresh meat and meat products from such animals including wild boars from the territory of Hungary except from the County of Békés. However Member States shall authorize from Békés County meat products which have undergone heat treatment in a hermetically sealed container to an Fo value of 3,00 or more or which have otherwise been treated to ensure an internal temperature of not less than 70 °C, or have undergone treatment consisting in natural fermentation and maturation of not less than nine months for hams weighing not less than 5,5 kg and having the following characteristics:

- aW value of not more than 0,93,
- pH value of not more than 6.

Article 2

Annex A to Decision 82/8/EEC is hereby amended as follows:

1. after the words 'Exporting country: Hungary', the words '(excluding, in the case of fresh meat from swine, the County of Békés)';
2. in Section IV, point 1, first indent, after the words 'territory of Hungary', the words '(excluding, in the case of swine slaughtered after 1 September 1992, the County of Békés)', are added.

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 8, 13. 1. 1982, p. 9.

⁽⁴⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽⁵⁾ OJ No L 177, 30. 6. 1992, p. 1.

⁽⁶⁾ OJ No L 347, 28. 11. 1992, p. 68.

Article 3

Decision 91/449/EEC is hereby amended as follows:

1. in Annex A, part II, after the word 'Hungary' ('excluding, in the case of products derived from the meat of swine slaughtered after 1 September 1992, the County of Békés') is added;
2. in Annex D, Part II, Hungary is included in the list of countries approved to use the model animal health certificate in Part I of Annex D.

Article 4

Decision 92/322/EEC is hereby amended as follows:

1. in Annexes C and D after the words 'Exporting country: Hungary' the words '(excluding the County of Békés)', are added;

2. in Annexes C and D, section V, paragraph 1, after the word 'Hungary' the words '(excluding the County of Békés)', are added.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 10 December 1992

amending Decision 92/539/EEC concerning the importation into the Community of live pigs, fresh pigmeat, porcine semen, porcine embryos and pigmeat products from Hungary

(93/21/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from Third Countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽¹⁾, as last amended by Directive 92/438/EEC⁽²⁾, and in particular Article 18 thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽³⁾, as last amended by Directive 92/438/EEC, and in particular Article 19 thereof,

Whereas outbreaks of classical swine fever have been declared in Hungary;

Whereas the occurrence of classical swine fever in Hungary is liable to present a serious threat to the herds of Member States, in view of trade in live pigs, fresh pigmeat, porcine semen, porcine embryos and certain meat-based pork products;

Whereas as a result of the outbreaks of classical swine fever, the Commission adopted Decision 92/539/EEC of 10 November 1992 concerning the importation into the Community of live pigs, fresh pigmeat, porcine semen, porcine embryos and pigmeat products from Hungary⁽⁴⁾;

Whereas the measures adopted by Decision 92/539/EEC should be considered as interim protective measures to be referred to the Standing Veterinary Committee with a view to the extension, amendment or repeal of the established measures;

Whereas it appears necessary to adjust the interim measures to take account of the evolution of the disease; whereas the animal health conditions and veterinary certi-

fication laid down for live pigs, fresh pigmeat and pigmeat products from Hungary are amended by Commission Decision 93/20/EEC⁽⁵⁾;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 92/539/EEC is hereby amended as follows:

1. the title is replaced by:

'Commission Decision of 10 November 1992 concerning the importation into the Community of porcine semen and porcine embryos from Hungary';

2. Article 1 is replaced by:

'Member States shall prohibit the importation from the County of Békés, Hungary, of:

- semen of domestic animals of the porcine species,
- embryos of domestic animals of the porcine species.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽³⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 347, 28. 11. 1992, p. 68.

⁽⁵⁾ See page 5 of this Official Journal.

COMMISSION DECISION

of 11 December 1992

**laying down the model of the movement documents referred to in Article 14 of
Council Directive 91/67/EEC**

(93/22/EEC)

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

Having regard to Council Directive 91/67/EEC of
28 January 1991 concerning the animal health conditions
governing the placing on the market of aquatic animals
and products⁽¹⁾, and in particular Article 14 thereof,

Whereas certain aquaculture animals may carry disease
causing agents without however being susceptible
thereto;

Whereas it is necessary, when introducing these animals,
their eggs and gametes into zones or farms which are free
of such diseases, to provide for certain health guarantees;

Whereas these health guarantees must be entered in a
movement document signed by the official service, certi-
fying that the animals are complying with the guarantees
laid down in Directive 91/67/EEC;

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

HAS ADOPTED THIS DECISION:

Article 1

The transport document referred to in Article 14 (1) (a)
and the one referred to in Article 14 (1) (b) of Directive

91/67/EEC must be drawn up in accordance with the
model laid down in Annex I.

Article 2

The transport document referred to in Article 14 (2) (a)
and the one referred to in Article 14 (2) (b) of Council
Directive 91/67/EEC must be drawn up in accordance
with the model laid down in Annex II.

Article 3

The Member States shall bring into force the laws, regula-
tions and administrative positions necessary to comply
with this Decision by 1 January 1993.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 11 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 46, 19. 2. 1991, p. 1.

ANNEX I

MODEL

**MOVEMENT DOCUMENT FOR LIVE FARMED FISH, MOLLUSCS AND CRUSTACEANS,
THEIR EGGS AND GAMETES REFERRED TO IN ARTICLE 14 (1) OF DIRECTIVE 91/67/EEC**

This document (1) must accompany the consignment to be introduced into:

- an approved zone (2)
- an approved farm (2).

I. Origin of the consignment

Member State of origin :

Farm of origin :

Name :

Address :

II. Description of the consignment

	Live animals	Eggs	Gametes
<i>Species</i>			
Common name			
Scientific name			
<i>Quantity</i>			
Number			
Total weight			
Average weight			

III. Destination of the consignment

Member State of destination :

Consignee :

Name :

Address :

Place of destination :

IV. Means of transport

Nature :

Identification :

V. Health attestation

I, the undersigned, hereby certify that the animals or the products forming the present consignment originate from (1):

(a) the following zone : (2),

approved for the following disease(s) :
.....
in accordance with Decision (3);

(b) the following farm : (4),

approved for the following disease(s) :
.....
in accordance with Decision (4);

(c) the following farm (5),
situated in a non-approved zone, containing no fish, molluscs or crustaceans (2) belonging to the
susceptible species referred to in Annex A column 2, lists I and II of Directive 91/67/EEC, and is
not connected with a watercourse or with coastal or estuarial waters.

Done at, on

Name of official service :

.....
(Name in capitals)

.....
(Name and function of signing officer)

.....
(Signature)

Stamp of official service

(1) This document must be drawn up at least in the language or languages of the Member State of destination.
(2) Delete the inappropriate.
(3) Description of the zone.
(4) Mention the reference to the Community Decision on the basis of which the approval has been granted.
(5) Name and address of farm.

ANNEX II

MODEL

MOVEMENT DOCUMENT FOR LIVE WILD FISH, MOLLUSCS OR CRUSTACEANS, THEIR EGGS OR GAMETES REFERRED TO IN ARTICLE 14 (2) OF DIRECTIVE 91/67/EEC

This document (1) must accompany the consignment to be introduced into :

- an approved zone (2)
- an approved farm (2).

I. Origin of the consignment

Member State of origin :

Place of origin :

II. Description of the consignment

	Live animals	Eggs	Gametes
<i>Species</i> Common name Scientific name			
<i>Quantity</i> Number Total weight Average weight			

III. Destination of the consignment

Member State of destination :

Consignee :

Name :

Address :

Place of destination :

IV. Means of transport

Nature :

Identification :

V. Health attestation

I, the undersigned, hereby certify that the animals or the products forming the present consignment
 originate from the following zone :.....
⁽³⁾,
 approved for the following disease(s) :.....

 in accordance with Decision⁽⁴⁾.

Done at, on

Name of official service :

.....
(Name in capitals)

.....
(Name and function of signing officer)

.....
(Signature)

Stamp of official service

(1) This document must be drawn up at least in the language or languages of the Member State of destination.
 (2) Delete the inappropriate.
 (3) Description of the zone.
 (4) Mention the reference to the Community Decision on the basis of which the approval has been granted.

COMMISSION DECISION

of 11 December 1992

setting out the application arrangements of Council Decision 91/341/EEC providing for the adoption of a programme of community action for the vocational training of customs officials (Matthaeus Programme)

(93/23/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

In view of the Treaty establishing the European Economic Community,

In view of the Council Decision 91/341/EEC of 20 June 1991 on the adoption of a programme of community action on the subject of the vocational training of customs officials (the Matthaeus Programme)⁽¹⁾ (hereafter called the 'Matthaeus Decision') and in particular Article 9,

Whereas it is advisable to set out the conditions to put into effect the exchanges of officials between national administrations and training seminars, envisaged in Article 4 (a) and (b) of the abovementioned Decision ;

Whereas the organization of these exchanges of officials must respond to certain conditions, in order to ensure the maximum efficiency in attaining the objectives of the Matthaeus Programme ;

Whereas it is advisable to determine which officials are able to participate in the exchanges as well as the duration of these exchanges ;

Whereas it is advisable to anticipate the preparation, organization and follow up of the exchanges and establish the respective roles of Member States and the Commission ;

Whereas it is advisable to evaluate the activities undertaken by each Member State to establish linguistic training for the benefit of their officials who are likely to participate in the exchange programme ;

Whereas the definition of these arrangements is essential for the success of the operation of the exchange of officials between national administrations as well as for the Matthaeus programme ;

Whereas the seminars must be determined by an annual programme which will allow their organization and development during the course of the year ;

Whereas it is advisable to fix certain necessary financial arrangements for the organization of the transfer of funds between the Commission and Member States concerning the exchanges of officials and the seminars ;

Whereas the measures provided for in the present Decision conform to the advice of the Committee envisaged in Article 9 of the Matthaeus Decision,

HAS ADOPTED THIS DECISION :

Article 1

The present Decision sets the arrangements for the application of the Matthaeus Decision relating to :

- the organization of the exchange of officials,
- the organization of seminars,
- the financial arrangements for the payment by the Commission of the costs relating to exchanges and seminars.

Article 2

Each customs administration will designate a Matthaeus coordinator (hereafter referred to as the national coordinator) who will be responsible for all the Matthaeus activities, especially the organization of exchanges of officials between Member States as well as the organization of the seminars.

Article 3

The Commission is responsible at a community level for the coordination of all the Matthaeus activities, in conjunction with the national coordinators.

TITLE I

EXCHANGES OF OFFICIALS

Chapter I

Officials to exchange

Article 4

In relation to paragraph 1, Annex I of the Matthaeus Decision, officials responsible for the application of Community law means all officials who carry out their functions in customs administrations of the Member States as well as officials who apply the law within central and regional administrations.

⁽¹⁾ OJ No L 187, 13. 7. 1991, p. 41.

Article 5

The exceptions provided for in paragraph 3, line 2, of Annex I of the Matthaëus Decision may temporarily be applied particularly when the host Member State is prepared to accept an exchange official who does not have sufficient knowledge of the language of that country, provided that the exchange official possesses sufficient knowledge of a vehicular language of the Community.

Chapter II

Length of exchanges*Article 6*

The normal duration of exchanges is four weeks. Different periods of exchange may be organized by agreement between the Commission and the Member State concerned.

Chapter III

Organization of exchanges*Article 7*

No later than during the month of September of each year, the Commission will determine the number of phases, their starting and finishing dates and the number of officials it is intended to be exchanged by each Member State in each phase of the following year.

Article 8

Six weeks before the start of each phase, each national coordinator will send to the Commission the list of officials from their administration proposed for the exchanges, following consultation between the relevant national coordinators, accompanied by the candidates' forms, completed by the official at the time of their request to participate in an exchange.

This list must contain, besides the names of the participants, the countries and the offices where they are prepared to go.

Article 9

The exchange official completes on his return and in not more than four weeks, an evaluation questionnaire countersigned by his line manager and then sent to his national coordinator.

Each national coordinator will send to the central coordinator at the end of each calendar month, all the evaluation questionnaires from the officials in their administration which they have received in the course of the preceding month, possibly with their comments.

Chapter IV

Obligations of Member States*Article 10*

Each national coordinator must inform the Commission when, in the application of Article 5 (2) of the Matthaëus

Decision, their State limits, in general terms, the authorization it can give exchange officials to carry out the duties with which they are entrusted.

Article 11

In accordance with paragraph 6 of Annex I of the Matthaëus Decision, each national coordinator must supply to the Commission, at the end of each year and before 31 December, a statement of the action they have taken to apply linguistic training.

This statement must refer particularly to the number of hours devoted to this training, the total amount of money spent, in their national currency, and the number of officials involved and the languages taught.

TITLE II

TRAINING SEMINARS*Article 12*

The Commission will plan, in collaboration with Member States, a programme of seminars it expects to take place in the course of the year.

In the development of this programme it may take account of the suggestions put forward by business organizations and universities.

This programme will set:

- the priorities of the year in relation to the seminar subjects,
- the themes of the seminars,
- the location for the seminars, whether at the Commission or in the Member States.

It will also indicate if the nature of the themes allows the application of Annex II of the Matthaëus Decision, paragraph 2, last line, as well as the number of participants from the Member States.

This programme will be presented to the Committee at the beginning of each calendar year.

TITLE III

FINANCIAL ARRANGEMENTS

Chapter I

Exchanges*Article 13*

Before the start of each phase and a maximum of one week after receipt of the list referred to in Article 8, the Commission will pay, as an advance, in ecus, to the accounts designated by the Member States, the funds necessary to reimburse the expenses of the officials participating in the exchanges.

Each Member State must, on receipt of these funds, acknowledge receipt of them from the Commission using the format shown in Annex I.

Article 14

In order to regularize the advances made, no later than one month after the end of each phase of the exchanges, each Member State must send to the Commission a statement of the sums actually spent, in ecus, together with the names of the officials exchanged.

Chapter II

Seminars

Article 15

On the same dates and in accordance with the same arrangements as those for the phases of the exchanges, on the basis of the programme established in accordance with Article 12, the Commission will pay, as an advance, the funds necessary to reimburse the expenses of the officials participating in the seminars.

Each Member State must, on receipt of these funds, acknowledge receipt of them from the Commission using the format shown in Annex II.

Article 16

In order to regularize the advances made, no later than one month after the end of each phase of the seminars, each Member State must send to the Commission a statement of the sums actually spent, in ecus, together with the names of the officials participating in the seminars.

Chapter III

Common arrangements

Article 17

For the statement of the sums actually spent, referred to in Articles 14 and 16, Member States must make the conversion into ecus on the basis of Info-Ecu which will be sent to them each month by the Commission.

Article 18

In the case where Member States have money remaining after the operation of Articles 14 and 16, the amount will be considered as an advance for the next seminars or phase of exchanges. In the contrary case, the Commission will send the amount necessary without delay.

If after two months after the end of each phase of the exchanges or the seminars, Member States have not followed the regularization procedure of Articles 14 and 16, the Commission can demand the reimbursement of the advances by recovery order.

Article 19

This Decision is intended for Member States.

Done at Brussels, 11 December 1992.

For the Commission
Christiane SCRIVENER
Member of the Commission

ANNEX I

MATTHAEUS PROGRAMME

PHASE No

RECEIPT

MEMBER STATE :

DEPARTMENT RESPONSIBLE :

ADDRESS :

TELEPHONE : FAX :

NAME OF MANAGER OF MATTHAEUS CREDITS :

.....

FUNCTION :

.....

Certified to have received on account No

held with

bank whose head office is situated at

the sum of ecus,

which is anticipated to be required to advance for the settlement of the expenses incurred by my administration in the phase.

..... (place), (date)

.....

(Signature)

<p>As soon as the payment is credited to the account, send to :</p> <p>Mr Head of Division — DG XXI/A/4, Commission of the European Communities, 200, rue de la Loi, B-1049 Brussels</p>
--

ANNEX II

MATTHAEUS PROGRAMME

PHASE No

1993 Seminars

RECEIPT

MEMBER STATE :

DEPARTMENT RESPONSIBLE :

ADDRESS :

TELEPHONE : FAX :

NAME OF MANAGER OF MATTHAEUS CREDITS :
.....

FUNCTION :
.....

Certified to have received on account No

held with

bank whose head office is situated at

the sum of ecus,

which is anticipated to be required to advance for the settlement of the expenses incurred by my administration for the participation of its officials in Matthaëus seminars.

..... (place), (date)

.....
(Signature)

<p>As soon as the payment is credited to the account, send to :</p> <p>Mr Head of Division — DG XXI/A/4, Commission of the European Communities, 200, rue de la Loi, B-1049 Brussels.</p>

COMMISSION DECISION

of 11 December 1992

concerning additional guarantees relating to Aujeszky's disease for pigs destined to Member States or regions free of the disease

(93/24/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC⁽¹⁾ of 26 June 1964 on animal health problems affecting intra-community trade in bovine animals and swine, as last amended by Directive 92/65/EEC⁽²⁾, and in particular Article 10 thereof,

Whereas certain Member States consider their territory or part of their territory is free from Aujeszky's disease and have submitted supporting documentation to the Commission as provided for in Article 10 of Directive 64/432/EEC;

Whereas an eradication programme was undertaken in these Member States or regions for Aujeszky's disease;

Whereas Member States have employed either a vaccination or a stamping-out policy to eradicate Aujeszky's disease;

Whereas the programme is regarded to have been successful in eradicating this disease from these Member States or regions of Member States;

Whereas the authorities of these Member States apply for national movement of pigs for breeding and production rules at least equivalent to those foreseen by the present decision;

Whereas these additional guarantees must not be requested from Member States or regions of Member States which are themselves regarded as free from Aujeszky's disease;

Whereas the opinion of the Scientific Veterinary Committee has been obtained;

Whereas the measures provided for in this decision are in accordance with the opinion of the Standing Veterinary Committee,

Article 1

Pigs intended for breeding coming from other Member States or Regions and destined for Member States or regions where vaccination for Aujeszky's disease is not permitted, listed in Annex I must fulfil the following conditions:

1. Aujeszky's disease must be compulsorily notifiable in the Member State of origin;
2. no clinical, pathological or serological evidence of Aujeszky's disease has been recorded in the herd of origin for the past 12 months;
3. if vaccine for Aujeszky's disease has been used on the herd of origin, only a g1 deleted vaccine shall have been used for the past 12 months;
4. isolation in accommodation approved by the competent authority such that no direct or indirect contact with other pigs is possible for 30 days prior to movement;
5. the pigs have not been vaccinated;
6. the pigs must have been subjected to an Elisa test for the presence of g1 antibody which meets the standards in Annex II of this decision, on sera taken at least 21 days after entry into isolation, with negative results. All animals in isolation must also have given negative results to this test. In the case of pigs aged over four months the test used shall be the whole virus Elisa;
7. the pigs must have remained on the herd of origin since birth or the pigs have remained in the consigning herd for three months and in others of equivalent status since birth.

Article 2

Pigs intended for production coming from other Member States or regions and destined for Member States or regions where vaccination for Aujeszky's disease is not permitted, listed in Annex I must fulfil the following conditions:

1. Aujeszky's disease must be compulsorily notifiable in the Member State of origin;
2. no clinical, pathological or serological evidence of Aujeszky's disease has been recorded in the herd or origin for the past 12 months;
3. the pigs have not been vaccinated;

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 268, 14. 9. 1992, p. 54.

4. (i) no pre-movement testing shall be necessary if the herd of origin is part of an official monitoring programme where at least 15 % of the breeding animals (or 25 animals, whichever is the greater) are tested over the course of each year. Such testing shall be split into at least three approximately equal divisions each separated by at least two months; movement into such herds shall only be from herds of equivalent or superior status and no clinical case of Aujeszky's disease shall have been recorded within 2 km of the herd of origin for the previous 60 days;
- (ii) if the herd of origin is not part of such a monitoring programme the pigs must be segregated prior to movement and the pigs must be sampled in accordance with Annex III within 10 days prior to movement and subjected to a test which meets the standards in Annex II. All animals tested must pass the test.
5. The pigs must have remained in the herd of origin since birth or the pigs have remained in the herd or origin for three months and in herds of equivalent status since birth.

Article 3

The animals mentioned in Article 2 shall be transported directly to the farm of destination and shall remain there until slaughter unless otherwise authorized by the competent authority in the Member State of destination. The competent authority of the Member State of destination may require that all pigs on such premises go directly to slaughter.

Article 4

1. Pigs intended for slaughter coming from other Member States or regions and destined for Member States or regions listed in Annex I must be transported directly to the slaughterhouse of destination.
2. If such pigs have been vaccinated, only a g1 deleted vaccine shall have been used.
3. No clinical, pathological or serological evidence of Aujeszky's disease has been recorded in the herd of origin for the past three months.
4. The pigs must have remained in the herd of origin for the previous 60 days or since birth.

5. Aujeszky's disease must be notifiable in the Member State of origin.

Article 5

1. (a) The health certificate provided for in Annex F to Directive 64/432/EEC must be completed by the following for pigs destined for Member States or Regions listed in Annex 1 from other Member States or regions;
'Pigs in accordance with Commission Decision 93/24/EEC of 11 December 1992 concerning Aujeszky's disease. In the case of pigs for breeding the test used was the whole virus Elisa/Elisa for g1 antibodies.
(Delete where applicable)'.
(b) Such pigs must not come into contact with pigs of different status during transit.
2. Member States must ensure that similar requirements also apply for movement within their territory to regions listed in Annex I.

Article 6

In derogation to the above Articles, the additional conditions must not be requested by Member States of destination or regions of destination from Member States or Regions listed in Annex I.

Article 7

This Decision shall be reviewed before 31 December 1994.

Article 8

This Decision shall enter into force on 1 January 1993.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 11 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX I***Regions free of Aujeszky's disease which do not permit vaccination**

- Denmark : All regions
United Kingdom : All regions in England, Scotland and Wales.
-

*ANNEX II***Protocol for enzyme linked immunosorbent assay (Elisa) for detecting antibodies to Aujeszky's disease virus glycoprotein 1 (ADV-g1) in serum**

1. The institutions listed in paragraph 2 (d) shall evaluate Elisa g1-tests and kits against the criteria in paragraphs 2 (a), 2 (b), 2 (c). The competent authority in each Member State shall ensure that only Elisa g1-kits that meet these standards shall be registered. The examinations listed in 2 (a) and 2 (b) must be carried out prior to approval of the test and the examination in 2 (c), at least, must thereafter be carried out on each batch.
 2. *Standardization, sensitivity and specificity of the test.*
 - (a) The sensitivity of the test must be of such a level that the following Community Reference sera are scored positive :
 - Community Reference serum ADV1 at 1 : 8 dilution,
 - Community Reference serum ADV-g1 A,
 - Community Reference serum ADV-g1 B,
 - Community Reference serum ADV-g1 C,
 - Community Reference serum ADV-g1 D,
 - Community Reference serum ADV-g1 E,
 - Community Reference serum ADV-g1 F.
 - (b) The specificity of the test must be of such a level that the following Community Reference sera are scored negative :
 - Community Reference serum ADV-g1 G,
 - Community Reference serum ADV-g1 H,
 - Community Reference serum ADV-g1 J,
 - Community Reference serum ADV-g1 K,
 - Community Reference serum ADV-g1 L,
 - Community Reference serum ADV-g1 M,
 - Community Reference serum ADV-g1 N,
 - Community Reference serum ADV-g1 O,
 - Community Reference serum ADV-g1 P,
 - Community Reference serum ADV-g1 Q.
 - (c) For batch control, the EC Reference serum ADV1 must be scored positive at a dilution of 1 : 8 and the EC Reference serum ADV-g1 K must be scored negative.
 - (d) The institutes listed below will, in addition, be responsible for checking the quality of the Elisa method in each Member State, and in particular for producing and standardizing national reference sera according to the EC Reference sera.
 1. Central Veterinary Laboratory, Weybridge, United Kingdom ;
 2. École Nationale Vétérinaire, Alfort, France ;
 3. State Veterinary Virus Research Institute, Lindholm, Denmark ;
 4. Federal Research Centre, Tubingen, Germany ;
 5. Centraal Diergeneeskudig Instituut, Lelystad, the Netherlands ;
 6. Institut National de Recherche Vétérinaire, Uccle, Belgium ;
 7. Italy ;
 8. Veterinary Research Laboratory, Dublin, Ireland ;
 9. Spain ;
 10. Portugal ;
 11. Greece ;
 12. Laboratoire de Médecine Vétérinaire, 54 avenue Gaston Diderich, Luxembourg-ville ; Luxembourg.
 - (e) The Community Reference sera will be supplied by those laboratories listed in paragraph 2 (d) above.
-

ANNEX III

Population	Number to be sampled
under 25	All
25-100	25
100 +	30

COMMISSION DECISION

of 11 December 1992

approving certain treatments to inhibit the development of pathogenic micro-organisms in bivalve molluscs and marine gastropods

(93/25/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, and in particular Chapter IV (IV) (2) of the Annex thereto,Whereas bivalve molluscs and marine gastropods harvested in the areas referred to in Chapter I (1) (b) and (1) (c) of the Annex to Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs⁽²⁾ constitute a potential threat to consumers if they are not subjected to appropriate treatment;

Whereas Spain and United Kingdom have put forward treatments to inhibit the development of pathogens in bivalve molluscs and marine gastropods;

Whereas these processes are adequate to ensure the health of the products and it is not necessary therefore to subject them in advance to purification or relaying;

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

HAS ADOPTED THIS DECISION:

Article 1

The treatments set out in the Annex to this Decision for inhibiting the development of pathogenic micro-organisms in bivalve molluscs and marine gastropods harvested in the areas referred to in Chapter I (1) (b) and (1) (c) or the Annex to Directive 91/492/EEC and which have not been subjected to relaying or purification before being placed on the market are hereby approved.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.⁽²⁾ OJ No L 268, 24. 9. 1991, p. 1.

*ANNEX***A. Sterilization**

Bivalve molluscs and marine gastropods may be subjected to sterilization in hermetically sealed containers which comply with the requirements of Chapter IV (IV) (4) of the Annex to Directive 91/493/EEC.

B. Other heat treatments

Bivalve molluscs and marine gastropods in shell and not frozen may undergo one of the following processes :

1. — immersion in boiling water for the period required to raise the internal temperature of the mollusc flesh to not less than 90 °C;
 - maintenance of this minimum temperature for a period of not less than 90 seconds;
 2. — cooking for three to five minutes in an enclosed space where :
 - the temperature is between 120 and 160 °C,
 - the pressure is between 2 and 5 kg/cm², followed by shelling and freezing of the flesh to a core temperature of - 20 °C.
-

COMMISSION DECISION

of 11 December 1992

on the list of establishments in the Republic of Croatia approved for the purpose of importing fresh meat into the Community

(93/26/EEC)

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

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine and fresh meat or meat products from third countries ⁽¹⁾, as last amended by Council Regulation (EEC) No 1601/92 ⁽²⁾, and in particular Article 4 (1) and Article 18 (1) (a) and (b) thereof,

Whereas establishments in third countries cannot be authorized to export fresh meat to the Community unless they satisfy the general and special conditions laid down in Directive 72/462/EEC;

Whereas, in accordance with Article 4 (3) of Directive 72/462/EEC, the Republic of Croatia has forwarded a list of the establishments authorized to export to the Community;

Whereas Community on-the-spot inspections have shown that the hygiene standards of these establishments are sufficient and they may therefore be entered on a first list of establishments, drawn up in accordance with Article 4 (1) of that Directive, from which imports of fresh meat may be authorized;

Whereas, following the adoption of Commission Decision 92/390/EEC of 2 July 1992 concerning animal health conditions and veterinary certification for imports of fresh meat from the Republic of Croatia ⁽³⁾, imports of fresh pigmeat from that country are no longer authorized;

Whereas, however, in accordance with Commission Decision 92/447/EEC of 30 July 1992, amending Decision 91/449/EEC laying down the specimen animal health certificates in respect of meat products imported from third countries ⁽⁴⁾, imports of pigmeat products which have undergone treatment as provided for in that Deci-

sion are authorized; whereas, as a consequence, such products must be manufactured from pigmeat obtained in approved establishments;

Whereas imports of fresh meat from the establishments on the list in the Annex hereto continue to be subject to provisions already laid down, the general provisions of the Treaty and in particular the other Community veterinary regulations, particularly as regards health protection;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The establishments in the Republic of Croatia listed in the Annex are hereby approved for the purposes of exporting fresh meat to the Community.
2. Imports from those establishments shall remain subject to the Community veterinary provisions laid down elsewhere, and in particular those concerning health protection.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 207, 23. 7. 1992, p. 53.

⁽⁴⁾ OJ No L 248, 28. 8. 1992, p. 69.

ANNEX

LIST OF ESTABLISHMENTS

Approval No	Establishment/Address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
1	KK Krizevcanka, Krizevci	x			x		x		T, 2
8	Cromax, Bjelovar	x			x		x		T, 2
10	Pik Vrbovec	x	x		x		x		T, 2
	Vrbovec			x					1
139	Podravka	x	x		x				
	Koprivnica	x					x		T, 2
214	Industrija Mesa Ivanec, Ivanec	x	x		x				

(*) SL: Slaughterhouse

CP: Cutting premises

CS: Cold store

B: Bovine meat

S/G: Sheepmeat/Goatmeat

P: Pigmeat

SP: Meat from solipeds

SR: Special remarks

T = Establishments marked "T" are authorized, in accordance with Article 4 of Directive 77/96/EEC, to perform the examination for detection of trichinae provided in Article 2 thereof.

1 = Packaged meat only.

2 = Pigmeat intended solely for the manufacture of meat products.

COMMISSION DECISION

of 11 December 1992

on the list of establishments in the Republic of Slovenia approved for the purpose of importing fresh meat into the Community

(93/27/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine and fresh meat or meat products from third countries⁽¹⁾, as last amended by Council Regulation (EEC) No 1601/92⁽²⁾, and in particular Article 4 (1) and Article 18 (1) (a) and (b) thereof,

Whereas establishments in third countries cannot be authorized to export fresh meat to the Community unless they satisfy the general and special conditions laid down in Directive 72/462/EEC;

Whereas in accordance with Article 4 (3) of Directive 72/462/EEC, the Republic of Slovenia has forwarded a list of the establishments authorized to export to the Community;

Whereas a Community veterinary inspection visit to Slovenia has shown that the animal health situation is satisfactory and that it is thus possible to consider importing fresh meat from that country;

Whereas the hygiene standards of those establishments are sufficient and they may therefore be entered on a first list of establishments, drawn up in accordance with Article 4 (1) of that Directive, from which imports of fresh meat may be authorized;

Whereas a Community veterinary inspection will soon be conducted of such establishments in Slovenia;

Whereas, following the adoption of Commission Decision 92/377/EEC of 2 July 1992 concerning animal health conditions and veterinary certification for imports of fresh meat from the Republic of Slovenia⁽³⁾, imports of fresh pigmeat from that country are no longer authorized;

Whereas, however, in accordance with Commission Decision 92/447/EEC of 30 July 1992, amending Commission

Decision 91/449/EEC laying down the specimen animal health certificates in respect of meat products imported from third countries⁽⁴⁾, imports of pigmeat products which have undergone treatment as provided for in that Decision are authorized; whereas, as a consequence, such products must be manufactured from pigmeat obtained in approved establishments;

Whereas imports of fresh meat from establishments appearing on the list in the Annex hereto continue to be subject to provisions already laid down, the general provisions of the Treaty and in particular other Community veterinary regulations, particularly as regards health protection;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The establishments in the Republic of Slovenia listed in the Annex are hereby approved for the purposes of exporting fresh meat to the Community.
2. Imports from those establishments shall remain subject to the Community veterinary provisions laid down elsewhere, and in particular those concerning health protection.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 197, 16. 7. 1992, p. 75.

⁽⁴⁾ OJ No L 248, 28. 8. 1992, p. 69.

ANNEX

LIST OF ESTABLISHMENTS

Approval No	Establishment/Address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
22	Pomurka, Murska Sobota	x	x		x		x		T, 1
33	Kosaki, Maribor	x			x		x		T, 1
86	Emona, Ljubljana	x	x		x		x		T, 1
103	Hmezad, Do Celjske Mesnine P.O., Celje	x	x		x				
126	Mip Zivinopromet, Nova Gorica	x			x		x		T, 1
194	Kras Sezana	x	x		x				
	Secovlje		x				x		1

(*) SL: Slaughterhouse

CP: Cutting premises

CS: Cold store

B: Bovine meat

S/G: Sheepmeat/Goatmeat

P: Pigmeat

SP: Meat from solipeds

SR: Special remarks

T = Establishments marked "T" are authorized, in accordance with Article 4 of Directive 77/96/EEC, to perform the examination for detection of trichinae provided in Article 2 thereof.

1 = Pigmeat intended solely for the manufacture of meat products.

COMMISSION DECISION

of 14 December 1992

laying down a supplementary Community financing for the computerized network Animo

(93/28/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/65/EEC⁽²⁾, and in particular Article 20 (2),Having regard to Council Decision 90/424/EEC of 26 June 1990, on expenditure in the veterinary field⁽³⁾, as last amended by Decision 92/438/EEC⁽⁴⁾, and in particular Article 37 a thereof,Whereas in Decision 91/426/EEC⁽⁵⁾, adopted on 22 July 1991, the Commission laid down the details of the Community's financial contribution to the setting up of a computerized network linking veterinary authorities (Animo);

Whereas, in the light of the experience gained during the initial phase of the establishment of the computerized network Animo, it appears beneficial in order to provide a better security in the running of the network, that all the units use an identical communication software;

Whereas, to that end, provision should be made for supplementary Community financing in order to provide this software and set it up for all the units of the network Animo;

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

HAS ADOPTED THIS DECISION:

Article 1

Each Animo unit shall have the communication software 'Blast' available to complement the application software on which all the trials have been carried out.

Article 2

The implementation of the provisions in Article 1 shall be carried out by Eurokom, avenue de la Joyeuse Entrée 1, B-1050 Bruxelles.

Article 3

The act provided for in Article 1 shall be 100 % funded by the Community, amounting to ECU 625 000. This financial participation shall be made on the presentation of the supporting documents by Eurokom which must be forwarded before 15 December 1992 to the Commission!

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 14 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.⁽²⁾ OJ No L 268, 14. 9. 1992, p. 54.⁽³⁾ OJ No L 224, 18. 8. 1990, p. 19.⁽⁴⁾ OJ No L 243, 25. 8. 1992, p. 27.⁽⁵⁾ OJ No L 234, 23. 8. 1991, p. 27.

COMMISSION DECISION

of 16 December 1992

amending Decision 90/505/EEC authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of sawn wood of conifers originating in Canada

(Only the Spanish, German, Greek, English, French, Italian, Dutch and Portuguese texts are authentic)

(93/29/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 92/103/EEC⁽²⁾, and in particular the second and third indents of Article 14 (3) thereof,

Having regard to the requests made by Belgium, the Federal Republic of Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom,

Whereas pursuant to the provisions of Directive 77/93/EEC, because of the risk of introducing harmful organisms, wood of *Coniferae* which meets the descriptions in CN code ex 4407 10, originating in Canada, China, Japan, Korea and the USA may not be introduced into the Community, unless it is properly kiln-dried and identified as such;

Whereas wood of conifers originating in Canada is currently introduced into the Community; whereas in the case of sawn wood, phytosanitary certificates are not generally issued in that country; whereas it appears that kiln-drying capacity is at present limited in Canada;

Whereas, in respect of Canada, the Commission has established, on the basis of the information available at present, that an officially approved and monitored programme of issuing certificates of debarking and grub-hole control has been set up to ensure proper debarking and to reduce the risk from harmful organisms; whereas the risk of spreading harmful organisms is reduced provided that the wood is accompanied by a certificate of debarking and grub-hole control issued under that programme;

Whereas by Commission Decisions 90/505/EEC⁽³⁾, 91/635/EEC⁽⁴⁾ and 92/13/EEC⁽⁵⁾ the Commission authorized such derogations under technical conditions in respect of sawn wood of conifers originating in Canada, based on the use of the aforementioned certificate of debarking and grub-hole control;

Whereas, it has not been established, on the basis of available information, that there are elements which would militate against the proper functioning of the aforementioned debarking and grub-hole control programme;

Whereas Decision 92/13/EEC, stipulated that the authorization should expire on 31 December 1992;

Whereas at present, proper kiln-drying is an effective measure to protect the Community against the introduction of certain organisms affecting wood of conifers; whereas, however, various kiln-drying schedules are commonly applied to different timber species in order to dry them to a suitable level for end-use application; whereas these drying processes require the application of heat at various intensities and durations;

Whereas a Community research programme has been set up to define parameters in the case of heat-treatment which ensure the eradication of the *Bursaphelenchus xylophilus* and its vectors, in order to enable the Commission to lay down the permanent requirements to safeguard against the spread of the said organisms;

Whereas the results of that research have been the basis for amendment and revision of the relevant Annexes IV and V to the said Directive;

Whereas, however, according to the provisions of Council Directive 91/683/EEC⁽⁶⁾ Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with Directive 91/683/EEC six months after the revisions of Annexes I to V to Directive 77/93/EEC;

Whereas it appears that the revision has been delayed;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 363, 11. 12. 1992, p. 1.

⁽³⁾ OJ No L 282, 13. 10. 1990, p. 63.

⁽⁴⁾ OJ No L 341, 12. 12. 1991, p. 32.

⁽⁵⁾ OJ No L 6, 11. 1. 1992, p. 47.

⁽⁶⁾ OJ No L 376, 31. 12. 1991, p. 29.

Whereas the authorization is applicable without prejudice to the abolition of the intra-Community border controls from 1 January 1993;

Whereas the authorization should therefore be extended for a further limited period;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 90/505/EEC is hereby amended as follows:

Article 3 is replaced by:

'The authorization granted in Article 1 shall apply for a period expiring on the deadline for implementation into national legislation of the modifications to Directive 77/93/EEC as referred to in Article 3 (1) in Direc-

tive 91/683/EEC, being the last date of entry into the Community. It shall be revoked earlier if it is established that the conditions laid down in Article 1 (2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with.'

Article 2

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Portugal and the United Kingdom.

Done at Brussels, 16 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 16 December 1992

amending Decision 91/107/EEC authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of sawn wood of conifers originating in the USA

(Only the Spanish, German, Greek, English, French, Italian, Dutch and Portuguese texts are authentic)

(93/30/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 92/103/EEC⁽²⁾, and in particular the second and third indents of Article 14 (3) thereof,

Having regard to the requests made by Belgium, the Federal Republic of Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom,

Whereas pursuant to the provisions of Directive 77/93/EEC, because of the risk of introducing harmful organisms, wood of *Coniferae* which meets the descriptions in CN code ex 4407 10, originating in Canada, China, Japan, Korea and the USA may not be introduced into the Community, unless it is properly kiln-dried and identified as such;

Whereas wood of conifers originating in the USA is currently introduced into the Community; whereas in the case of sawn wood, phytosanitary certificates are not generally issued in that country; whereas it appears that kiln-drying capacity is at present limited in the USA;

Whereas, in respect of the USA, the Commission has established, on the basis of the information supplied by the USA and collected in that country during a mission carried out in 1990, that an officially approved and monitored programme of issuing certificates of debarking and grub-hole control has been set up to ensure proper debarking and to reduce the risk from harmful organisms; whereas the risk of spreading harmful organisms is reduced provided that the wood is accompanied by a certificate of debarking and grub-hole control issued under that programme;

Whereas by Commission Decisions 91/107/EEC⁽³⁾, 91/636/EEC⁽⁴⁾ and 92/12/EEC⁽⁵⁾ the Commission authorized such derogations under technical conditions in respect of sawn wood of conifers originating in Canada, based on the use of the aforementioned certificate of debarking and grub-hole control;

Whereas, it has not been established, on the basis of available information, that there are elements which would militate against the proper functioning of the aforementioned debarking and grub-hole control programme;

Whereas Decision 92/12/EEC, stipulated that the authorization should expire on 31 December 1992;

Whereas at present, proper kiln-drying is an effective measure to protect the Community against the introduction of certain organisms affecting wood of conifers; whereas, however, various kiln-drying schedules are commonly applied to different timber species in order to dry them to a suitable level for end-use application; whereas these drying processes require the application of heat at various intensities and durations;

Whereas a Community research programme has been set up to define parameters in the case of heat-treatment which ensure the eradication of the *Bursaphelenchus xylophilus* and its vectors, in order to enable the Commission to lay down the permanent requirements to safeguard against the spread of the said organisms;

Whereas the results of that research have been the basis for amendment and revision of the relevant Annexes IV and V to the said Directive;

Whereas, however, according to the provisions of Council Directive 91/683/EEC⁽⁶⁾ Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with Directive 91/683/EEC six months after the revisions of Annexes I to V to Directive 77/93/EEC;

Whereas it appears that the revision has been delayed;

⁽¹⁾ OJ No L 56, 2. 3. 1991, p. 26.

⁽²⁾ OJ No L 341, 12. 12. 1991, p. 34.

⁽³⁾ OJ No L 6, 11. 1. 1992, p. 45.

⁽⁴⁾ OJ No L 376, 31. 12. 1991, p. 29.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 363, 31. 12. 1992, p. 1.

Whereas the authorization is applicable without prejudice to the abolition of the intra-Community border controls from 1 January 1993;

Whereas the authorization should therefore be extended for a further limited period;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 90/505/EEC is hereby amended as follows:

Article 3 is replaced by:

'The authorization granted in Article 1 shall apply for a period expiring on the deadline for implementation into national legislation of the modifications to Directive 77/93/EEC as referred to in Article 3 (1) in Direc-

tive 91/683/EEC, being the last date of entry into the Community. It shall be revoked earlier if it is established that the conditions laid down in Article 1 (2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with.'

Article 2

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Portugal and the United Kingdom.

Done at Brussels, 16 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 16 December 1992

amending Decision 89/380/EEC authorizing certain Member States provisionally to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Pinus L.* originating in Japan

(93/31/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 92/103/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by the Member States concerned,

Whereas, under the provisions of Directive 77/93/EEC, plants of *Pinus L.*, other than fruit and seeds, originating in non-European countries, may in principle not be introduced into the Community;

Whereas by Decision 89/380/EEC⁽³⁾ the Commission authorized a derogation under special technical conditions in respect of *Pinus* plants of the bonsai type, originating in Japan;

Whereas that Decision stipulated that the authorization shall expire on 31 December 1992;

Whereas the provisions laid down in the Annexes to Directive 77/93/EEC have been subjected to a review taking into account a pest risk assessment to adapt the relevant provisions to the single market concept;

Whereas that pest risk assessment has been the basis for an amendment and revision of the relevant provisions of the said Directive;

Whereas, however, according to the provisions of Council Directive 91/683/EEC⁽⁴⁾ Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with Directive 91/683/EEC six months after the revisions of Annexes I to V to Directive 77/93/EEC;

Whereas it appears that the revision has been delayed;

Whereas the authorization is applicable without prejudice to the abolition of the intra-Community border controls from 1 January 1993;

Whereas the circumstances justifying the authorization still obtain;

Whereas the authorization should therefore be extended for a further period;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 89/380/EEC is hereby amended as follows:

1. in Article 1 (2) (g), '89/380/EEC' is replaced by '93/31/EEC';
2. in Article 4, the words 'expire on 31 December 1992' are replaced by 'apply for a period expiring on the deadline for implementation into national legislation of the modifications to Directive 77/93/EEC as referred to in Article 3 (1) to Directive 91/683/EEC, this being the last date of entry into the Community.'

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Portugal and the United Kingdom.

Done at Brussels, 16 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 363, 11. 12. 1992, p. 1.

⁽³⁾ OJ No L 180, 27. 6. 1989, p. 56.

⁽⁴⁾ OJ No L 376, 31. 12. 1991, p. 29.

COMMISSION DECISION

of 16 December 1992

amending Decision 89/279/EEC authorizing certain Member States provisionally to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Juniperus L.* originating in Japan

(93/32/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 92/103/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by the Member States concerned,

Whereas, under the provisions of Directive 77/93/EEC, plants of *Juniperus L.*, other than fruit and seeds, originating in non-European countries, may in principle not be introduced into the Community;

Whereas by Decisions 89/279/EEC⁽³⁾ and 91/603/EEC⁽⁴⁾, the Commission authorized a derogation under special technical conditions in respect of *Juniperus* plants of the bonsai type, originating in Japan;

Whereas Decision 91/603/EEC stipulated that the authorization shall expire on 31 March 1992;

Whereas the provisions laid down in the Annexes to Directive 77/93/EEC have been subjected to a review taking into account a pest risk assessment to adapt the relevant provisions to the single market concept;

Whereas that pest risk assessment has been the basis for an amendment and revision of the relevant provisions of the said Directive;

Whereas, however, according to the provisions of Council Directive 91/683/EEC⁽⁵⁾ Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with Directive 91/683/EEC six months after the revisions of Annexes I to V to Directive 77/93/EEC;

Whereas it appears that the revision has been delayed;

Whereas the authorization is applicable without prejudice to the abolition of the intra-Community border controls from 1 January 1993;

Whereas the circumstances justifying the authorization still obtain;

Whereas the authorization should therefore be extended for a further period;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 89/279/EEC is hereby amended as follows:

1. in Article 1 (2) (g), '91/603/EEC' is replaced by '93/32/EEC';
2. in Article 3, '31 March 1992' is replaced by '31 March 1993'.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Portugal and the United Kingdom.

Done at Brussels, 16 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 363, 11. 12. 1992, p. 1.

⁽³⁾ OJ No L 110, 21. 4. 1989, p. 47.

⁽⁴⁾ OJ No L 325, 27. 11. 1991, p. 24.

⁽⁵⁾ OJ No L 376, 31. 12. 1991, p. 29.

COMMISSION DECISION

of 16 December 1992

amending Commission Decision 89/599/EEC approving derogations provided for by Greece, Italy and Portugal from certain provisions of Council Directive 77/93/EEC in respect of seed potatoes originating in Canada

(Only the Greek, Italian and Portuguese texts are authentic)

(93/33/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 92/103/EEC⁽²⁾, and in particular Article 14 (2) thereof,

Whereas, pursuant to Directive 77/93/EEC, potato tubers originating in the American continent may not, in principle, be brought into the Community unless their faculty of germination has been suppressed, in view of the risk of the introduction of potato spindle tuber viroid, and unless — if they originate in a country where *Corynebacterium sepedonicum* is known to occur — provisions recognized as equivalent to the Community provisions on combating this harmful organism have been complied with in the country of origin;

Whereas, nevertheless, Article 14 (1) (c) (iii) of the above-mentioned Directive permits Member States to provide for derogations with regard to the rule relating to the suppression of the faculty of germination, provided that there is no risk of harmful organisms spreading; whereas these derogations are subject to approval, under certain conditions, in accordance with Article 14 (2) and must also comply with the conditions laid down in Annex IV, part A (24);

Whereas in Greece, Italy and Portugal the growing of potatoes of certain North American varieties has been an established practice; whereas part of the supply of seed potatoes of these varieties has been ensured by imports from Canada;

Whereas, by Decisions 86/120/EEC⁽³⁾, 87/154/EEC⁽⁴⁾, as amended by Decision 87/311/EEC⁽⁵⁾, 88/176/EEC⁽⁶⁾, as amended by Decision 88/496/EEC⁽⁷⁾, 89/32/EEC⁽⁸⁾ and

89/599/EEC⁽⁹⁾, as last amended by Decision 92/468/EEC⁽¹⁰⁾; the Commission approved derogations based on the concept of 'area freedom', subject to certain technical conditions to prevent the risk of harmful organisms spreading; whereas that approval expired on 31 December 1992; whereas the Commission also provided that those derogations would provide for the opportunity to seek confirmation of the proper functioning of the concept of 'area freedom';

Whereas Greece, Italy and Portugal have stated that they intend to provide for derogations for the next seed-potato marketing season;

Whereas it is known that Canada is still not free from potato spindle tuber viroid or from *Corynebacterium sepedonicum*;

Whereas Canada has further developed its programme to eradicate these harmful organisms in the provinces of New Brunswick and Prince Edward Island; whereas there are good reasons to believe that the programme to eradicate potato spindle tuber viroid has become fully effective in these provinces, and that the programme to eradicate *Corynebacterium sepedonicum* has become fully effective in certain areas of these provinces; whereas there have been no findings of the disease on samples drawn from seed potatoes imported pursuant to Decision 91/592/EEC; whereas it has not been established that there are sufficient elements which would militate against the proper functioning of the aforementioned concept of 'area freedom' and therefore against the recognition of the provisions implemented there as equivalent to the Community provisions on combating *Corynebacterium sepedonicum*;

Whereas it can therefore be established that there is no risk of the harmful organisms in question spreading, provided that the seed potatoes originate in areas declared, on scientific evidence, free from both potato spindle tuber viroid and from *Corynebacterium sepedonicum*, and that certain improved special technical conditions are

(1) OJ No L 26, 31. 1. 1977, p. 20.

(2) OJ No L 363, 11. 12. 1992, p. 1.

(3) OJ No L 99, 15. 4. 1986, p. 31.

(4) OJ No L 65, 10. 3. 1987, p. 12.

(5) OJ No L 159, 19. 6. 1987, p. 19.

(6) OJ No L 80, 25. 3. 1988, p. 48.

(7) OJ No L 266, 27. 9. 1988, p. 39.

(8) OJ No L 15, 19. 1. 1989, p. 21.

(9) OJ No L 344, 25. 11. 1989, p. 31.

(10) OJ No L 264, 10. 9. 1992, p. 25.

complied with ; whereas the Commission will ensure that Canada makes all technical information available which is necessary to monitor the functioning of the protective measures required under the aforementioned technical conditions and to assess the functioning of the aforementioned concept of 'area freedom' ;

Whereas, therefore, the derogations provided for by Greece, Italy and Portugal should be approved for the next seed-potato marketing season, provided that they include the aforementioned conditions and without prejudice to Council Directive 66/403/EEC ⁽¹⁾, as last amended by Directive 92/17/EEC ⁽²⁾, and to Directive 70/457/EEC ⁽³⁾, as last amended by Directive 90/654/EEC ⁽⁴⁾ ;

Whereas the conditions laid down in the said Annex IV, part A point 24 have been subjected to a review taking into account a pest risk assessment to adapt the relevant Annex entry to the single market concept ;

Whereas that pest risk assessment has been the basis for an amendment and revision of the relevant Annex IV to the said Directive ;

Whereas, however, according to the provisions of Council Directive 91/683/EEC ⁽⁵⁾ Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with Directive 91/683/EEC six months after the revisions of Annexes I to V to Directive 77/93/EEC ;

Whereas it appears that the revision has been delayed ;

Whereas the authorization is applicable without prejudice to the abolition of the intra-Community border controls from 1 January 1993 ;

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

HAS ADOPTED THIS DECISION :

Article 1

Decision 89/599/EEC is hereby amended as follows :

1. in Article 1 (2) (f), '15 January 1993' is replaced by '15 April 1993' ;
2. in Article 2, '1 March 1993' is replaced by '1 June 1993' ;
3. in Article 3, '1 November 1992 until 31 December 1992' is replaced by '31 March 1993' ;
4. in Article 3, '31 December 1992' is replaced by '31 March 1993'.

Article 2

This Decision is addressed to the Hellenic Republic, to the Italian Republic and to the Portuguese Republic.

Done at Brussels, 16 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2360/66.

⁽²⁾ OJ No L 82, 27. 3. 1992, p. 69.

⁽³⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽⁴⁾ OJ No L 353, 17. 12. 1990, p. 48.

⁽⁵⁾ OJ No L 376, 31. 12. 1991, p. 29.

COMMISSION DECISION
of 16 December 1992
authorizing methods for grading pig carcasses in Portugal
(Only the Portuguese text is authentic)

(93/34/EEC)

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

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 5 (2) thereof,

Whereas Article 2 (3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; whereas the authorization of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; whereas this tolerance has been defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽³⁾;

Whereas the Government of Portugal has requested the Commission to authorize the use of three methods for grading pig carcasses on its territory and has submitted the information required in Article 3 of Regulation (EEC) No 2967/85; whereas an examination of this request has revealed that the conditions for authorizing the said grading methods are fulfilled;

Whereas no modification of the apparatus or grading method may be authorized except by means of a new Commission Decision adopted in the light of experience gained;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorized for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in Portugal:

- the apparatus termed 'Intrascop (Optical Probe)' and assessment methods related thereto, details of which are given in Part 1 of the Annex,
- the apparatus termed 'Fat-O-Meater (FOM)' and assessment methods related thereto, details of which are given in Part 2 of the Annex,
- the apparatus termed 'Hennessy Grading Probe (HGP II)' and assessment methods related thereto, details of which are given in Part 3 of the Annex.

Article 2

Modifications of the apparatus or of the assessment methods shall not be authorized.

Article 3

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 16 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 285, 25. 10. 1985, p. 39.

ANNEX

PART 1

Intrascop (Optical Probe)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Intrascop (Optical Probe)'.
2. The apparatus shall be equipped with a hexagonal-shaped probe of a maximum width of 12 mm (and of 19 mm at the blade at the top of the probe) containing a viewing window and a light source, a sliding barrel calibrated in millimetres, and having an operating distance of between 3 and 45 mm.
3. The lean meat content of the carcass should be calculated according to the following formula:

$$\hat{y} = 60,6676 - 0,7972 X_1 + 0,1243 X_2$$

where:

\hat{y} = the estimated percentage of lean meat in the carcass,

X_1 = the thickness of backfat (including rind) in millimetres, measured at 8 cm off the midline of the carcass between the third and fourth lumbar vertebrae,

X_2 = the weight of the hot carcass in kilograms.

The formula shall be valid for carcasses weighing between 50 and 110 kg.

PART 2

Fat-O-Meater (FOM)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater (FOM)', model S87.
2. The apparatus shall be equipped with a probe of 6 mm diameter containing a photodiode of the Siemens SFH 950/960 type and having an operating distance of between 3 and 103 mm. The results of the measurements are converted into estimated lean meat content by means of a computer.
3. The lean meat content of the carcass should be calculated according to the following formula:

$$\hat{y} = 56,4512 - 0,5050 X_1 - 0,3680 X_2 + 0,2165 X_3$$

where:

\hat{y} = the estimated percentage of lean meat in the carcass,

X_1 = the thickness of backfat (including rind) in millimetres, measured at 6 cm off the midline of the carcass at the last rib,

X_2 = the thickness of backfat (including rind) in millimetres, measured at 6 cm off the midline of the carcass between the third and fourth last ribs,

X_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as X_2 .

The formula shall be valid for carcasses weighing between 50 and 110 kg.

PART 3

Hennessy Grading Probe (HGP II)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Hennessy Grading Probe (HGP II)'.
2. The apparatus shall be equipped with a probe of 5,95 mm diameter (and of 6,3 mm at the blade of the top of the probe) containing a photodiode (Siemens LED of the type LYU 260-EO and photodetector of the type 58 MR) and having an operating distance of between 0 and 120 mm. The results of the measurements shall be converted into estimated lean meat content by means of the HGP II itself or a computer linked to it.
3. The lean meat content of the carcass should be calculated according to the following formula:

$$\hat{y} = 57,4823 - 0,3576 X_1 - 0,4496 X_2 + 0,2023 X_3$$

where:

\hat{y} = the estimated percentage of lean meat in the carcass,

X_1 = the thickness of backfat (including rind) in millimetres, measured at 6 cm off the midline of the carcass at the last rib,

X_2 = the thickness of backfat (including rind) in millimetres, measured at 6 cm off the midline of the carcass between the third and fourth last ribs,

X_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as X_2 .

The formula shall be valid for carcasses weighing between 50 and 110 kg.

COMMISSION DECISION

of 17 December 1992

to take no action on the tenders received in response to the invitation to tender for the private storage aid of carcasses and half-carcasses of lamb issued under Regulation (EEC) No 3490/92

(93/35/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 2069/92⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat⁽³⁾, as amended by Regulation (EEC) No 1258/91⁽⁴⁾, and in particular Article 12 (1) (f) thereof,

Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat⁽⁵⁾, as last amended by Regulation (EEC) No 1258/91, completes the provisions of Regulation (EEC) No 3446/90 and provides in particular for detailed rules on the tendering procedure;

Whereas Commission Regulation (EEC) No 3490/92⁽⁶⁾ invites tenders for the fixing of aid for the private storage of carcasses and half-carcasses of lamb;

Whereas according to Article 12 (1) (f) of Regulation (EEC) No 3446/90 on the basis of the tenders received it is necessary to fix a maximum amount for private storage aid or make no award;

Whereas examination of the offers received, in the light of the current market situation, leads to no award of aid;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS DECISION:

Article 1

For the invitation to tender opened by Regulation (EEC) 3490/92, no award of aid is made.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 59.

⁽³⁾ OJ No L 333, 30. 11. 1990, p. 39.

⁽⁴⁾ OJ No L 120, 15. 5. 1991, p. 15.

⁽⁵⁾ OJ No L 333, 30. 11. 1990, p. 46.

⁽⁶⁾ OJ No L 353, 3. 12. 1992, p. 20.

COMMISSION DECISION

of 18 December 1992

amending Decision 89/152/EEC authorizing certain Member States to provide for exceptions from certain provisions of Council Directive 77/93/EEC in respect of potatoes for human consumption originating in Cuba

(Only the Dutch, French and German texts are authentic)

(93/36/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 92/103/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by Belgium, the Federal Republic of Germany, Luxembourg and the Netherlands,

Whereas under the provisions of Directive 77/93/EEC, potato tubers originating in Cuba may in principle not be introduced into the Community because of the risk of introducing exotic potato diseases unknown in the Community;

Whereas the early growing in Cuba of potatoes for human consumption from seed potatoes supplied by Member States has become an established practice; whereas part of the early supply of potatoes for human consumption in the Community has been ensured by imports of such material from Cuba;

Whereas by Decisions 87/306/EEC⁽³⁾, 88/223/EEC⁽⁴⁾, 89/152/EEC⁽⁵⁾ and 91/593/EEC⁽⁶⁾, the Commission authorized derogations under special technical conditions in respect of potatoes for human consumption originating in Cuba;

Whereas Decision 91/593/EEC stipulated that the authorization shall expire on 30 April 1992;

Whereas the provisions laid down in the Annexes to Directive 77/93/EEC have been subjected to a review

taking into account a pest risk assessment to adapt the relevant provisions to the single market concept;

Whereas that pest risk assessment has been the basis for an amendment and revision of the relevant provisions of the said Directive;

Whereas, however, according to the provisions of Council Directive 91/683/EEC⁽⁷⁾ Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with Directive 91/683/EEC six months after the revisions of Annexes I to V to Directive 77/93/EEC;

Whereas it appears that the revision has been delayed;

Whereas the authorization is applicable without prejudice to the abolition of the intra-Community border controls from 1 January 1993;

Whereas the circumstances justifying the authorization still obtain;

Whereas the authorization should therefore be extended for a further period;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 89/152/EEC is hereby amended as follows:

1. in Article 2 (1), '30 April 1992' is replaced by '30 April 1993, being the last day of entry into the Community';
2. in Annex II, point 8, '1991' is replaced by '...'

⁽⁷⁾ OJ No L 376, 31. 12. 1991, p. 29.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 363, 11. 12. 1992, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 41.

⁽⁴⁾ OJ No L 100, 19. 4. 1988, p. 44.

⁽⁵⁾ OJ No L 59, 2. 3. 1989, p. 29.

⁽⁶⁾ OJ No L 316, 16. 11. 1991, p. 47.

Article 2

Done at Brussels, 18 December 1992.

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 18 December 1992

amending Decision 91/28/EEC authorizing certain Member States to provide for exceptions from certain provisions of Directive 77/93/EEC in respect of potatoes for human consumption originating in Turkey

(Only the Dutch, French and German texts are authentic)

(93/37/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 92/103/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by Belgium, the Federal Republic of Germany, Luxembourg and the Netherlands,

Whereas under the provisions of Directive 77/93/EEC, potato tubers originating in Turkey may in principle not be introduced into the Community because of the risk of introducing exotic potato diseases unknown in the Community;

Whereas by Commission Decisions 91/28/EEC⁽³⁾ and 91/610/EEC⁽⁴⁾, the Commission authorized derogations under revised conditions in respect of potatoes for human consumption originating in Turkey;

Whereas Decision 91/610/EEC stipulated that the authorization shall expire on 15 June 1992;

Whereas the provisions laid down in the annexes to Directive 77/93/EEC have been subjected to a review taking into account a pest risk assessment to adapt the relevant provisions to the single market concept;

Whereas that pest risk assessment has been the basis for an amendment and revision of the relevant provisions of the said Directive;

Whereas, however, according to the provisions of Council Directive 91/683/EEC⁽⁵⁾ Member States shall bring into

force the laws, regulations or administrative provisions necessary to comply with Directive 91/683/EEC six months after the revisions of Annexes I to V to Directive 77/93/EEC;

Whereas it appears that the revision has been delayed;

Whereas the authorization is applicable without prejudice to the abolition of the intra-Community border controls from 1 January 1993;

Whereas the circumstances justifying the authorization still obtain;

Whereas the authorization should therefore be extended for a further period;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 91/28/EEC is hereby amended as follows:

1. in Article 1 (2) (e), '1991' is replaced by '1992';
2. in Article 2 (1), the words 'between 1 February 1992 and 15 June 1992' are replaced by 'starting 1 February 1993 and expiring on the deadline for implementation into national legislation of the modifications to Directive 77/93/EEC as referred to in Article 3 (1) to Directive 91/683/EEC, or on 15 June 1993, whichever is the earlier date, this being the last day of entry into the Community';
3. in Article 3, '1 August 1992' is replaced by '1 August 1993';
4. in Annex II, point 8, '91/610/EEC' is replaced by '93/37/EEC'.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 363, 11. 12. 1992, p. 1.

⁽³⁾ OJ No L 16, 22. 1. 1991, p. 31.

⁽⁴⁾ OJ No L 331, 3. 12. 1991, p. 22.

⁽⁵⁾ OJ No L 376, 31. 12. 1991, p. 29.

Article 2

Done at Brussels, 18 December 1992.

This Decision is addressed to the Kingdom of Belgium,
the Federal Republic of Germany, the Grand Duchy of
Luxembourg and the Kingdom of the Netherlands.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION.

of 18 December 1992

amending Commission Decision 85/634/EEC authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of oak wood originating in Canada or the United States of America

(Only the Danish, Dutch, French, German, Italian and Spanish texts are authentic)

(93/38/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 92/103/EEC⁽²⁾, and in particular Article 14 (3), second indent thereof,

Having regard to requests made by the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the Kingdom of Spain,

Whereas, pursuant to the provisions of Directive 77/93/EEC, oak wood with bark attached, originating in North American countries, may, in principle, not be introduced into the Community because of the risk of introducing *Ceratocystis fagacearum*, the cause of oak wilt;

Whereas Commission Decisions 85/634/EEC⁽³⁾, 89/256/EEC⁽⁴⁾, 90/548/EEC⁽⁵⁾, 91/21/EEC⁽⁶⁾ and 92/437/EEC⁽⁷⁾, permit derogations for oak wood originating in Canada and the United States of America for a given period, subject to its revision in the light of experience to be gained;

Whereas Decision 92/437/EEC, stipulated that the authorization should expire on 31 December 1992;

Whereas the provisions laid down in the annexes to Directive 77/93/EEC have been subjected to a review taking into account a pest risk assessment to adapt the relevant provisions to the single market concept;

Whereas that pest risk assessment has been the basis for an amendment and revision of the relevant provisions of the said Directive;

Whereas, however, according to the provisions of Council Directive 91/683/EEC⁽⁸⁾ Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with Directive 91/683/EEC six months after the revisions of Annexes I to V to Directive 77/93/EEC;

Whereas it appears that the revision has been delayed;

Whereas the authorization is applicable without prejudice to the abolition of the intra-Community border controls from 1 January 1993;

Whereas, on the basis of the information available at present, the conditions for the derogations in the aforementioned Decisions should be maintained;

Whereas, therefore, the period for which derogations in respect of oak wood originating in Canada and the United States of America are granted should be extended for a further limited period;

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 4 of Decision 85/634/EEC, the words 'expire on 31 December 1992' are replaced by 'apply for a period expiring on the deadline for implementation into national legislation of the modifications to Directive 77/93/EEC as referred to in Article 3 (1) to Directive 91/683/EEC'.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 363, 11. 12. 1992, p. 1.

⁽³⁾ OJ No L 379, 31. 12. 1985, p. 45.

⁽⁴⁾ OJ No L 106, 18. 4. 1989, p. 45.

⁽⁵⁾ OJ No L 313, 13. 11. 1990, p. 34.

⁽⁶⁾ OJ No L 13, 18. 1. 1991, p. 20.

⁽⁷⁾ OJ No L 239, 22. 8. 1992, p. 15.

⁽⁸⁾ OJ No L 376, 31. 12. 1991, p. 29.

Article 2

Done at Brussels, 18 December 1992.

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the Kingdom of Spain.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 18 December 1992

concerning the status of Guernsey with regard to infectious hematopoietic necrosis and viral haemorrhagic septicaemia

(93/39/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/67/EEC of 2 January 1991 concerning the animal health conditions governing the placing on the market of aquatic animals and products⁽¹⁾, and in particular Article 5 thereof,Whereas Council Regulation (EEC) No 706/73 of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products⁽²⁾, as amended by Regulation (EEC) No 1174/86⁽³⁾, lays down that the veterinary legislation shall apply to these islands under the same conditions as in the United Kingdom for the products imported into the islands or exported from the islands to the Community;

Whereas Member States can obtain for one or more continental and coastal zones, the status of approved zone, free of certain diseases affecting fish or molluscs;

Whereas, to that effect, the United Kingdom, by letter dated 9 October 1992, has submitted the appropriate justifications for granting, as far as infectious hematopoietic necrosis (IHN) and viral haemorrhagic septicaemia (VHS) are concerned, the status of approved zone to Guernsey, as well as the national rules ensuring compliance with the conditions to be respected for the maintenance of the approved status;

Whereas, after scrutiny, this information allows, as far as IHN and VHS are concerned, to grant the status of approved continental and coastal zone to Guernsey;

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

HAS ADOPTED THIS DECISION:

Article 1

Guernsey is recognized as approved continental zone and approved coastal zone for fish with regard to infectious hematopoietic necrosis and viral haemorrhagic septicaemia.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 46, 19. 2. 1991, p. 1.⁽²⁾ OJ No L 68, 15. 3. 1973, p. 1.⁽³⁾ OJ No L 107, 24. 4. 1986, p. 1.

COMMISSION DECISION

of 18 December 1992

concerning the status of the Isle of Man with regard to infectious hematopoietic necrosis and viral haemorrhagic septicaemia

(93/40/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/67/EEC of 2 January 1991 concerning the animal health conditions governing the placing on the market of aquatic animals and products⁽¹⁾, and in particular Article 5 thereof,Whereas Council Regulation (EEC) No 706/73 of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products⁽²⁾, as amended by Regulation (EEC) No 1174/86⁽³⁾, lays down that the veterinary legislation shall apply to these islands under the same conditions as in the United Kingdom for the products imported into the islands or exported from the islands to the Community;

Whereas Member States can obtain for one or more continental and coastal zones, the status of approved zone, free of certain diseases affecting fish or molluscs;

Whereas, to that effect, the United Kingdom, by letter dated 9 October 1992, has submitted the appropriate justifications for granting, as far as infectious hematopoietic necrosis (IHN) and viral haemorrhagic septicaemia (VHS) are concerned, the status of approved zone to the Isle of Man, as well as the rules applicable to the Isle of Man ensuring compliance with the conditions to be respected for the maintenance of the approved status;

Whereas, after scrutiny, this information allows, as far as IHN and VHS are concerned, to grant the status of approved continental and coastal zone to the Isle of Man;

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

HAS ADOPTED THIS DECISION:

Article 1

The Isle of Man is recognized as approved continental zone and approved coastal zone for fish with regard to infectious hematopoietic necrosis and viral haemorrhagic septicemia.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 46, 19. 2. 1991, p. 1.⁽²⁾ OJ No L 68, 15. 3. 1973, p. 1.⁽³⁾ OJ No L 107, 24. 4. 1986, p. 1.

COMMISSION DECISION

of 18 December 1992

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

(93/41/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)⁽¹⁾, as last amended by Regulation (EEC) No 444/92⁽²⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 815/91⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 December 1992, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 January 1993, should be fixed within the scope of the total quantity of 49 600 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine and fresh meat or meat-based products from third countries⁽⁵⁾, as last amended by Council Regulation (EEC) No 1601/92⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 December 1992 import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

Germany:

- 260,00 tonnes originating in Botswana,
- 80,00 tonnes originating in Zimbabwe,
- 187,00 tonnes originating in Namibia;

United Kingdom:

- 30,00 tonnes originating in Botswana,
- 260,00 tonnes originating in Zimbabwe,
- 220,00 tonnes originating in Namibia.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 83, 3. 4. 1991, p. 6.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of January 1993 in respect of the following quantities of boned beef and veal:

— Botswana :	18 916,00 tonnes,
— Kenya :	142,00 tonnes,
— Madagascar :	7 579,00 tonnes,
— Swaziland :	3 363,00 tonnes,
— Zimbabwe :	9 100,00 tonnes,
— Namibia :	10 500,00 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION
of 21 December 1992
concerning additional guarantees relating to infectious bovine rhinotracheitis
for bovines destined for Denmark

(93/42/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC⁽¹⁾ of 26 June 1964 on animal health problems affecting intra-community trade in bovine animals and swine, as last amended by Directive 92/65/EEC⁽²⁾ and in particular Article 10 thereof,

Whereas Denmark considers that its territory is free from infectious bovine rhinotracheitis and has submitted documentation to the Commission as provided for in Article 10 of Directive 64/432/EEC;

Whereas an eradication programme was commenced in Denmark for IBR in 1984;

Whereas the programme is regarded to have been successful in eradicating this disease from Denmark;

Whereas the authorities of Denmark apply for national movement of bovine animals rules at least equivalent as those foreseen in the present Decision;

Whereas it is appropriate to propose certain additional guarantees to protect the progress made in Denmark;

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

HAS ADOPTED THIS DECISION:

Article 1

Bovine animals intended for breeding and production coming from other member states and destined for Denmark must fulfill the following conditions:

1. according to official information, no clinical or pathological evidence of IBR disease must have been recorded in the herd of origin for the past 12 months;

2. the bovines must have been isolated in accommodation approved by the competent authority for the 30 days immediately prior to movement;
3. the bovines must have been subjected to a serological test for IBR on sera taken at least 21 days after entry into isolation, with negative results. All animals in isolation must also have given negative results to this test;
4. The bovines must not have been vaccinated against IBR.

Article 2

Bovines intended for slaughter coming from other Member States and destined for Denmark must be transported directly to the slaughterhouse of destination.

Article 3

The health certificate provided for in Annex F of Council Directive 64/432/EEC must be completed by the following for bovines being sent to Denmark:

'bovines in accordance with Commission Decision 93/42/EEC of 21 December 1992 concerning IBR for bovines being sent to Denmark.'

Article 4

This Decision shall enter into force on 1 January 1993.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 21 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1988/64.

⁽²⁾ OJ No L 268, 14. 9. 1992, p. 54.

COMMISSION DECISION

of 21 December 1992

relating to the application of Council Directive 72/166/EEC on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability

(93/43/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability⁽¹⁾, as last amended by Directive 90/232/EEC⁽²⁾, and in particular Articles 2 (2) and 7 (3) thereof,

Whereas the present relationships between the national insurers' bureaux of the Member States, Austria, Finland, Norway, Sweden, Switzerland, Hungary and Czechoslovakia as defined in Article 1 (3) of Directive 72/166/EEC ('bureaux') which collectively provide for the practical means to abolish insurance inspection in the case of vehicles normally based in the territories of the 19 countries, are governed by the following agreements supplementary to the uniform agreement on the green card system between national insurers' bureaux of 2 November 1951 ('supplementary agreements') which have been concluded:

- on 12 December 1973 between the bureaux of the nine Member States and those of Austria, Finland, Norway, Sweden and Switzerland and extended on 15 March 1986 to the bureaux of Portugal and Spain and on 9 October 1987 to the bureau of Greece,
- on 22 April 1974 between the 14 original signatories of the supplementary agreement of 12 December 1973 and the bureau of Hungary,
- on 22 April 1974 between the 14 original signatories of the supplementary agreement of 12 December 1973 and the bureau of Czechoslovakia,
- on 14 March 1986 between the bureau of Greece and those of Czechoslovakia and Hungary;

Whereas the Commission subsequently adopted Decisions 74/166/EEC⁽³⁾, 74/167/EEC⁽⁴⁾, 75/23/EEC⁽⁵⁾, 86/218/EEC⁽⁶⁾, 86/219/EEC⁽⁷⁾, 86/220/EEC⁽⁸⁾,

88/367/EEC⁽⁹⁾, 88/368/EEC⁽¹⁰⁾ and 88/369/EEC⁽¹¹⁾ relating to the application of Directive 72/166/EEC requiring each Member State to refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the European territory of another Member State or in the territories of Hungary, Czechoslovakia, Sweden, Finland, Norway, Austria and Switzerland and which are the subject of the supplementary agreements;

Whereas the bureaux have reviewed and unified the texts of the supplementary agreements and replaced them by a single agreement ('the multilateral guarantee agreement') which was concluded on 15 March 1991 in conformity with the principles laid down in Article 2 (2) of Directive 72/166/EEC;

Whereas the Commission subsequently adopted Decision 91/323/EEC⁽¹²⁾ of 30 May 1991 annulling the supplementary agreements requiring Member States to refrain from making checks on insurance against civil liability on vehicles which are normally based in the European territory of another Member State or in the territories of Hungary, Czechoslovakia, Sweden, Finland, Norway, Austria and Switzerland replacing these supplementary agreements by the multilateral guarantee agreement as from 1 June 1991;

Whereas Iceland on 3 December 1992 signed the multilateral guarantee agreement,

HAS ADOPTED THIS DECISION:

Article 1

As from 1 January 1993, each Member State shall refrain from making checks on insurance against civil liability in

⁽¹⁾ OJ No L 103, 2. 5. 1972, p. 1.⁽²⁾ OJ No L 129, 19. 5. 1990, p. 35.⁽³⁾ OJ No L 87, 30. 3. 1974, p. 13.⁽⁴⁾ OJ No L 87, 30. 3. 1974, p. 14.⁽⁵⁾ OJ No L 6, 10. 1. 1975, p. 33.⁽⁶⁾ OJ No L 153, 7. 6. 1986, p. 52.⁽⁷⁾ OJ No L 153, 7. 6. 1986, p. 53.⁽⁸⁾ OJ No L 153, 7. 6. 1986, p. 54.⁽⁹⁾ OJ No L 181, 12. 7. 1988, p. 45.⁽¹⁰⁾ OJ No L 181, 12. 7. 1988, p. 46.⁽¹¹⁾ OJ No L 181, 12. 7. 1988, p. 47.⁽¹²⁾ OJ No L 177, 5. 7. 1991, p. 25.

respect of vehicles which are normally based in the territory of Iceland and which are the subject of the multilateral guarantee agreement between national insurers' bureaux of 15 March 1991.

Article 2

Member States shall forthwith inform the Commission of measures taken to apply this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 December 1992.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION DECISION

of 21 December 1992

approving the programmes concerning spring viremia of carp submitted by the United Kingdom, and defining the additional guarantees for certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey

(93/44/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 governing the placing on the market of aquatic animals and products⁽¹⁾, and in particular Article 12 thereof,

Whereas Council Regulation (EEC) No 706/73 of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products⁽²⁾, as amended by Regulation (EEC) No 1174/86⁽³⁾, lays down that the veterinary legislation shall apply to these islands under the same conditions as in the United Kingdom for the products imported into the islands or exported from the islands to the Community;

Whereas the Member States may submit to the Commission a voluntary or compulsory control programme for certain diseases affecting fish;

Whereas the United Kingdom, by letters dated 26 May, 31 July and 9 October 1992, has submitted programmes concerning spring viremia of carp of Great Britain and Northern Ireland, and for Guernsey and the Isle of Man respectively;

Whereas these programmes fulfil the conditions referred to in Article 12 of Directive 91/67/EEC;

Whereas it is necessary to define the additional guarantees which may be required for the introduction of certain fish species in the zones concerned by the programmes;

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

HAS ADOPTED THIS DECISION:

Article 1

The programmes concerning spring viremia of carp (SVC), submitted by the United Kingdom for Great

Britain, Northern Ireland, the Isle of Man and Guernsey, are approved.

Article 2

1. The introduction into the zones referred to in Article 1 of live fish belonging to the species susceptible to SVC listed in Annex A to Directive 91/67/EEC and of their eggs not intended for direct human consumption shall be subject:

(a) either to the respect of following conditions:

- (i) SVC must be a notifiable disease in the region of origin;
- (ii) reports of suspected infection in cyprinids must be immediately investigated by the official services for the region of origin;
- (iii) infected sites in the region of origin must be designated as infected;
- (iv) they shall not come from sites designated as infected by the official services of the region of origin;

(b) or to the respect of following conditions:

- (i) the site of origin must at the time of the year when SVC is expected to manifest itself, have been submitted, for at least two years, to an annual inspection by the official services at the place of origin and laboratory tests for the isolation of the virus must have been carried out;
- (ii) in the case of sites already infected,

— it must have been submitted for at least three years to the tests referred to in (i), after which period susceptible species certified as being free of the disease are exposed to the population under control for proving the absence of the virus,

or

— its population must have been eliminated and its installations disinfected; in that event, restocking must be carried out using species certified as being free of the disease;

⁽¹⁾ OJ No L 46, 19. 2. 1991, p. 1.

⁽²⁾ OJ No L 68, 15. 3. 1973, p. 1.

⁽³⁾ OJ No L 107, 24. 4. 1986, p. 1.

(iii) in the sites referred to under (i) and (ii), all species introduced must originate from an origin certified as being free of the disease.

2. In addition to the requirements laid down in paragraph 1, the consignments must be accompanied by a certificate, completed by the official service, certifying that the site of origin complies with the conditions of Commission Decision 93/44/EEC.

Article 3

The United Kingdom shall bring into force the laws, regulations and administrative provisions necessary to

comply with the programmes referred to in Article 1 by 1 January 1993.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 21 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 22 December 1992

concerning the granting of financial support for pilot schemes to promote combined transport

(93/45/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community,

Whereas the present situation and expected development of transport in the Community makes it necessary to manage the Community's transport resources to optimum effect in accordance with environmental protection requirements; whereas this means encouraging the use of combined transport, as stated by the Council in its resolution of 30 October 1990 on setting up a European combined transport network⁽¹⁾;

Whereas the establishment of a combined transport network should be supplemented by measures concerning the organization of intermodal transport chains;

Whereas, since such measures constitute a new field, it is necessary to acquire the essential know-how in order to be able to explore the usefulness of a common policy in this sphere; whereas, therefore, pilot projects should be launched with the aim of gathering information on the feasibility of measures to organize intermodal transport chains;

Whereas, in accordance with the principle of the free choice of transport mode, these pilot projects must include financial support measures which will help develop good quality services through effective cooperation which observes the rules of competition between operators;

Whereas this financial support, which is intended to promote measures to organize the chain of the relevant modes of transport, must focus on a wide range of qualitative measures, excluding the financing of physical infrastructure or technological research projects, either in the form of studies, in particular feasibility studies, or of a financial contribution to innovative schemes aimed at improving the quality of the service;

Whereas the financial support must be provided for a limited period and act as a special incentive to encourage operators to develop services of this kind,

⁽¹⁾ Note from the General Secretariat of the Council No 9832/90 of 12 November 1990.

Article 1

1. Community financial support may be granted for pilot combined transport schemes which run on existing routes or routes still to be established and which:

- try out measures:
 - to improve the organization and operation of combined transport services on these routes,
 - to integrate operators into the entire logistic chain, in a way which involves all operators,
- evaluate whether measures of this kind make it possible ultimately to achieve effective combined transport services which can compete with road haulage and are economically viable.

2. The financing of pilot schemes shall be spread over a five-year period.

Article 2

1. For the purposes of this Decision, combined transport shall mean the transport between the Member States of road vehicles, containers or demountable bodies, without unloading the goods and using at least two modes of transport from among road, rail and inland waterways.

2. Where a sea crossing is the only possible means of access to Community territory for a given region of the Community, this sea route may be covered by the pilot scheme.

3. Pilot schemes may also cover combined transport routes outside the Community where this is justified by a large volume of traffic going to, or coming from, the Community.

Article 3

1. Financial support may be provided for:

- preliminary studies on aspects common to all projects,
- feasibility studies on a specific pilot route,
- innovatory schemes aimed at improving the quality of the service.

2. The Commission shall finance pilot schemes as follows :

- up to 100 % for a preliminary study,
- up to 50 % for a feasibility study,
- up to 30 % for innovatory schemes.

Article 4

The Community's financial support shall be granted on the basis of a contract concluded between the Commission and each beneficiary.

Article 5

The procedures for submitting, selecting and evaluating projects are set out in the Annex.

Done at Brussels, 22 December 1992.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

Conditions governing the granting of Community financial support for combined transport pilot schemes

1. *Timescale*

The financing of the pilot schemes shall cover a five-year period (1992 to 1996).

2. *Presentation procedure*

The proposal for a pilot scheme shall be presented to the Commission by a Member State or by a private or public enterprise. The proposal may be presented jointly by a number of Member States or enterprises.

3. *Selection criteria*

- (a) The proposal for a pilot scheme must be approved by the Member States on whose territory the combined transport route covered by the pilot scheme is situated.
- (b) The Commission shall examine the proposals on the basis of the following criteria :
 - the importance of the route at European level,
 - the impact on goods traffic and the possibilities of road traffic being diverted to combined transport,
 - the cost of the proposed measures,
 - the proposed level and type of cooperation between the project partners,
 - the possibility and advisability of extending the pilot scheme to other combined transport services,
 - observance of the rules on competition and subsidies.

4. *Decision to grant financing*

The Commission shall decide to finance the project in accordance with the criteria listed in point 3 and after consulting a group of experts designated by the Member States.
