

English edition

## Legislation

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<sup>(1)</sup> Text with EEA relevance

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 417/2001**  
**of 1 March 2001**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 2 March 2001.

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

Done at Brussels, 1 March 2001.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 198, 15.7.1998, p. 4.

## ANNEX

**to the Commission Regulation of 1 March 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value	
0702 00 00	052	109,4	
	204	45,2	
	212	95,4	
	624	127,8	
	999	94,4	
0707 00 05	052	91,6	
	999	91,6	
0709 90 70	052	106,3	
	204	70,6	
	999	88,4	
0805 10 10, 0805 10 30, 0805 10 50	052	66,3	
	204	45,8	
	212	49,8	
	624	53,4	
	999	53,8	
0805 30 10	600	53,3	
	999	53,3	
0808 10 20, 0808 10 50, 0808 10 90	388	111,1	
	400	83,4	
	404	77,9	
	508	93,2	
	512	108,6	
	720	121,1	
	728	101,4	
	999	99,5	
	0808 20 50	388	74,8
		400	98,8
512		78,2	
528		78,1	
720		54,6	
	999	76,9	

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

**COMMISSION REGULATION (EC) No 418/2001**

**of 1 March 2001**

**concerning the authorisations of new additives and uses of additives in feedingstuffs**

**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2697/2000<sup>(2)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) Directive 70/524/EEC provides that new additives or uses of additives may be authorised following the review of an application made in accordance with article 4 of the Directive.
- (2) Article 9e(1) of the Directive provides that provisional authorisation of new additives or uses of additives may be given if the conditions of Articles 3a(b) to (e) of Directive 70/524/EEC are satisfied and if it is reasonable to assume, in view of the available results, that when used in animal nutrition it has one of the effects referred to in Article 2(a). Such provisional authorisation may be given for a period up to four years in the case of additives referred to in Part II of Annex C to the Directive.
- (3) The assessment of dossiers submitted shows that the new micro-organism and enzyme preparations and the new uses of the micro-organism and enzyme preparations described in Annex I and II satisfy the abovementioned conditions and may therefore be authorised on a provisional basis for a four-year period.
- (4) Article 2(aaa) of Directive 70/524/EEC requires authorisations for coccidiostats to be linked to the person responsible for putting them into circulation.
- (5) Article 9b of Directive 70/524/EEC provides that the authorisations of such substances shall be given for a period of 10 years from the date on which final authorisation takes effect, if all conditions laid down in Article 3a of Directive 70/524/EEC are met.
- (6) The assessment of the dossier submitted shows that the coccidiostat described in Annex III satisfies all the requirements of Article 3a, when used in the animal category and under the conditions described in the said Annex.

- (7) The assessment of the dossiers shows that certain procedures may be required to protect workers from exposure to the additives. Such protection should however be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work<sup>(3)</sup> and the Directives made under it.
- (8) The Scientific Committee for Animal Nutrition has delivered a favourable opinion with regard to the harmlessness of the enzyme and micro-organism preparations and of the coccidiostat, and with regard to the favourable effect on animal production of the latter, under the conditions described in the said Annexes.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS REGULATION:

*Article 1*

The preparations belonging to the group 'Micro-organisms' listed in Annex I to the present Regulation are authorised for use as additives in animal nutrition under the conditions laid down in that Annex.

*Article 2*

The preparations belonging to the group 'Enzymes' listed in Annex II to the present Regulation are authorised for use as additives in animal nutrition under the conditions laid down in that Annex.

*Article 3*

The additive belonging to the group 'Coccidiostats and other medicinal substances' listed in Annex III to the present Regulation is authorised for use as additive in animal nutrition under the conditions laid down in that Annex.

*Article 4*

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

It shall apply from 1 March 2001.

<sup>(1)</sup> OJ L 270, 14.12.1970, p. 1.

<sup>(2)</sup> OJ L 319, 16.12.2000, p. 1.

<sup>(3)</sup> OJ L 183, 29.6.1989, p. 1.

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

Done at Brussels, 1 March 2001.

*For the Commission*  
David BYRNE  
*Member of the Commission*

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## ANNEX I

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					CFU/kg of complete feedingstuff			
20	<i>Bacillus licheniformis</i> DSM 5749 <i>Bacillus subtilis</i> DSM 5750 (In a 1/1 ratio)	Mixture of <i>Bacillus licheniformis</i> and <i>Bacillus subtilis</i> containing a minimum of $3,2 \times 10^9$ CFU/g of the additive ( $1,6 \times 10^9$ UFC/g of each bacterium)	Calves	6 month	$1,28 \times 10^9$	$1,6 \times 10^9$	In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting.	28.2.2005
21	<i>Enterococcus faecium</i> DSM 3530	Preparation of <i>Enterococcus faecium</i> containing a minimum of $2,5 \times 10^9$ CFU/g	Calves	6 months	$1 \times 10^9$	$1 \times 10^9$	In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting	28.2.2005

## ANNEX II

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					Units of activity/kg complete feedingstuff			
23	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (CNCM MA 6-10W) having a minimum of activity of: Solid form: 70 000 IFP (1)/g Liquid form: 7 000 IFP/ml	Turkeys for fattening	—	700 IFP	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting 2. Recommended dose per kilogram of complete feedingstuff: 1 400 IFP 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 40 % wheat	28.2.2005
			Laying hens	—	840 IFP	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting 2. Recommended dose per kilogram of complete feedingstuff: 840 IFP 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 40 % wheat	28.2.2005
27	Endo-1,4-beta-xylanase EC 3.2.1.8  Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma reesei</i> (CBS 529.94) and endo-1,3(4)-beta-glucanase produced by <i>Trichoderma reesei</i> (CBS 526.94) having a minimum activity of: Solid form: 200 000 BXU (2)/g 200 000 BU (3)/g Liquid form: 30 000 BXU/g 30 000 BU/g	Piglets	2 months	7 500 BXU 7 500 BU	— —	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting 2. Recommended dose per kilogram of complete feedingstuff: 7 500 to 15 000 BXU 7 500 to 15 000 BU 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans and arabinoxylans), e.g. containing more than 50 % wheat	28.2.2005



No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					Units of activity/kg complete feedingstuff			
28	3-Phytase EC 3.1.3.8	Preparation of 3-phytase produced by <i>Trichoderma reesei</i> (CBS 528.94) having a minimum activity of Solid form: 5 000 PPU (4)/g Liquid form: 1 000 PPU/g	Chickens for fattening	—	500 PPU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting 2. Recommended dose per kilogram of complete feedingstuff: 500 to 750 PPU 3. For use in compound feed containing more than 0,22 % phytin bound phosphorus	28.2.2005
30	Endo-1,3(4)-beta-glucanase EC 3.2.1.6 Endo-1,-beta-xylanase EC 3.2.1.8	Preparation of endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by <i>Penicillium funiculosum</i> (IMI SD 101) having a minimum activity of: Powder form: Endo-1,3(4)-beta-glucanase: 2 000 U (2)/g Endo-1,4-beta-xylanase: 1 400 U/g (6)/g Liquid form: Endo-1,3(4)-beta-glucanase: 500 U/ml Endo-1,4-beta-xylanase: 350 U/ml	Turkeys for fattening	—	Endo-1,3(4)-beta-glucanase: 100 U Endo-1,4-beta-xylanase: 70 U	— —	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting 2. Recommended dose per kilogram of complete feedingstuff: endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 70 U 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans and arabinoxylans), e.g. containing more than 50 % wheat	28.2.2005
			Laying hens	—	Endo-1,3(4)-beta-glucanase: 100 U Endo-1,4-beta-xylanase: 70 U	— —	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting 2. Recommended dose per kilogram of complete feedingstuff: endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 70 U 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans and arabinoxylans), e.g. containing more than 60 % barley or 30 % wheat	28.2.2005

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					Units of activity/kg complete feedingstuff			
			Pigs for fattening	—	Endo-1,3(4)-beta-glucanase: 100 U  Endo-1,4-beta-xylanase: 70 U	—  —	<ol style="list-style-type: none"> <li>In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting.</li> <li>Recommended dose per kilogram of complete feedingstuff: endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 70 U</li> <li>For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans and arabinoxylans), e.g. containing more than 50 % barley or 60 % wheat</li> </ol>	28.2.2005
59	Endo-1,4-beta-xylanase EC 3.2.1.8  Endo-1,3(4)-beta-glucanase EC 3.2.1.6  Subtilisin EC 3.4.21.62  Alpha-amylase EC 3.2.1.1  Polygalacturonase EC 3.2.1.15	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2105), endo-1,3(4)-beta-glucanase and alpha-amylase produced by <i>Bacillus amyloliquefaciens</i> (DSM 9553), subtilisin produced by <i>Bacillus subtilis</i> (ATCC 2107), polygalacturonase produced by <i>Aspergillus aculeatus</i> (CBS 589.94) having a minimum activity of:  Endo-1,4-beta-xylanase: 300 U <sup>(7)</sup> /g Endo-1,3(4)-beta-glucanase: 150 U <sup>(8)</sup> /g Subtilisin: 4 000 U <sup>(9)</sup> /g Alpha-amylase: 400 U <sup>(10)</sup> /g Polygalacturonase: 25 U <sup>(11)</sup> /g	Chickens for fattening	—	Endo-1,4-beta-xylanase: 300 U  Endo-1,3(4)-beta-glucanase: 150 U  Subtilisin: 4 000 U  Alpha-amylase: 400 U  Polygalacturonase: 25 U	—  —  —  —	<ol style="list-style-type: none"> <li>In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.</li> <li>Recommended dose per kilogram of complete feedingstuff: endo-1,4-beta-xylanase: 300 U endo-1,3(4)-beta-glucanase: 150 U subtilisin: 4 000 U alpha-amylase: 400 U polygalacturonase: 25 U</li> <li>For use in compound feed rich in starch and non-starch polysaccharides (mainly arabinoxylans and beta-glucans), e.g. containing more than 40 % maize</li> </ol>	28.2.2005
60	Endo-1,4-beta-xylanase EC 3.2.1.8  Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2105), endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2106) having a minimum activity of:  Endo-1,4-beta-xylanase: 5 000 U <sup>(7)</sup> /g Endo-1,3(4)-beta-glucanase: 50 U <sup>(8)</sup> /g	Chickens for fattening	—	Endo-1,4-beta-xylanase: 500 U  Endo-1,3(4)-beta-glucanase: 5 U	—  —	<ol style="list-style-type: none"> <li>In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.</li> <li>Recommended dose per kilogram of complete feedingstuff: endo-1,4-beta-xylanase: 500 to 2 500 U endo-1,3(4)-beta-glucanase: 5 to 25 U</li> <li>For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans and arabinoxylans), e.g. containing more than 20 % barley and 40 % wheat</li> </ol>	28.2.2005

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					Units of activity/kg complete feedingstuff			
61	Endo-1,4-beta-xylanase EC 3.2.1.8  Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma reesei</i> (CBS 526.94) having a minimum activity of:  Powder form: Endo-1,(4)-beta-xylanase: 17 000 BXU <sup>(2)</sup> /g Endo-1,3(4)-beta-xylanase: 11 000 BU/ <sup>(3)</sup> /g  Liquid form: Endo-1,4-beta-xylanase: 22 000 U/ml Endo-1,3(4)-beta-glucanase: 15 000 U/ml	Chickens for fattening	—	Endo-1,4-beta-xylanase: 17 000 BXU  Endo-1,3(4)-beta-glucanase: 11 000 BU	—  —	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting 2. Recommended dose per kilogram of complete feedingstuff: endo-1,4-beta-xylanase: 17 000 BXU endo-1,3(4)-beta-glucanase: 11 000 BU 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans and arabinoxylans), e.g. containing more than 40 % barley or 55 % wheat	28.2.2005

<sup>(1)</sup> 1 IFP is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat xylan per minute at pH 4,8 and 50°C.

<sup>(2)</sup> 1 BXU is the amount of enzyme which liberates 0,06 micromoles of reducing sugars (xylose equivalents) from birch xylan per minute at pH 5,3 and 50 °C.

<sup>(3)</sup> 1 BU is the amount of enzyme which liberates 0,06 micromoles of reducing sugars (glucose equivalents) from barley-glucan per minute at pH 4,8 and 50 °C.

<sup>(4)</sup> 1 PPU is the amount of enzyme which liberates 1 micromole of inorganic phosphate from sodium phytate per minute at pH 5,0 and 37 °C.

<sup>(5)</sup> 1 U is the amount of enzyme which liberates 5,55 micromoles of reducing sugars (maltose equivalents) from barley beta-glucan per minute at pH 5,0 and 50 °C.

<sup>(6)</sup> 1 U is the amount of enzyme which liberates 4,00 micromoles of reducing sugars (maltose equivalents) from birchwood xylan per minute at pH 5,5 and 50 °C.

<sup>(7)</sup> 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.

<sup>(8)</sup> 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5,0 and 30 °C.

<sup>(9)</sup> 1 U is the amount of enzyme which liberates 1 micromole of phenolic compound (tyrosine equivalents) from a casein substrate per minute at pH 7,5 and 40 °C.

<sup>(10)</sup> 1 U is the amount of enzyme which liberates 1 micromole of glucosidic linkages from a water insoluble cross-linked starch polymer substrate per minute at pH 6,5 and 37 °C.

<sup>(11)</sup> 1 U is the amount of enzyme which liberates 1 micromole of reducing material (galacturonic acid equivalents) from a poly D-galacturonic substrate per minute at pH 5,0 and 40 °C.

## ANNEX III

Registration number of additive	Name and registration number of person responsible for putting additive into circulation	Additive (trade name)	Composition, chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
						mg of active substance/kg of complete feedingstuff			
E771	Janssen Animal Health B.V.B.A	<p>Diclazuril 0,5 g/100 g (Clinacox 0,5 % Premix)</p> <p>Diclazuril 0,2 g/100 g (Clinacox 0,2 % Premix)</p>	<p><b>Additive composition</b></p> <p>Diclazuril: 0,5 g/100 g Soybean meal: 99,25 g/100 g Polyvidone K 30: 0,2 g/100 g Sodium hydroxyde: 0,0538 g/100 g</p> <p>Diclazuril: 0,2 g/100 g Soybean meal: 39,7 g/100 g Polyvidone K 30: 0,08 g/100 g Sodium hydroxide: 0,0215 g/100 g Wheat middlings: 60 g/100 g</p> <p><b>Active substance:</b></p> <p>Diclazuril, C<sub>17</sub>H<sub>9</sub>Cl<sub>3</sub>N<sub>4</sub>O<sub>2</sub>, (±)-4-chlorophenyl[2,6-dichloro-4-(2,3,4,5-tetrahydro-3,5-dioxo-1,2,4-triazin-2-yl)phenyl]acetonitrile, CAS number: 101831-37-2,</p> <p>Related impurities: Degradation compound (R064318): ≤ 0,2 % Other related impurities (R066891, R066896, R068610, R070156, R068584, R070016): ≤ 0,5 % individually Total impurities ≤ 1,5 %</p>	Turkeys for fattening	12 weeks	1	1	Use prohibited at least five days before slaughter	28.2.2011

**COMMISSION REGULATION (EC) No 419/2001  
of 1 March 2001**

**fixing the maximum export refund on common wheat in connection with the invitation to tender  
issued in Regulation (EC) No 1701/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 2513/98 <sup>(4)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of certain ACP States was opened pursuant to Commission Regulation (EC) No 1701/2000 <sup>(5)</sup>, as last amended by Regulation (EC) No 293/2001 <sup>(6)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 23 February to 1 March 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1701/2000, the maximum refund on exportation of common wheat shall be EUR 9,00/t.

*Article 2*

This Regulation shall enter into force on 2 March 2001.

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

Done at Brussels, 1 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 313, 21.11.1998, p. 16.

<sup>(5)</sup> OJ L 195, 1.8.2000, p. 18.

<sup>(6)</sup> OJ L 43, 14.2.2001, p. 10.

**COMMISSION REGULATION (EC) No 420/2001  
of 1 March 2001**

**fixing the maximum export refund on common wheat in connection with the invitation to tender  
issued in Regulation (EC) No 2014/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 2513/98 <sup>(4)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2014/2000 <sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 23 February to 1 March 2001, pursuant to the invitation to tender issued in Regulation (EC) No 2014/2000, the maximum refund on exportation of common wheat shall be EUR 11,00/t.

*Article 2*

This Regulation shall enter into force on 2 March 2001.

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

Done at Brussels, 1 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 313, 21.11.1998, p. 16.

<sup>(5)</sup> OJ L 241, 26.9.2000, p. 23.

**COMMISSION REGULATION (EC) No 421/2001  
of 1 March 2001**

**fixing the maximum export refund on barley in connection with the invitation to tender issued in  
Regulation (EC) No 2317/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 2513/98 <sup>(4)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 2317/2000 <sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 23 February to 1 March 2001, pursuant to the invitation to tender issued in Regulation (EC) No 2317/2000, the maximum refund on exportation of barley shall be EUR 0,00/t.

*Article 2*

This Regulation shall enter into force on 2 March 2001.

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

Done at Brussels, 1 March 2001.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 313, 21.11.1998, p. 16.

<sup>(5)</sup> OJ L 267, 20.10.2000, p. 23.

**COMMISSION REGULATION (EC) No 422/2001**  
**of 1 March 2001**  
**concerning tenders notified in response to the invitation to tender for the export of rye issued in**  
**Regulation (EC) No 1740/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 2513/98 <sup>(4)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1740/2000 <sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

No action shall be taken on the tenders notified from 23 February to 1 March 2001 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 1740/2000.

*Article 2*

This Regulation shall enter into force on 2 March 2001.

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

Done at Brussels, 1 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 313, 21.11.1998, p. 16.

<sup>(5)</sup> OJ L 199, 5.8.2000, p. 3.



**COMMISSION REGULATION (EC) No 423/2001  
of 1 March 2001**

**fixing the maximum export refund on oats in connection with the invitation to tender issued in  
Regulation (EC) No 2097/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 2513/98 <sup>(4)</sup>,

Having regard to Commission Regulation (EC) No 2097/2000 of 3 October 2000 on a special intervention measure for cereals in Finland and Sweden <sup>(5)</sup>, as amended by Regulation (EC) No 393/2001 <sup>(6)</sup>, and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 2097/2000.
- (2) Article 8 of Regulation (EC) No 2097/2000 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 23 February to 1 March 2001, pursuant to the invitation to tender issued in Regulation (EC) No 2097/2000, the maximum refund on exportation of oats shall be EUR 39,97/t.

*Article 2*

This Regulation shall enter into force on 2 March 2001.

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

Done at Brussels, 1 March 2001.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 313, 21.11.1998, p. 16.

<sup>(5)</sup> OJ L 249, 4.10.2000, p. 15.

<sup>(6)</sup> OJ L 58, 28.2.2001, p. 8.

**COMMISSION REGULATION (EC) No 424/2001**  
**of 1 March 2001**  
**amending representative prices and additional duties for the import of certain products in the**  
**sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, as amended by Commission Regulation (EC) No 1527/2000 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses <sup>(3)</sup>, as last amended by Regulation (EC) No 624/98 <sup>(4)</sup>, and in particular the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation

(EC) No 1411/2000 <sup>(5)</sup>, as last amended by Regulation (EC) No 415/2001 <sup>(6)</sup>.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 March 2001.

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

Done at Brussels, 1 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 252, 25.9.1999, p. 1.

<sup>(2)</sup> OJ L 175, 14.7.2000, p. 59.

<sup>(3)</sup> OJ L 141, 24.6.1995, p. 16.

<sup>(4)</sup> OJ L 85, 20.3.1998, p. 5.

<sup>(5)</sup> OJ L 161, 1.7.2000, p. 22.

<sup>(6)</sup> OJ L 60, 1.3.2001, p. 41.

## ANNEX

**to the Commission Regulation of 1 March 2001 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99**

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 <sup>(1)</sup>	24,57	4,01
1701 11 90 <sup>(1)</sup>	24,57	9,25
1701 12 10 <sup>(1)</sup>	24,57	3,82
1701 12 90 <sup>(1)</sup>	24,57	8,82
1701 91 00 <sup>(2)</sup>	22,99	14,31
1701 99 10 <sup>(2)</sup>	22,99	9,22
1701 99 90 <sup>(2)</sup>	22,99	9,22
1702 90 99 <sup>(3)</sup>	0,23	0,41

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10.4.1968, p. 3).

<sup>(2)</sup> For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21.4.1972, p. 1).

<sup>(3)</sup> By 1 % sucrose content.

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 17 January 2001

**concerning Article 21 of draft Law No 368.2.XII of the Region of Sicily adopting provisions concerning fisheries and maritime activities and laying down rules governing inshore waters**

(notified under document number C(2001) 163)

(Only the Italian text is authentic)

(Text with EEA relevance)

(2001/170/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the first paragraph of Article 88(2) thereof,

After having asked the parties concerned to submit their comments in accordance with that Article,

Whereas:

#### Procedure

- (1) By letter dated 10 April 1997, recorded as received by the Commission on 17 April 1997, your authorities notified the above draft Law (file N 250/97). By letter dated 20 June 1997, recorded as received by the Commission on 30 June 1997, the additional information requested was forwarded.
- (2) On 30 July 1997, the Commission decided to initiate the procedure provided for in Article 93(2) of the EC Treaty in respect of Article 21 (aids for employment) of draft Law No 368.2.XII of the Region of Sicily adopting provisions concerning fisheries and maritime activities and laying down rules governing inshore waters. (Letter No SG(97)D/7090 sent to the Italian authorities on 18 August 1997).
- (3) On 13 January 1998, the Italian authorities provided the information requested by the Commission. The Associazione Armatori della Pesca submitted comments on 6 September 1997. The Commission received no

comments from other Member States or interested parties. Information was requested on 1 February 1999, 17 April and 1 August 2000, and the Italian Government replied on 29 May and 2 October 2000.

#### Description of aid

- (4) Article 21 of draft regional Law No 368.2.XII provides that:

‘1. Workers employed in fisheries enterprises affected by the restrictions contained in Article 13 of this Law who, in the course of a year, spend not less than 181 days at sea on board vessels registered in the maritime areas of Sicily shall receive a flat-rate aid of ITL 4 800 000 annually, which may be adjusted.

2. Days at sea shall include up to 20 days' absence on sick leave or absence as a result of *force majeure*, which shall be defined in the Regulation implementing this Law.

3. The measures provided for in paragraph 1 shall be extended to individual skippers and shipowners or associations thereof, owning not less than 13 parts, which shall be reduced to 12 parts in the case of joint ownership with their spouse, of fishing vessels of less than 30 gross registered tonnes (grt), engaging in smallscale fishing as defined in Article 16 above and which have been registered for not less than one year in the maritime areas of the region of Sicily.’

- (5) The aim of the measure is to safeguard jobs in the fishing industry. Workers employed in fisheries enterprises affected by the restrictions contained in Article 13 of the Law (matching fishing activities with the available resources through restrictions on fishing periods, the gear that may be used, species and fishing zones, together with the number and characteristics of vessels), who spend not less than 181 days at sea on board vessels registered in the maritime areas of Sicily receive a flat-rate aid.
- (6) The aid is granted to individual skippers and shipowners or associations thereof which own fishing vessels of less than 30 grt which practise small-scale fishing (fishing carried on by vessels of less than 30 grt which do not use a trawl or seine) and have been registered for not less than one year in the maritime areas of the region of Sicily (Article 21(3) of draft regional Law No 368.2.XII).

#### Assessment

- (7) The Commission, in its letter initiating the procedure, asked the Italian authorities to abolish the aid provided for in Article 21(3) and granted to individual skippers and shipowners or associations thereof.
- (8) Regarding the aid granted to individual skippers and shipowners or associations thereof, the Commission considered that these were operating aids which were in breach of the general rules of competition in that they sought to relieve enterprises of the costs they would normally have to bear as part of their day-to-day administration or normal activities.
- (9) At a meeting with the Commission departments held on 24 November 1999 and in its letters of 29 May and 2 October 2000, the Italian Government informed the Commission that the draft regional Law had not been adopted by the Sicilian Regional Assembly and would be replaced by a new draft Law.

- (10) The investigation procedure initiated by the Commission in respect of the provision concerned has become devoid of purpose therefore since the draft regional Law will not be adopted and the notification has been withdrawn.
- (11) Consequently, the procedure must be terminated under Article 8(2) of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 (now Article 88) of the EC Treaty <sup>(1)</sup> in view of the fact that the notification has become devoid of purpose.

#### Conclusion

- (12) In the light of the above, the Commission considers that the investigation procedure should be closed,

HAS ADOPTED THIS DECISION:

#### Article 1

The investigation procedure initiated in respect of Article 21 of draft Law No 368.2.XII of the Region of Sicily adopting provisions concerning fisheries and maritime activities and laying down rules governing inshore waters is hereby terminated.

#### Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 17 January 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 83, 27.3.1999, p. 1.

## COMMISSION DECISION

of 19 February 2001

**establishing the conditions for a derogation for glass packaging in relation to the heavy metal concentration levels established in Directive 94/62/EC on packaging and packaging waste***(notified under document number C(2001) 398)***(Text with EEA relevance)**

(2001/171/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste <sup>(1)</sup>, and in particular Article 11(3) thereof,

Whereas:

- (1) Directive 94/62/EC provides in Article 11 a gradual reduction of the concentration of heavy metals in packaging.
- (2) Experience of the first years of application of Article 11 has shown that there is a specific problem in the glass sector, as the recycled glass is contaminated by glass material containing high quantities of lead.
- (3) The full applications of the level of 100 ppm, which is due to enter into force on 30 June 2001, might have as a consequence that the use of recycled glass is reduced, in order to comply with Article 11. This result is environmentally not desirable for this reason.
- (4) The derogation is intended for glass packaging taking account of its characteristics in relation to emissions of heavy metals and the importance of further encouraging glass recycling.
- (5) The 100 ppm limit is to be concerned by the derogation.
- (6) Measurements results from production sites and measurement methods employed should be made available to the competent authorities if requested.
- (7) The derogation is to expire on 30 June 2006 unless this deadline is extended in accordance with the procedure laid down in Article 21 of Directive 94/62/EC.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Committee, established pursuant to Article 21 of European Parliament and Council Directive 94/62/EC,

HAS ADOPTED THIS DECISION:

*Article 1*

This Decision, shall apply to glass packaging covered by Directive 94/62/EC, and aims to establish the conditions under

which the concentration levels established in Article 11 of Directive 94/62/EC shall not apply.

*Article 2*

For the purposes of this Decision:

- the definitions as set out in Article 3 of Directive 94/62/EC shall apply,
- 'intentionally introduced' shall mean 'deliberately utilised in the formulation of a packaging or a packaging component where its continued presence is desired in the final packaging or packaging component to provide a specific characteristic, appearance, or quality'; the use of recycled materials as feedstock for the manufacture of new packaging materials, where some portion of the recycled materials may contain amounts of regulated metals, is not be considered as intentionally introduced.

*Article 3*

Glass packaging is allowed to exceed, after the date of 30 June 2001, the limit of 100 ppm by weight established in Article 11 of Directive 94/62/EC where it complies with all the conditions established in Articles 4 and 5 of this Decision.

*Article 4*

No lead, cadmium, mercury or hexavalent chromium shall be intentionally introduced during the manufacturing process.

The packaging material may only exceed the concentration limits because of the addition of recycled materials.

*Article 5*

Where the average heavy metals concentration levels on any twelve consecutive monthly controls made from the production of each individual glass furnace, representative of normal and regular production activity, exceeds the 200 ppm limit, the manufacturer or this authorised representative shall submit a report to the competent authorities in the Member States. This report shall include as a minimum the following information:

- measures values,
- description of measurement methods employed,

<sup>(1)</sup> OJ L 365, 31.12.1994, p. 10.

- suspected sources for the presence of heavy metals concentration levels,
- detailed description of the measures taken to reduce the heavy metals concentration levels.

Where neither the manufacturer nor his authorised representative is established within the European Union, the obligation to submit a report to the competent authorities shall be with the person who places the product on the Community market.

Measurement results from production sites and measurement methods employed shall be made available at any time to the competent authorities, if requested.

*Article 6*

This Decision shall expire on 30 June 2006, unless it is extended, in particular on the basis of the reports under Article 5 of this Decision and Article 17 of Directive 94/62/EC, in accordance with the procedure laid down in Article 21 of Directive 94/62/EC.

*Article 7*

This Decision is addressed to the Member States.

Done at Brussels, 19 February 2001.

*For the Commission*

Margot WALLSTRÖM

*Member of the Commission*

## COMMISSION DECISION

of 1 March 2001

## concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Decision 2001/145/EC

(notified under document number C(2001) 681)

(Text with EEA relevance)

(2001/172/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market <sup>(1)</sup>, as last amended by Directive 92/118/EEC <sup>(2)</sup>, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market <sup>(3)</sup>, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas:

- (1) Outbreaks of foot-and-mouth disease have been declared in the United Kingdom.
- (2) The foot-and-mouth disease situation in certain parts of the United Kingdom is liable to endanger the herds of other Member States and of the disease free parts of the United Kingdom in view of the placing on the market and trade in live biungulate animals and certain of their products.
- (3) The United Kingdom has taken measures in the framework of Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease <sup>(4)</sup>, as last amended by Commission Decision 92/380/EEC <sup>(5)</sup>, and furthermore has introduced further measures within the affected areas, in particular a ban on movement of susceptible animals applied in Great Britain.
- (4) The disease situation in certain parts of the United Kingdom requires reinforcing the control measures for foot-and-mouth disease taken by the United Kingdom by adopting additional Community protective measures.
- (5) Pending the meeting of the Standing Veterinary Committee and in collaboration with the Member State concerned the Commission took interim measures adopting Decision 2001/145/EC of 21 February 2001

concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom <sup>(6)</sup>.

- (6) In order to adapt the measures to the current epidemiological situation, it is necessary to introduce certain protective measures and to repeal Decision 2001/145/EC.
- (7) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 7 March 2001 and the measures adapted where necessary.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

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

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

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

3. the health certificates provided for in Council Directive 64/432/EEC <sup>(7)</sup>, as last amended by Directive 2000/20/EC <sup>(8)</sup>, accompanying live bovine and porcine animals and in Council Directive 91/68/EEC <sup>(9)</sup>, as last amended by Commission Decision 94/953/EC <sup>(10)</sup>, accompanying live ovine and caprine animals consigned from parts of the territory of the United Kingdom not listed in Annex I and Annex II to other Member States shall bear the following words:

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 29.

<sup>(2)</sup> OJ L 62, 15.3.1993, p. 49.

<sup>(3)</sup> OJ L 395, 30.12.1989, p. 13.

<sup>(4)</sup> OJ L 315, 26.11.1985, p. 11.

<sup>(5)</sup> OJ L 198, 17.7.1992, p. 54.

<sup>(6)</sup> OJ L 53, 23.2.2001, p. 25.

<sup>(7)</sup> OJ L 121, 29.7.1964, p. 1977/64.

<sup>(8)</sup> OJ L 163, 4.7.2000, p. 35.

<sup>(9)</sup> OJ L 46, 19.2.1991, p. 19.

<sup>(10)</sup> OJ L 371, 31.12.1994, p. 14.



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

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

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

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

- all such fresh meat must bear the health mark in accordance with Chapter XI of Annex I to Council Directive 64/433/EEC <sup>(1)</sup> on animal health problems affecting intra-Community trade in fresh meat,
- the plant will be operated under strict veterinary control,
- the fresh meat must be clearly identified, and transported and stored separately from meat which is not destined for parts of the Community outside the areas mentioned in Annex I,
- the control of the compliance with the above listed conditions shall be carried out by the competent veterinary authority under the supervision of the central veterinary authorities who will communicate to the other Member States and the Commission a list of those establishments which they have approved in application of these provisions.

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

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

#### Article 2

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

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

- (a) fresh meat obtained before **1 February 2001** provided that the meat is clearly identified, and since this date has been transported and stored separately from meat which is not destined for dispatch outside the areas mentioned in Annex I;
- (b) fresh meat obtained from animals reared outside the areas listed in Annex I and Annex II and transported in derogation to Article 1(1) directly and under official control in sealed means of transport to a slaughterhouse situated in the area listed in Annex I outside the protection zone for immediate slaughter. Such meat shall only be placed on the market in the United Kingdom;
- (c) fresh meat obtained from cutting plants situated in the area listed in Annex I under the following conditions:

- only fresh meat as described in subparagraphs (a) and (b) or fresh meat obtained from animals reared and slaughtered outside the area listed in Annex I will be processed in this establishment,

#### Article 3

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

2. The restrictions described in paragraph 1 shall not apply to meat products which have undergone one of the treatments laid down in Article 4(1) of Council Directive 80/215/EEC <sup>(2)</sup>, as last amended by Council Directive 91/687/EEC <sup>(3)</sup>, or to meat products as defined in Council Directive 77/99/EEC <sup>(4)</sup>, as last amended by Council Directive 97/76/EC <sup>(5)</sup>, on animal health problems affecting intra-Community trade in meat products which have been subjected during preparation uniformly throughout the substance to a pH value of less than 6.

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

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

<sup>(1)</sup> OJ L 121, 29.7.1964, p. 2012/64. Directive updated by Directive 91/497/EEC (OJ L 268, 24.9.1991, p. 69) and last amended by Directive 95/23/EC (OJ L 243, 11.10.1995 p. 7).

<sup>(2)</sup> OJ L 47, 21.2.1980, p. 4.

<sup>(3)</sup> OJ L 377, 31.12.1991, p. 16.

<sup>(4)</sup> OJ L 26, 31.1.1977, p. 85. Directive updated by Directive 92/5/EEC (OJ L 57, 2.3.1992, p. 1) and last amended by Directive 92/45/EEC (OJ L 268, 14.9.1992, p. 35).

<sup>(5)</sup> OJ L 10, 16.1.1998, p. 25.

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

- all fresh meat used in the establishment must conform to the conditions of Article 2(2),
- all meat products used in the final product will conform to the conditions of paragraph (a) or be made from fresh meat obtained from animals reared and slaughtered outside the area listed in Annex I,
- all meat products must bear the health mark in accordance with Chapter VII of Annex A to Directive 77/99/EEC,
- the establishment will be operated under strict veterinary control,
- the meat products must be clearly identified and transported and stored separately from meat and meat products which are not destined for parts of the Community outside the areas mentioned in Annex I,
- the control of the compliance with the above listed conditions shall be carried out by the competent authority under the responsibility of the central veterinary authorities who will communicate to other Member States and the Commission a list of those establishments which they have approved in application of these provisions;

(c) meat products prepared in the parts of the territory which are not included in Annex I using meat obtained before **1 February 2001** from parts of the territory included in Annex I provided that the meat and meat products are clearly identified and transported and stored separately from meat and meat products which are not destined for dispatch outside the areas mentioned in Annex I.

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

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

5. Derogating from the provisions in paragraph 4 it shall be sufficient in the case of meat products which conform to the requirements of paragraph 2 and are consigned in hermetically sealed containers that compliance with the conditions required for the treatment laid down in paragraph 2 is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9.

#### Article 4

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

2. The prohibitions described in paragraph 1 shall not apply to milk for human or non-human consumption which has

been subjected to at least:

- (a) an initial pasteurization in accordance with the norms defined in paragraph 3(b) of Chapter 1 in Annex I to Directive 92/118/EEC, followed by a second heat treatment by high temperature pasteurization, UHT, sterilization or by a drying process which includes a heat treatment with an equivalent effect to one of the above; or
- (b) an initial pasteurization in accordance with the norms defined in paragraph 3(b) of Chapter 1 in Annex I to Directive 92/118/EEC, combined with the treatment by which the pH is lowered below 6 and held there for at least one hour.

3. The prohibitions described in paragraph 1 shall not apply to milk prepared in establishments situated in the areas listed in Annex I under the following conditions:

- (a) all milk used in the establishment must either conform to the conditions of paragraph 2 or be obtained from animals outside the area listed in Annex I,
- (b) the establishment will be operated under strict veterinary control,
- (c) the milk must be clearly identified and transported and stored separately from milk and milk products which are not destined for parts of the Community outside the areas mentioned in Annex I,
- (d) transport of raw milk from holdings situated outside the areas mentioned in Annex I to the establishments referred to above is carried out in vehicles which were cleaned and disinfected prior to operation and had no subsequent contact with holdings in the areas mentioned in Annex I keeping animals of species susceptible to foot-and-mouth disease,
- (e) the control of the compliance with the above listed conditions shall be carried out by the competent veterinary authority under the supervision of the central veterinary authorities who will communicate to other Member States and the Commission a list of those establishments which they have approved in application of these provisions.

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

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

5. Derogating from the provisions in paragraph 4 it shall be sufficient in the case of milk which conform to the requirements of paragraph 2(a) or (b) and is consigned in hermetically sealed containers or has been processed in an automated production system which ensures that standards for treatment are met and recorded that compliance with the conditions required for the treatment laid down in paragraph 2(a) or (b) is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9.

## Article 5

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

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

- (a) milk products produced before **1 February 2001**;
- (b) milk products prepared from milk complying with the provisions in Article 4(2) or (3),
- (c) milk products subject to a heat treatment at a temperature of at least 71,7 °C for at least 15 seconds, on the understanding that such treatment was not necessary for finished products the ingredients of which comply with the respective animal health conditions laid down in this Decision.

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

- (a) milk products prepared in establishments situated in the areas listed in Annex I under the following conditions:
  - all milk used in the establishment will either conform to the conditions of Article 4(2) or be obtained from animals outside the area listed in Annex I,
  - all milk products used in the final product will either conform to the conditions of paragraph 2 or be made from milk obtained from animals outside the area listed in Annex I,
  - the establishment will be operated under strict veterinary control,
  - the milk products must be clearly identified and transported and stored separately from milk and milk products which are not destined for parts of the Community outside the areas mentioned in Annex I,
  - the control of the compliance with the above listed conditions shall be carried out by the competent authority under the responsibility of the central veterinary authorities who will communicate to other Member States and the Commission a list of those establishments which they have approved in application of these provisions;
- (b) milk products prepared in the parts of the territory outside the areas mentioned in Annex I using milk obtained before **1 February 2001** from parts of the territory mentioned in Annex I provided that the milk products are clearly identified and transported and stored separately from milk products which are not destined for dispatch outside the areas mentioned in Annex I.

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

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

5. Derogating from the provisions in paragraph 4 it shall be sufficient in the case of milk products which conform to the requirements of paragraph 2 and are consigned in hermetically sealed containers or have been processed in an automated production system which ensures that standards for treatment are met and recorded that compliance with the conditions laid down in paragraph 2 is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9.

## Article 6

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

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

3. This prohibition shall not apply to frozen bovine semen and embryos produced before **1 February 2001**.

4. The health certificate provided for in Council Directive 88/407/EEC<sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and accompanying frozen bovine semen consigned from the United Kingdom to other Member States shall bear the following words:

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

5. The health certificate provided for in Council Directive 88/556/EEC<sup>(2)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and accompanying bovine embryos consigned from the United Kingdom to other Member States shall bear the following words:

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

## Article 7

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

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

<sup>(1)</sup> OJ L 194, 22.7.1988, p. 10.

<sup>(2)</sup> OJ L 302, 19.10.1989, p. 1.

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

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

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

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

#### Article 8

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

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

- (a) animal products referred to in paragraph 1 which have been subjected to:
  - heat treatment in a hermetically sealed container with a Fo value of 3,00 or more, or
  - heat treatment in which the centre temperature is raised to at least 70 °C;
- (b) blood and blood products as defined in Chapter 7 of Annex I to Directive 92/118/EEC which have been subject to:
  - heat treatment at a temperature of 65 °C for at least three hours, followed by an effectiveness check,
  - irradiation at 2,5 megarads or gamma rays followed by an effectiveness check,
  - change of pH to pH 5 or lower for at least two hours, followed by an effectiveness check;
- (c) lard and rendered fats which have been subject to the heat treatment prescribed in paragraph 2(A) of Chapter 9 of Annex I to Directive 92/118/EEC;

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

(e) unprocessed sheep wool and ruminant hair which is securely enclosed in packaging and dry;

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

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

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

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

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

#### Article 9

Where reference is made to this Article, the competent authorities of the United Kingdom shall ensure that the commercial document required by Community legislation for intra-Community trade be endorsed by the attachment of a copy of an official certificate stating that the production process has been audited and found in compliance with the appropriate requirements in Community legislation and suitable to destroy the foot-and-mouth disease virus and provisions are in place to avoid possible re-contamination with the foot-and-mouth disease virus after treatment.

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

#### Article 10

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

*Article 11*

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

2. Without prejudice to the measures already taken by Member States, Member States other than the United Kingdom shall take any precautionary measure, including the isolation of susceptible animals and preventive killing of sheep, goats, deer and camelides dispatched from the United Kingdom between 1 and 21 February 2001.

The precautionary measures referred to in the first subparagraph shall be taken without prejudice to the provisions of Article 6 of Council Decision 90/424/EEC <sup>(1)</sup>, as last amended by Decision 2001/12/EC <sup>(2)</sup>.

*Article 12*

Decision 2001/145/EC is hereby repealed.

*Article 13*

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

*Article 14*

This Decision shall apply until midnight on 9 March 2001.

*Article 15*

This Decision is addressed to the Member States.

Done at Brussels, 1 March 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

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*ANNEX I*

United Kingdom

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*ANNEX II*

United Kingdom

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<sup>(1)</sup> OJ L 224, 18.8.1990, p. 19.

<sup>(2)</sup> OJ L 3, 6.1.2001, p. 27.