

English edition

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1309/2002

of 12 July 2002

amending Regulation (EC) No 517/94 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In the interest of more efficient administrative management, the surveillance document in Annex VII to Council Regulation (EC) No 517/94 ⁽¹⁾ should be updated to align it on the common Community surveillance document provided for in Council Regulations (EC) No 3285/94 ⁽²⁾ and (EC) No 519/94 ⁽³⁾, both as amended by Regulation (EC) No 139/96 ⁽⁴⁾. In the interest of clarity, the provisions of Article 14 of Regulation (EC) No 517/94 should be redrafted accordingly.
- (2) The possibility to apply for and issue the surveillance document electronically should be introduced. In that context, it is necessary to amend Article 21 of Regulation (EC) No 517/94 in order to allow the electronic submission of the request concerning that document.
- (3) The provisions of Regulation (EC) No 517/94 concerning the committee procedure should be adapted to take account of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁵⁾.
- (4) The procedure under Article 25(4) of Regulation (EC) No 517/94 relating to the introduction of emergency safeguard measures under Article 13 of that Regulation is a

variant of the former 'IIB' procedure which is no longer valid. It is appropriate to apply, for the application of emergency safeguard measures, the procedure for the application of safeguards foreseen by Article 6(c), first alternative, of Decision 1999/468/EC.

- (5) The procedure for the application of standard safeguard measures contained in Article 25(5) of Regulation (EC) No 517/94 corresponds to the procedure set out in Article 6(c), second alternative, of Decision 1999/468/EC, which is appropriate for the application of such safeguard measures.
- (6) The procedure for the application of surveillance measures under Title III of Regulation (EC) No 517/94 should therefore be the same as that for the application of normal safeguard measures, namely that foreseen in Article 6(c), second alternative, of Decision 1999/468/EC, since the two types of measure are closely linked.
- (7) For reasons of clarity it is appropriate to replace the whole provisions of Regulation (EC) No 517/94 relating to the Committee procedure.
- (8) In the implementation of Regulation (EC) No 517/94, the Federal Republic of Yugoslavia includes Kosovo, as defined by United Nations Security Council Resolution 1244 of 10 June 1999. In Kosovo, the international civil administration (UNMIK) has established a separate customs administration. The Annexes to that Regulation should be adapted in order to take account of this situation.
- (9) Regulation (EC) No 517/94 should therefore be amended accordingly,

⁽¹⁾ OJ L 67, 10.3.1994, p. 1. Regulation as last amended by Commission Regulation (EC) No 888/2002 (OJ L 146, 4.6.2002, p. 1).

⁽²⁾ OJ L 349, 31.12.1994, p. 53. Regulation as last amended by Regulation (EC) No 2474/2000 (OJ L 286, 11.11.2000, p. 1).

⁽³⁾ OJ L 67, 10.3.1994, p. 89. Regulation as last amended by Regulation (EC) No 1138/98 (OJ L 159, 3.6.1998, p. 1).

⁽⁴⁾ OJ L 21, 27.1.1996, p. 7.

⁽⁵⁾ OJ L 184, 28.6.1999, p. 23.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 517/94 is amended as follows:

1. in Article 14, paragraphs 1 and 2 are replaced by the following:

'1. Products subject to prior Community surveillance or safeguard measures may be put into free circulation only on production of an import document.

In the case of prior Community surveillance measures, the import document shall be issued free of charge by the competent authority designated by Member States within a maximum of five working days following receipt of an application to the national competent authority by any Community importer, regardless of his place of business in the Community, for any quantity requested. Such an application shall be deemed to be received by the national competent authority no later than three working days after submission, unless it is proven otherwise. The import document shall be made out on a form corresponding to the model in Annex VII. The provisions of Article 21 shall apply *mutatis mutandis*.

In the case of safeguard measures, the import document shall be issued in accordance with the provisions of Title IV.

2. Information other than that provided for in paragraph 1 may be required when the decision to impose surveillance or safeguard measures is taken.;

2. Article 21 is amended as follows:

- (a) paragraph 3 is replaced by the following:

'3. Applications for import authorisations shall be drawn up on forms conforming to a specimen the characteristics of which shall be established in accordance with the procedure provided for in Article 25(2). The competent authorities may, under the conditions fixed by them, allow application documents to be submitted by electronic means. However, all documents and evidence must be available to the competent authorities.'

- (b) in paragraph 4, the second subparagraph is replaced by the following:

'Any measure necessary to implement this paragraph may be adopted in accordance with the procedure provided for in Article 25(2).'

- (c) the following paragraph is added:

'5. At the request of the Member State concerned, textile products in the possession of the competent authorities of that Member State, particularly in the context of bankruptcy or similar procedures, for which a valid import authorisation is no longer available, may be released into free circulation in accordance with the procedure laid down in Article 25(2).';

3. Article 25 is replaced by the following:

'Article 25

The Textile Committee

1. The Commission shall be assisted by a committee.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at one month.

3. For matters falling within Title III of this Regulation except for Article 13 thereof, the safeguard procedure in accordance with Article 6 of Decision 1999/468/EC shall apply, in compliance with Article 7 thereof. Before the Commission adopts its decision, the Commission shall consult the Committee in accordance with the procedures to be determined in the Committee's Rules of Procedure. The time limit provided for in Article 6(b) of Decision 1999/468/EC shall be one month from the adoption of the decision of the Commission concerning safeguard measures. The Council, acting by a qualified majority, may confirm, amend or revoke the decision adopted by the Commission within a period of three months from the referral of the Commission's decision to the Council, failing which the decision of the Commission is deemed to be revoked.

4. In the case of emergency safeguard measures pursuant to Article 13 of this Regulation the procedure in accordance with Article 6 of Decision 1999/468/EC shall apply, in compliance with Article 7 thereof. Before the Commission adopts its decision, the Commission shall consult the Committee in accordance with the procedures to be determined in the Committee's Rules of Procedure. The time limit provided for in Article 6(b) of Decision 1999/468/EC shall be one month from the adoption of the decision of the Commission concerning safeguard measures. The Council, acting by a qualified majority, may take a different decision within a period of three months from the referral of the Commission's decision to the Council.

5. The chairman may, on his own initiative or at the request of one of the Member States' representatives, consult the Committee about any other matter relating to the operation or application of this Regulation.

6. The Committee shall adopt its Rules of Procedure.;

4. in Articles 3(3), 5(2), 6(2), 6(3), 7(1), 8(2), 17(3), 17(6), 20, 21(2), 21(3), 22, 23 and 28 the words 'in accordance with the appropriate procedure provided for in Article 25' shall be replaced by the words 'in accordance with the procedure provided for in Article 25(2)';

5. the Annexes are amended as follows:

- (a) in Annexes IIIb and VI in the heading 'FEDERAL REPUBLIC OF YUGOSLAVIA' is replaced by 'FEDERAL REPUBLIC OF YUGOSLAVIA (*)'

(*) Including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.;

- (b) Annex VII is replaced by the text in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 12 July 2002.

For the Council

The President

T. PEDERSEN

ANNEX

'ANNEX VII

List of particulars to be given in the boxes of the surveillance document

SURVEILLANCE DOCUMENT

1. Consignee (name, full address, country, VAT number)
2. Issue No
3. Proposed place and date of import
4. Authority responsible for issue (name, address and telephone No)
5. Declarant/representative as applicable (name and full address)
6. Country of origin/Country code
7. Country of consignment/Country code
8. Last day of validity
9. Description of goods
10. CN code and textile category
11. Quantity of kilograms (net mass) or in additional units
12. Customs value in EUR, cif at Community frontier
13. Additional remarks
14. Competent authority's endorsement
 - Date and place
 - (signature) (stamp)
 - Original for the applicant
 - Copy for the competent authorities

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

HOLDER'S COPY	1	1 Consignee (name, full address, country, VAT No)	2 Issue No
			3 Proposed place and date of import
			4 Authority responsible for issue (name, address and telephone No)
		5 Declarant/representative as applicable (name and full address)	6 Country of origin Country code
			7 Country of consignment Country code
			8 Last day of validity
	1	9 Description of goods	10 CN code and textile category
			11 Quantity in kilograms (net mass) or in additional units
		12 Customs value in EUR, cif at Community frontier	
13 Additional remarks			
14 Competent authority's endorsement			
Date:			
Place:			
		(Signature)	(Stamp)

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

COPY FOR THE COMPETENT AUTHORITY	2	1 Consignee (name, full address, country, VAT No)	2 Issue No
			3 Proposed place and date of import
			4 Authority responsible for issue (name, address and telephone No)
		5 Declarant/representative as applicable (name and full address)	6 Country of origin Country code
			7 Country of consignment Country code
			8 Last day of validity
	2	9 Description of goods	10 CN code and textile category
			11 Quantity in kilograms (net mass) or in additional units
		12 Customs value in EUR, cif at Community frontier	
13 Additional remarks			
14 Competent authority's endorsement			
Date:			
Place			
(Signature) (Stamp)			

15 ATTRIBUTIONS Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.			
16 Net quantity (net mass or other unit of measure stating the unit)		19 Customs document (form and No) or extract No and date of attribution	20 Name, Member State, stamp and signature of the attributing authority
17 In figures	18 In words for the quantity attributed		
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			

Extension pages to be attached hereto.'

**COUNCIL REGULATION (EC) No 1310/2002
of 19 July 2002**

amending Regulation (EC) No 963/2002 laying down transitional provisions concerning anti-dumping and anti-subsidy measures adopted pursuant to Commission Decisions No 2277/96/ECSC and No 1889/98/ECSC as well as pending anti-dumping and anti-subsidy investigations, complaints and applications pursuant to those Decisions

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Treaty establishing the European Coal and Steel Community ('ECSC Treaty') will expire on 23 July 2002.
- (2) Products which are currently covered by the ECSC Treaty will be subject to the Treaty establishing the European Community as of 24 July 2002.
- (3) Regulation (EC) No 963/2002⁽¹⁾ lays down transitional provisions concerning anti-dumping and anti-subsidy measures adopted pursuant to Commission Decision No 2277/96/ECSC of 28 November 1996 on protection against dumped imports from countries not members of the European Coal and Steel Community⁽²⁾ and Commission Decision No 1889/98/ECSC of 3 September 1998 on protection against subsidised imports from countries not members of the European Coal and Steel Community⁽³⁾. The Annexes to that Regulation list all the anti-dumping and anti-subsidy measures in force on 16 April 2002, namely the date of the adoption of the proposal by the Commission.
- (4) In the meantime, amendments have however been adopted in relation to certain of these measures. Consequently, the abovementioned Annexes should be updated. It is therefore appropriate to provide for an amending Regulation which brings the Annexes to Regulation (EC) No 963/2002 up to date,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 963/2002 is hereby amended as follows:

1. the table in Annex I shall be amended as follows:

(a) opposite the entry 'Flat-rolled products of iron or non-alloy steel (hot-rolled coils)':

(i) the entry in the second column entitled 'Decision No' shall be replaced by the following:

'Commission Decision No 283/2000/ECSC of 4.2.2000 (OJ L 31, 5.2.2000, p. 15) (corrected by

Decision No 2009/2000/ECSC of 22.9.2000) (OJ L 240, 23.9.2000, p. 12), as last amended by Commission Decision No 841/2002/ECSC of 21.5.2002 (OJ L 134, 22.5.2002, p. 11) and Commission Decision No 1043/2002/ECSC of 14.6.2002 (OJ L 157, 15.6.2002, p. 45)';

(ii) in the fifth column, the entry relating to India shall be replaced by the following:

'Tata Iron & Steel Company Ltd (A078)

Essar Steel Ltd (A083/A076)

Steel Authority of India Ltd (A084/A077)

Jindal Vijayanagar Steel Ltd (A270)

Ispat Industries Ltd (A204)

All other companies (A999)';

(iii) in the sixth column, the entry relating to India shall be replaced by the following:

'0

Undertaking/1,5 %

Undertaking/11,5 %

Undertaking/18,1 %

Undertaking/14 %

10,7 %';

(b) opposite the entry 'Hot-rolled flat products of non-alloy steel quarto plates)':

(i) the entry in the second column entitled 'Decision No' shall be replaced by the following:

'Commission Decision No 1758/2000/ECSC of 9.8.2000 (OJ L 202, 10.8.2000, p. 21), as last amended by Commission Decision No 979/2002/ECSC of 3.6.2002 (OJ L 150, 8.6.2002, p. 36)';

⁽¹⁾ OJ L 149, 7.6.2002, p. 3.

⁽²⁾ OJ L 308, 29.11.1996, p. 11. Decision as last amended by Decision No 435/2001/ECSC (OJ L 63, 3.3.2001, p. 14).

⁽³⁾ OJ L 245, 4.9.1998, p. 3.

- (ii) in the fifth column, the entry relating to Romania shall be replaced by the following:
'Sidex SA (069)
All other companies (A999)';
- (iii) in the sixth column, the entry relating to Romania shall be replaced by the following:
'5,7 %
11,5 %';
2. the table in Annex II shall be amended as follows:
- (a) in the second column, the entry entitled 'Decision No' shall be replaced by the following:
'Commission Decision No 284/2000/ECSC of 4.2.2000 (OJ L 31, 5.2.2000, p. 15), corrected by Commission Decision No 2071/2000/ECSC of 29.9.2000 (L 246, 30.9.2000, p. 32), as last amended by Commission Decision No 842/2002/ECSC of 21.5.2002 (OJ L 134, 22.5.2002, p. 18) and Commission Decision 1043/2002/ECSC of 14.6.2002 (OJ L 157, 15.6.2002, p. 45)';
- (b) in the fifth column, the entry relating to India shall be replaced by the following:
'Essar Steel Ltd (A083/A076)
The Steel Authority of India Ltd (A084/A077)
Tata Iron & Steel Company Ltd (A075/A078)
Ispat Industries Ltd (A204)
Jindal Vijayanagar Steel Ltd (A270)
All other companies (A999)';
- (c) in the sixth column, the entry relating to India shall be replaced by the following:
'Undertaking/4,9 %
Undertaking/12,3 %
Undertaking/6,2 %
Undertaking/9,8 %
Undertaking/5,7 %
13,1 %'.

Article 2

This Regulation shall enter into force on 24 July 2002.

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

Done at Brussels, 19 July 2002.

For the Council
The President
T. PEDERSEN

COMMISSION REGULATION (EC) No 1311/2002
of 19 July 2002
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 July 2002.

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

Done at Brussels, 19 July 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 19 July 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (!)	Standard import value
0707 00 05	052	92,6
	999	92,6
0709 90 70	052	71,9
	999	71,9
0805 50 10	388	54,4
	524	71,0
	528	49,0
	999	58,1
0808 10 20, 0808 10 50, 0808 10 90	388	88,8
	400	104,3
	404	77,8
	508	83,1
	512	87,1
	524	49,5
	528	62,4
	720	170,5
	804	101,8
	999	91,7
	0808 20 50	052
388		88,3
512		81,2
528		87,8
804		81,9
0809 10 00	999	96,0
	052	163,8
	064	144,5
0809 20 95	999	154,2
	052	339,6
	061	255,2
	400	274,3
	404	245,1
0809 30 10, 0809 30 90	616	247,4
	999	272,3
	052	123,9
	999	123,9
0809 40 05	064	90,5
	624	157,6
	999	124,1

(!) Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1312/2002
of 19 July 2002
fixing export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 545/2002 ⁽²⁾, and in particular Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1961/2001 ⁽³⁾, as amended by Regulation (EC) No 1176/2002 ⁽⁴⁾, lays down detailed rules on export refunds on fruit and vegetables.
- (2) Article 35(1) of Regulation (EC) No 2200/96, provides that, to the extent necessary for economically significant quantities of the products listed in that Article to be exported, the difference between the international market prices for those products and their prices in the Community may be covered by export refunds.
- (3) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation or the outlook for fruit and vegetable prices on the Community market and supplies available on the one hand, and prices on the international market on the other hand. Account must also be taken of the costs referred to in Article 35(4)(b) of that Regulation and of the economic aspect of the exports planned.
- (4) Pursuant to Article 35(1) of Regulation (EC) No 2200/96, refunds are to be set with due regard to the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint. International trade prices are to be established in the light of the prices referred to in the second subparagraph of that paragraph.

- (6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.
- (7) Tomatoes, oranges, lemons, table grapes and apples and of classes Extra, I and II of the common trading standards can currently be exported in economically significant quantities.
- (8) The application of the abovementioned rules to the present and forecast market situation, and in particular to fruit and vegetable prices in the Community and international trade, gives the refund rates set out in the Annex hereto.
- (9) Pursuant to Article 35(2) of Regulation (EC) No 2200/96, the resources available should be used as efficiently as possible while avoiding discrimination between traders. Therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements. For those reasons and because of the seasonal nature of exports of fruit and vegetables, quotas should be fixed for each product.
- (10) Commission Regulation (EEC) No 3846/87 ⁽⁵⁾, as last amended by Regulation (EC) No 1007/2002 ⁽⁶⁾, establishes an agricultural product nomenclature for export refunds.
- (11) Commission Regulation (EEC) No 1291/2000 ⁽⁷⁾, as amended by Regulation (EC) No 2299/2001 ⁽⁸⁾, lays down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products.
- (12) Owing to the market situation, in order to make the most efficient use of the resources available and given the structure of Community exports, the most appropriate method should be selected for export refunds on certain products and certain destinations and consequently refunds under the A 1, A 2 and A 3 licence arrangements referred to in Article 1 of Regulation (EC) No 1961/2001 should not be fixed simultaneously for the export period in question.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

⁽³⁾ OJ L 268, 9.10.2001, p. 8.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 69.

⁽⁵⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁶⁾ OJ L 153, 13.6.2002, p. 8.

⁽⁷⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁸⁾ OJ L 308, 27.11.2001, p. 19.

(13) The quantities laid down for the various products should be distributed in accordance with the different systems for the grant of the refund, taking account in particular of their perishability.

(14) The Management Committee for fresh Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.

2. Quantities covered by licences issued for food aid as referred to in Article 16 of Regulation (EC) No 1291/2000 shall not count against the eligible quantities covered by the Annex.

Article 2

This Regulation shall enter into force on 10 September 2002.

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

Done at Brussels, 19 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to Commission Regulation of 19 July 2002 fixing the export refunds on fruit and vegetables

Product	Product code	Destination	System			
			A1 Application periods 10.9 to 8.11.2002		B Application periods 17.9 to 15.11.2002	
			Refund amount (EUR/t net weight)	Scheduled quantity (t)	Indicative refund amount (EUR/t net weight)	Scheduled quantity (t)
Tomatoes	0702 00 00 9100	F08	17		17	4 316
Oranges	0805 10 10 9100 0805 10 30 9100 0805 10 50 9100	F00	28		28	10 756
Lemons	0805 50 10 9100	F00	15		15	7 990
Table grapes	0806 10 10 9100	F00	12		12	20 188
Apples	0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	F04, F09	15		15	11 781

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

The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are defined as follows:

F00 All destinations except Estonia.

F03 All destinations except Switzerland and Estonia.

F04 Sri Lanka, Hong Kong SAR, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua-New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica and Japan.

F08 All destinations except Slovakia, Latvia, Lithuania, Bulgaria and Estonia.

F09 Norway, Iceland, Greenland, Faeroe Islands, Poland, Hungary, Romania, Albania, Bosnia and Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999, African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia.

COMMISSION REGULATION (EC) No 1313/2002

of 19 July 2002

implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community concerning the specification of the 2003 ad hoc module on lifelong learning

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1626/2000⁽²⁾ implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community has drawn up a programme of ad hoc modules to the labour force survey covering years 2001 to 2004, which includes an ad hoc module on lifelong learning.
- (2) In accordance with Article 4(2) of Regulation (EC) No 577/98 the detailed list of information to be collected in an ad hoc module shall be drawn at least 12 months before the beginning of the reference period for that module.
- (3) Commission Communication COM(2001) 678 on 'Making a European Area of Lifelong Learning a Reality' underlines in paragraph 4(3) that comparable information and statistical measures are essential to the development and implementation of coherent and comprehensive lifelong learning strategies and that statistics and indicators already form an essential part of existing

initiatives in the field of lifelong learning with a view to monitoring progress both in achieving identified targets and in implementing policy objectives.

- (4) In accordance with Employment Guideline C for 2002, Member States should set national targets for an increase in investment in human resources as well as in participation in further education and training (whether formal or informal) and monitor regularly progress towards such targets.
- (5) The measures provided for in this Regulation are in accordance with the opinion delivered by the Statistical Programme Committee established by Council Decision 89/382/EEC, Euratom⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The detailed list of information to be collected in 2003 by the ad hoc module on lifelong learning is laid down in the Annex to the present Regulation.

*Article 2*This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 19 July 2002.

For the Commission
Pedro SOLBES MIRA
Member of the Commission

⁽¹⁾ OJ L 77, 14.3.1998, p. 3.⁽²⁾ OJ L 187, 26.7.2000, p. 5.⁽³⁾ OJ L 181, 28.6.1989, p. 47.

ANNEX

Labour Force Survey Specification of the 2003 ad hoc module on lifelong learning

1. Member States and regions concerned: all
2. The reference period is 2003. All variables will be provided either:
 - for at least 15 % of the sample that is necessary to fulfil the conditions in Article 3 of Regulation (EC) No 577/98. The weeks of reference for this subsample are equally distributed throughout the year, or
 - for 100 % of the sample of the 2nd quarter 2003.
3. The variables will be coded as follows:

Variable	Column	Code		Filter/comments
			EDUCATIONAL ATTAINMENT	
HATFIELD	240/242	3 digits	Field of highest level of education or training successfully completed Field of study according ISCED '97	Everybody aged 15 years or more
		000	General programmes	
		100	Teacher training and education science	
		200	Humanities, languages and arts	
		222	Foreign languages	
		300	Social sciences, business and law	
		400	Science, mathematics and computing (no distinction possible)	
		420	Life science (including biology and environmental science)	
		440	Physical science (including physics, chemistry and earth science)	
		460	Mathematics and statistics	
		481	Computer science	
		482	Computer use	
		500	Engineering, manufacturing and construction	
		600	Agriculture and veterinary	
		700	Health and welfare	
		800	Services	
		900	Unknown	
		999	Not applicable	
		Blank	No answer	
			PARTICIPATION IN REGULAR EDUCATION	
LLLSTAT	248	1 digit	During the last 12 months has been a student or an apprentice in regular education	Everybody aged 15 years or more
		1	Has been a student or an apprentice	
		2	Has not been a student or an apprentice	

Variable	Column	Code		Filter/comments
		9 Blank	Not applicable (child less than 15 years) No answer	
LLLLEVEL	249	1 digit 1 2 3 4 5 6 9 Blank	Level of this education or training ISCED 1 ISCED 2 ISCED 3 ISCED 4 ISCED 5 ISCED 6 Not applicable No answer	LLLSTAT = 1
LLLFIELD	250/252	3 digits 000 100 200 222 300 400 420 440 460 481 482 500 600 700 800 900 999 Blank	Field of this education or training General programmes Teacher training and education science Humanities, languages and arts Foreign languages Social sciences, business and law Science, mathematics and computing (no distinction possible) Life science (including biology and environmental science) Physical science (including physics, chemistry and earth science) Mathematics and statistics Computer science Computer use Engineering, manufacturing and construction Agriculture and veterinary Health and welfare Services Unknown Not applicable No answer	LLLSTAT = 1 and LLLLEVEL = 3-6
			PARTICIPATION IN COURSES, SEMINARS, CONFERENCES ETC. OUTSIDE THE REGULAR EDUCATION SYSTEM	
LLLCOURATT	253	1 digit 1 2	Did you attend any courses, seminars, conferences or receive private lessons or instructions outside the regular education system (hereafter mentioned as taught activities) within the last 12 months? Participated in one (1) taught activity Participated in two (2) taught activities	Everybody aged 15 years or more

Variable	Column	Code		Filter/comments
		3	Participated in three (3) taught activities	
		4	Participated in more than three taught activities	
		5	Didn't attend any taught activities during the previous 12 months	
		9	Not applicable (child less than 15 years)	
		Blank	No answer	
			<p>If one activity (LLLCOURATT = 1) ask on this activity as activity A,</p> <p>if two activities (LLLCOURATT = 2) ask on these two activities as A and B,</p> <p>if three activities (LLLCOURATT = 3) ask on these three activities as A, B and C, and</p> <p>if four or more activities (LLLCOURATT = 4), ask on the three most recent ones as A, B and C starting from the most recent one (i.e. activity A is the most recent one)</p>	
LLLCOURLENP	254/265	12 digits	Duration in number of taught hours for taught activity. Only time spent during the previous 12 months should be included	
LLLCOURLENA		4 digits	Number of taught hours for the most recent activity	LLLCOURATT = 1, 2, 3, 4
LLLCOURLENB		4 digits	Number of taught hours for the second most recent activity	LLLCOURATT = 2, 3, 4
LLLCOURLENC		4 digits	Number of taught hours for the third most recent activity	LLLCOURATT = 3, 4
LLLCOURPURP	266/268	3 digits	What were the main reasons for participating in this taught activity?	
LLLCOURPURPA		1 digit	For the most recent activity; 1 = Mainly job related reasons, 2 = Mainly personal/social reasons, 9 = Not applicable, Blank = No answer	LLLCOURATT = 1, 2, 3, 4
LLLCOURPURPB		1 digit	For the 2nd most recent learning activity; 1 = Mainly job related reasons, 2 = Mainly personal/social reasons, 9 = Not applicable, Blank = No answer	LLLCOURATT = 2, 3, 4
LLLCOURPURPC		1 digit	For the 3rd most recent activity; 1 = Mainly job related reasons, 2 = Mainly personal/social reasons, 9 = Not applicable, Blank = No answer	LLLCOURATT = 3, 4

Variable	Column	Code		Filter/comments
LLLCOURFIELD	269/277	9 digits	Which was the subject/content of this taught activity? The subject/content of the learning activity is coded to the field of education/training that applies. Coding according to LLLFIELD	
LLLCOURFIELDA		3 digits	Field of education/learning for the most recent activity	LLLCOURATT = 1, 2, 3, 4
LLLCOURFIELDB		3 digits	Field of education/learning for the second most recent activity	LLLCOURATT = 2, 3, 4
LLLCOURFIELDC		3 digits	Field of education/learning for the third most recent activity	LLLCOURATT = 3, 4
LLLCOURWORH	278/280	3 digits	Did any part of this taught activity take place during paid working hours?	<i>(optional for Germany)</i>
LLLCOURWORHA		1 digit	For the most recent learning activity; 1 = Only during paid hours, 2 = Mostly during paid hours, 3 = Mostly outside paid hours, 4 = Only outside paid hours, 5 = No job at that time; 9 = Not applicable, Blank = No answer	LLLCOURATT = 1, 2, 3, 4
LLLCOURWORHB		1 digit	For the 2nd most recent learning activity; 1 = Only during paid hours, 2 = Mostly during paid hours, 3 = Mostly outside paid hours, 4 = Only outside paid hours, 5 = No job at that time; 9 = Not applicable, Blank = No answer	LLLCOURATT = 2, 3, 4
LLLCOURWORHC		1 digit	For the 3rd most recent learning activity; 1 = Only during paid hours, 2 = Mostly during paid hours, 3 = Mostly outside paid hours, 4 = Only outside paid hours, 5 = No job at that time; 9 = Not applicable, Blank = No answer	LLLCOURATT = 3, 4
LLLCOURLEN	281/284	4 digits	If you participated in more than three taught activities, state the duration in number of taught hours for all taught activities (including the three you have described above). Only time spent during the previous 12 months should be included.	LLLCOURATT = 4 <i>(optional for Germany)</i>
		4 digits	Number of taught hours	
		9999	Not applicable	
		Blank	No answer	

Variable	Column	Code		Filter/comments
			PARTICIPATION IN INFORMAL LEARNING	
LLLINFORATT	289/292	4 digits	Did you use any of the following methods for non-taught learning including self-learning with the purpose to improve your skills during the previous 12 months, which wasn't part of a taught activity or program of studies?	Everybody aged 15 years or more
First digit		1 digit	Self studying by making use of printed material (e.g. professional books, magazines and the like); 1 = Used, 0 = Not used, 9 = No answer	
Second digit		1 digit	Computer based learning/training; online internet based web education (beyond institutionalised education); 1 = Used, 0 = Not used, 9 = No answer	
Third digit		1 digit	Studying by making use of educational broadcasting or offline computer based (Audio or Video-tapes); 1 = Used, 0 = Not used, 9 = No answer	
Fourth digit		1 digit	Visiting facilities aimed at transmitting educational content (library, learning centres etc.); 1 = Used, 0 = Not used, 9 = No answer	

COMMISSION REGULATION (EC) No 1314/2002**of 19 July 2002****authorising transfers between the quantitative limits of textiles and clothing products originating in the Republic of India**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries ⁽¹⁾, as last amended by Commission Regulation (EC) No 797/2002 ⁽²⁾, and in particular Article 7 thereof,

Whereas:

- (1) The Memorandum of Understanding between the European Community and the Republic of India on arrangements in the area of market access for textile products, initialled on 31 December 1994 ⁽³⁾, provides that favourable consideration should be given to certain requests for so-called 'exceptional flexibility' by India.
- (2) The Republic of India made a request for transfers between categories on 17 May 2002.
- (3) The transfers requested by the Republic of India fall within the limits of the flexibility provisions referred to in Article 7 and set out in Annex VIII to Regulation (EEC) No 3030/93.

- (4) It is appropriate to grant the request.
- (5) It is desirable for this Regulation to enter into force the day after its publication in order to allow operators to benefit from it as soon as possible.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee provided for in Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

Article 1

Transfers between the quantitative limits for textile goods originating in the Republic of India are authorised for the quota year 2002 in accordance with the Annex.

*Article 2*This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 19 July 2002.

For the Commission

Pascal LAMY

Member of the Commission⁽¹⁾ OJ L 275, 8.11.1993, p. 1.⁽²⁾ OJ L 128, 15.5.2002, p. 29.⁽³⁾ OJ L 153, 27.6.1996, p. 53.

ANNEX

664 INDIA				ADJUSTMENT					
Group	Category	Unit	Limit 2002	Adjusted working level	Quantity in units	Quantity in tonnes	%	Flexibility	New adjusted working level
IA	2a	kg	23 733 000	26 445 819	1 500 000	1 500	6,3	Transfer from category 3	27 945 819
IA	3	kg	33 347 000	34 019 980	-7 000 000	7 000	-21,0	Transfer to categories 2a, 4 and 6	27 019 980
IB	4	pcs	81 019 000	84 350 769	19 440 000	3 000	24,0	Transfer from category 3	103 790 769
IB	6	pcs	11 225 000	11 295 930	4 400 000	2 500	39,2	Transfer from category 3	15 695 930

**COMMISSION REGULATION (EC) No 1315/2002
of 19 July 2002**

**amending Regulation (EC) No 1623/2000 laying down detailed rules for implementing Council
Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to
market mechanisms**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 2585/2001 ⁽²⁾, and in particular Article 33 thereof,

Whereas:

- (1) Article 63 of Commission Regulation (EC) No 1623/2000 ⁽³⁾, as last amended by Regulation (EC) No 420/2002 ⁽⁴⁾, lays down delivery dates among the other detailed rules on distillery deliveries.
- (2) In Portugal, when the intervention agency takes over alcohol produced from various distillations, the distillers deliver the product to the intervention agency, which stores it in the premises under its management. The Community then sells this stored alcohol through invitations to tender.
- (3) It was not possible to conduct invitations to tender in the most recent period, and the agency's storage facilities are now completely full. Consequently, as the Portuguese intervention agency has not yet been able to organise new premises, it asked the distillers to store the alcohol on their own premises. The distillers have gradually reached their storage capacity limits as a result and have been unable to accept all the wines to be delivered by the producers for distillation under Article 1 of Commission Regulation (EC) No 378/2002 ⁽⁵⁾.

- (4) The delivery period in Portugal must therefore be extended so that the planned operation can be completed and operators are not penalised for deliveries made after 30 June. Allowing deliveries to continue is advisable in order to prevent deliveries from extending beyond the wine year.
- (5) This amendment must therefore apply retroactively from 1 July 2002. This retroactivity does not prejudice the operators' legitimate expectations because it provides only for an extension of the delivery period.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to Article 63(9) of Regulation (EC) No 1623/2000:

'However, for the 2001/02 marketing year, the wines listed in the contracts concluded with Portugal for distillation under Article 1 of Regulation (EC) No 378/2002 can be delivered until 31 July 2002.'

Article 2

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

It shall apply from 1 July 2002.

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

Done at Brussels, 19 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 345, 29.12.2001, p. 10.

⁽³⁾ OJ L 194, 31.7.2000, p. 45.

⁽⁴⁾ OJ L 112, 27.4.2002, p. 3.

⁽⁵⁾ OJ L 60, 1.3.2002, p. 22.

**COMMISSION REGULATION (EC) No 1316/2002
of 19 July 2002**

determining to what extent import right applications submitted for live bovine animals weighing between 80 and 300 kg as part of a tariff quota provided for in Regulation (EC) No 1247/1999 may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1247/1999 of 16 June 1999 laying down detailed rules for the application of a tariff quota for live bovine animals weighing from 80 to 300 kg and originating in certain third countries ⁽¹⁾, as last amended by Regulation (EC) No 1096/2001 ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) Article 1(1) of Regulation (EC) No 1247/1999 lays down the number of head of live bovine animals weighing between 80 and 300 kg originating in certain third countries which may be imported under special conditions in the period 1 July 2002 to 30 June 2003.

- (2) The quantities for which import right applications have been submitted exceed the quantities available. Pursuant to Article 4(2) of Regulation (EC) No 1247/1999, a single percentage reduction in the quantities applied for should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import rights lodged pursuant to Article 3 of Regulation (EC) No 1247/1999 shall be met to the extent of 0,54172 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 20 July 2002.

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

Done at Brussels, 19 July 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 150, 17.6.1999, p. 18.

⁽²⁾ OJ L 150, 6.6.2001, p. 33.

COMMISSION REGULATION (EC) No 1317/2002
of 19 July 2002
determining the world market price for ungin­ned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The world price for ungin­ned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 22,170/kg.

Article 2

This Regulation shall enter into force on 20 July 2002.

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

Done at Brussels, 19 July 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

COUNCIL DIRECTIVE 2002/60/EC

of 27 June 2002

laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease ⁽¹⁾, and in particular Article 15 and Article 24(1) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The general measures laid down in Directive 92/119/EEC are aimed at preventing the further spread of certain animal diseases of major economic importance and in particular at controlling the movement of animals and products liable to spread the infection.
- (2) The International Office of Epizootics (OIE) is the technical reference body for animal health recognised by the World Trade Organisation. It has drawn up a list of epidemic animal diseases of major economic importance (List A).
- (3) It is necessary and appropriate that Directive 92/119/EEC should apply to all the epidemic diseases on List A, with the exception of those for which specific provision has already been made at Community level.
- (4) Teschen disease is no longer included in List A. It is therefore appropriate to delete that disease from the list set out in Annex I to Directive 92/119/EEC.
- (5) African swine fever is a disease of major economic importance, included in List A, which occurs in certain limited areas of the Community. It is therefore appropriate to establish Community measures for the control of that disease.
- (6) African swine fever should be included in the list set out in Annex I to Directive 92/119/EEC and specific provisions for its control should be laid down in accordance with Article 15 of that Directive.
- (7) Measures should be adopted to control the movement of pigs and their products from areas subject to restrictions

arising from an outbreak of African swine fever. Such measures should be similar to those established at Community level for the control of other pig diseases such as swine vesicular disease and classical swine fever.

- (8) In particular, Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽²⁾ should be used as a model for the establishment of specific measures for the control of African swine fever. However, adjustments should be made particularly because of the differences between the two diseases, the current lack of vaccines and especially the incubation period for African swine fever and the possibility that this disease is transmitted by vectors.
- (9) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽³⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Subject-matter

This Directive lays down the minimum Community measures for the control of African swine fever.

It removes Teschen disease from the group of diseases to which the general control measures laid down in Directive 92/119/EEC apply.

Article 2

Definitions

For the purposes of this Directive:

- (a) 'pig' shall mean any animal of the *Suidae* family, including feral pigs;
- (b) 'feral pig' shall mean a pig which is not kept or bred on a holding;

⁽¹⁾ OJ L 62, 15.3.1993, p. 69. Directive as last amended by the 1994 Act of Accession.

⁽²⁾ OJ L 316, 1.12.2001, p. 5.

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

- (c) 'holding' shall mean any agricultural or other premises located in the territory of a Member State where pigs are being bred or kept on a permanent or temporary basis. This definition does not include slaughterhouses, means of transport and fenced areas where feral pigs are kept and may be hunted; these fenced areas must be of a size and structure that makes the measures laid down in Article 5(1) not applicable;
- (d) 'diagnostic manual' shall mean the diagnostic manual referred to in Article 18(3);
- (e) 'pig suspected of being infected with African swine fever virus' shall mean any pig or pig carcass exhibiting clinical symptoms or showing *post mortem* lesions or reactions to laboratory tests carried out in accordance with the diagnostic manual which indicate the possible presence of African swine fever;
- (f) 'case of African swine fever' or 'pig infected with African swine fever' shall mean any pig or pig carcass:
- in which clinical symptoms or *post mortem* lesions of African swine fever have been officially confirmed, or
 - in which the presence of the disease has been officially confirmed as the result of a laboratory examination carried out in accordance with the diagnostic manual;
- (g) 'outbreak of African swine fever' shall mean the holding where one or more cases of African swine fever has or have been detected;
- (h) 'primary outbreak' shall mean the outbreak within the meaning of Article 2(d) of Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community ⁽¹⁾;
- (i) 'infected area' shall mean the area of a Member State where, following the confirmation of one or more cases of African swine fever in feral pigs, disease eradication measures are in place in accordance with Article 15 or 16;
- (j) 'primary case of African swine fever in feral pigs' shall mean any case of African swine fever which is detected in feral pigs in an area in which no measures are in place in accordance with Article 15 or 16;
- (k) 'contact holding' shall mean a holding where African swine fever may have been introduced, whether as a result of the location, movement of persons, pigs or vehicles or in any other way;
- (l) 'owner' shall mean any person or persons, either natural or legal, having ownership of the pigs, or charged with keeping the said animals, whether or not for financial reward;
- (m) 'competent authority' shall mean the competent authority within the meaning of Article 2(6) of Directive 90/425/EEC ⁽²⁾;
- (n) 'official veterinarian' shall mean the veterinarian designated by the competent authority of the Member State;
- (o) 'processing' shall mean one of the treatments for high risk material laid down in Article 3 of Directive 90/667/EEC ⁽³⁾, applied in such a way as to avoid the risk of spread of the African swine fever virus;
- (p) 'killing' shall mean the killing of pigs within the meaning of Article 2(6) of Directive 93/119/EEC ⁽⁴⁾;
- (q) 'slaughter' shall mean the slaughter of pigs within the meaning of Article 2(7) of Directive 93/119/EEC;
- (r) 'vector' shall mean a tick of the species *Ornithodoros erraticus*.

Article 3

African swine fever notification

1. Member States shall ensure that the presence or the suspected presence of African swine fever is compulsorily and immediately notifiable to the competent authority.
2. Without prejudice to existing Community provisions on notification of outbreaks of animal diseases, the Member State in whose territory African swine fever is confirmed shall:
 - (a) give notification of the disease and provide information to the Commission and the other Member States in accordance with Annex I on:
 - the outbreaks of African swine fever which are confirmed in holdings,
 - the cases of African swine fever which are confirmed in a slaughterhouse or in means of transport,
 - the primary cases of African swine fever which are confirmed in feral pigs,
 - the results of the epidemiological inquiry carried out in accordance with Article 8;
 - (b) provide information to the Commission and the other Member States on the further cases confirmed in feral pigs in an African swine fever infected area in accordance with Article 16(3)(a) and (4).

Article 4

Measures in cases where the presence of African swine fever on a holding is suspected

1. Where a holding contains one or more pigs suspected of being infected with African swine fever virus, Member States shall ensure that the competent authority immediately sets in motion official means of investigation to confirm or rule out the presence of the said disease in accordance with the procedures laid down in the diagnostic manual.

⁽¹⁾ OJ L 378, 31.12.1982, p. 58. Directive as last amended by Commission Decision 2000/556/EC (OJ L 235, 19.9.2000, p. 27).

⁽²⁾ Council Directive 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 (OJ L 224, 18.8.1990, p. 29). Directive as last amended by Directive 92/118/EEC (OJ L 62, 15.3.1993, p. 49).

⁽³⁾ Council Directive of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin and amending Directive 90/425/EEC (OJ L 363, 27.12.1990, p. 51). Directive as last amended by the 1994 Act of Accession.

⁽⁴⁾ Council Directive of 22 December 1993 on the protection of animals at the time of slaughter or killing (OJ L 340, 31.12.1993, p. 21).

When the holding is visited by an official veterinarian, a check of the register and of the pig identification marks referred to in Articles 4 and 5 of Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals ⁽¹⁾ shall also be carried out.

2. When the competent authority considers that the presence of African swine fever in a holding cannot be ruled out, it shall immediately have the holding placed under official surveillance and shall in particular order that:

- (a) all the pigs in the various categories on the holding are to be counted and a list compiled of the number of pigs already sick, dead or likely to be infected in each category; the list shall be updated to take account of pig births and deaths during the period of suspicion; the information on the list shall be produced upon request and may be checked at each visit;
- (b) all the pigs on the holding shall be restricted to their living quarters or confined in some other place where they can be isolated;
- (c) no pigs may enter or leave the holding. The competent authority may, if necessary, extend the ban on leaving the holding to cover other species of animals and require the application of appropriate measures to destroy rodents or insects;
- (d) no pig carcasses may leave the holding without an authorisation issued by the competent authority;
- (e) no meat, pig products, semen, ova or embryos of pigs, animal feed, utensils, materials or waste likely to transmit African swine fever may leave the holding without an authorisation issued by the competent authority; meat, pig products, semen, ova or embryos shall not be moved from the holding for intra-Community trade;
- (f) the movement of persons to or from the holding shall be subject to written authorisation by the competent authority;
- (g) the movement of vehicles to or from the holding shall be subject to written authorisation by the competent authority;
- (h) appropriate means of disinfection shall be used at the entrances and exits of buildings housing pigs and of the holding itself; any person entering or leaving pig holdings shall comply with appropriate hygiene measures necessary to reduce the risk of African swine fever virus spreading. Furthermore, all means of transport shall be carefully disinfected before leaving the holding;
- (i) an epidemiological inquiry shall be carried out in accordance with Article 8.

3. Where required by the epidemiological situation, the competent authority:

- (a) may apply the measures provided for in Article 5(1) in the holding referred to in paragraph 2 of this Article; however, the competent authority may, where it considers that conditions permit, limit the application of these measures only to the pigs suspected of being infected or contaminated with

African swine fever virus and the part of the holding where they were kept, provided that those pigs have been housed, kept and fed completely separately from the other pigs in the holding. In any case, a sufficient number of samples shall be taken from the pigs when they are killed in order that the presence of African swine fever virus can be confirmed or ruled out, in accordance with the diagnostic manual;

- (b) may establish a temporary control zone around the holding referred to in paragraph 2; some or all the measures referred to in paragraphs 1 or 2 shall be applied in the pig holdings within this zone.

4. Once adopted, the measures provided for in paragraph 2 shall not be lifted until the presence of African swine fever has been officially ruled out.

Article 5

Measures in cases where the presence of African swine fever on a holding is confirmed

1. In cases where the presence of African swine fever is officially confirmed in a holding, Member States shall ensure that, in addition to the measures referred to in Article 4(2), the competent authority prescribes that:

- (a) all pigs on the holding are to be killed without delay under official supervision and in such a way as to avoid the risk of African swine fever virus spreading during transport or killing;
- (b) a sufficient number of samples are to be taken, in accordance with the diagnostic manual, from the pigs when they are killed, in order that the manner of introduction of African swine fever virus into the holding and the length of time during which it may have existed on the holding before the disease was notified may be established;
- (c) the carcasses of pigs which have died or have been killed are to be processed under official supervision;
- (d) meat of pigs slaughtered during the period between the probable introduction of the disease into the holding and the taking of official measures is wherever possible to be traced and processed under official supervision;
- (e) semen, ova or embryos of pigs collected from the holding during the period between the probable introduction of disease into the holding and the taking of official measures are to be traced and destroyed under official supervision in such a way as to avoid the risk of African swine fever virus spreading;
- (f) all substances and waste likely to be contaminated, such as feedingstuffs, are to be processed; all materials for single use which may be contaminated and in particular those used for the killing operations are to be destroyed; these actions are to be carried out in accordance with the instructions of the official veterinarian;

⁽¹⁾ OJ L 355, 5.12.1992, p. 32. Directive as amended by the 1994 Act of Accession.

- (g) after the pigs have been eliminated, the buildings used for housing the pigs, the vehicles used for transporting them or their carcasses and the equipment, bedding, manure and slurry likely to be contaminated are to be cleaned, if necessary disinfected, disinfected and treated in accordance with Article 12;
- (h) in the case of a primary outbreak of disease, the African swine fever virus isolate is to be subject to the laboratory procedure laid down in the diagnostic manual to identify the genetic type;
- (i) an epidemiological inquiry is to be carried out in accordance with Article 8.

2. In cases where an outbreak has been confirmed in a laboratory, a zoo, a wild life park or a fenced area where pigs are kept for scientific purposes or purposes related to conservation of species or conservation of rare breeds, the Member State concerned may decide to derogate from paragraphs 1(a) and 1(e), provided that basic Community interests are not adversely affected.

Such a decision shall immediately be notified to the Commission.

The Commission shall in all cases immediately review the situation with the Member State concerned and in the Standing Veterinary Committee at the earliest possible opportunity. If necessary, measures to prevent the disease spreading shall be adopted in accordance with the procedure referred to in Article 24(2).

Article 6

Measures in cases where the presence of African swine fever is confirmed in holdings consisting of various production units

1. Where the presence of African swine fever is confirmed in holdings which consist of two or more separate production units and in order that the fattening of pigs may be completed, the competent authority may decide to derogate from the provisions of Article 5(1)(a) as regards healthy pig production units on a holding which is infected provided that the official veterinarian confirms that the structure, size and distance apart of these production units and the operations carried out there are such that the production units provide completely separate facilities for housing, keeping and feeding, so that the virus cannot spread from one production unit to another.

2. If use is made of the derogation referred to in paragraph 1, Member States shall draw up detailed rules for applying it in the light of the animal health guarantees which can be secured.

3. Member States which make use of this derogation shall immediately notify the Commission thereof. The Commission shall in all cases immediately review the situation with the Member State concerned and in the Standing Veterinary Committee at the earliest possible opportunity. If necessary, measures to prevent the disease spreading shall be adopted in accordance with the procedure laid down in Article 24(2).

Article 7

Measures in contact holdings

1. Holdings shall be recognised as contact holdings where the official veterinarian finds, or considers on the basis of the epidemiological inquiry carried out in accordance with Article 8, that African swine fever may have been introduced, either from other holdings to the holding referred to in Article 4 or 5, or from the latter holding to other holdings.

Article 4 shall be applied in such holdings until the presence of African swine fever has been officially ruled out.

2. The competent authority shall apply the measures provided for in Article 5(1) in the contact holdings referred to in paragraph 1 of this Article if the epidemiological situation so requires.

A sufficient number of samples shall be taken from the pigs, in accordance with the diagnostic manual, when they are killed in order that the presence of African swine fever virus in these holdings can be confirmed or ruled out.

Article 8

Epidemiological inquiry

Member States shall ensure that the epidemiological inquiry in relation to suspected cases or outbreaks of African swine fever is carried out on the basis of questionnaires, prepared within the framework of the contingency plans referred to in Article 21.

Such an inquiry shall deal at least with:

- (a) the length of time during which African swine fever virus may have existed on the holding before the disease was notified or suspected;
- (b) the possible origin of African swine fever on the holding and the identification of other holdings in which pigs may have become infected or contaminated from the same source;
- (c) the movement of persons, vehicles, pigs, carcasses, semen, meat or any material which could have carried the virus to or from the holdings in question;
- (d) the possibility that vectors or feral pigs cause the disease to spread.

If the results of this inquiry suggest that African swine fever may have spread from or to holdings located in other Member States, the Commission and the Member States concerned shall be immediately informed.

Article 9

Establishment of protection and surveillance zones

1. Immediately after the diagnosis of African swine fever has been officially confirmed in pigs on a holding, the competent authority shall establish a protection zone with a radius of at least three kilometres around the outbreak site, which shall itself be included in a surveillance zone of a radius of at least 10 kilometres.

The measures referred to in Articles 10 and 11 shall be applied in the respective zones.

2. When establishing zones, the competent authority must take account of:

- (a) the results of the epidemiological inquiry carried out in accordance with Article 8;
- (b) the geographical situation, particularly natural or artificial boundaries;
- (c) the location and proximity of holdings;
- (d) patterns of movements and trade in pigs and the availability of slaughterhouses and facilities for processing carcasses;
- (e) the facilities and personnel available to control any movement of pigs within the zones, in particular if the pigs to be killed have to be moved away from their holding of origin.

3. If a zone includes parts of the territory of several Member States, the competent authorities of the Member States concerned shall collaborate to establish the zone.

4. The competent authority shall take all necessary measures, including the use of prominent signs and warning notices and the use of media resources, such as the press and television, to ensure that all persons in the protection and surveillance zones are fully aware of the restrictions in force in accordance with Articles 10 and 11, and shall take such measures as it considers appropriate to ensure the adequate enforcement of these measures.

Article 10

Measures in the established protection zone

1. Member States shall ensure that the following measures are applied in the protection zone:

- (a) a census of all the holdings shall be carried out as soon as possible; after the establishment of the protection zone these holdings shall be visited by an official veterinarian within not more than seven days in order to conduct a clinical examination of the pigs and to check the register and the pig identification marks referred to in Articles 4 and 5 of Directive 92/102/EEC;
- (b) the movement and transport of pigs on public or private roads, excluding when necessary the service roads of holdings, shall be prohibited unless approved by the competent authority when allowing the movements referred to in point (f). This prohibition need not be applied to the transit of pigs by road or rail without unloading or stopping. Furthermore, in accordance with the procedure referred to in Article 24(2), a derogation may be granted for slaughter pigs coming from outside the protection zone and on their way to a slaughterhouse situated in the said zone for immediate slaughter;
- (c) trucks and other vehicles and equipment, which are used to transport pigs or other livestock or material which may be contaminated (such as carcasses, feedingstuff, manure, slurry and so forth) shall be cleaned, disinfected, if necessary disin-

sected and treated as soon as possible after contamination, in accordance with Article 12. No truck or vehicle which has been used for the transport of pigs may leave the zone without being cleaned and disinfected and then inspected and re-authorised for transport by the competent authority;

- (d) no other domestic animal may enter or leave a holding without the authorisation of the competent authority;
- (e) all dead or diseased pigs on a holding shall be immediately notified to the competent authority, which shall carry out appropriate investigations in accordance with the procedures laid down in the diagnostic manual;
- (f) pigs may not be removed from the holding in which they are kept for at least 40 days after the completion of the preliminary cleansing and disinfection, and, if necessary, disinsection of the infected holdings. After 40 days, subject to the conditions referred to in paragraph 3, the competent authority may authorise the removal of pigs from the said holding to be directly transported to:
 - a slaughterhouse designated by the competent authority, preferably within the protection or surveillance zone for the purpose of immediate slaughter,
 - a processing plant or a suitable place where the pigs are immediately killed and their carcasses are processed under official supervision,
 - in exceptional circumstances, to other premises located within the protection zone. Member States making use of this provision shall immediately inform the Commission thereof in the Standing Veterinary Committee;
- (g) semen, ova or embryos of pigs shall not leave the holdings situated within the protection zone;
- (h) any person entering or leaving pig holdings shall comply with appropriate hygiene measures as necessary to reduce the risk of African swine fever virus spreading.

2. Where the prohibitions provided for in paragraph 1 are maintained beyond 40 days because of further outbreaks of the disease and as a result animal welfare or other problems arise in keeping the pigs, subject to the conditions referred to in paragraph 3, the competent authority may, following a reasoned application by the owner, authorise the removal of pigs from a holding within the protection zone, to be directly transported to:

- (a) a slaughterhouse designated by the competent authority, preferably within the protection or surveillance zone for the purpose of immediate slaughter;
- (b) a processing plant or a suitable place where the pigs are immediately killed and their carcasses are processed under official supervision;
- (c) in exceptional circumstances, to other premises located within the protection zone. Member States making use of this provision shall immediately inform the Commission thereof in the Standing Veterinary Committee.

3. Where reference is made to this paragraph, the competent authority may authorise the removal of pigs from the holding concerned, on condition that:

- (a) an official veterinarian has carried out a clinical examination of the pigs in the holding and in particular of those to be moved, including the taking of the body temperature in accordance with the procedures laid down in the diagnostic manual and a check of the register and the pig identification marks referred to in Articles 4 and 5 of Directive 92/102/EEC;
- (b) the checks and examinations referred to in point (a) have shown no evidence of African swine fever and compliance with Directive 92/102/EEC;
- (c) the pigs are transported in vehicles sealed by the competent authority;
- (d) the vehicle and equipment which have been involved in the transport of the pigs are immediately cleaned and disinfected after the transport in accordance with the provisions referred to in Article 12;
- (e) if the pigs are to be slaughtered or killed, a sufficient number of samples is then taken from the pigs in accordance with the diagnostic manual in order that the presence of African swine fever virus in these holdings can be confirmed or ruled out;
- (f) if the pigs are to be transported to a slaughterhouse:
 - the competent authority responsible for the slaughterhouse has been informed of the intention to send the pigs and notifies the dispatching competent authority of their arrival,
 - on arrival at the slaughterhouse, these pigs are kept and slaughtered separately from other pigs,
 - during *ante* and *post mortem* inspection carried out at the designated slaughterhouse, the competent authority takes into account any signs of the presence of African swine fever,
 - the fresh meat from these pigs is either processed or marked with the special mark referred to in Article 5a of Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat ⁽¹⁾, and is processed separately in accordance with the rules laid down in Article 4(1)(a)(i) of Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products ⁽²⁾. This must be done at an establishment designated by the competent authority. The meat must be sent to the said establishment on condition that the consignment is sealed before departure and remains sealed throughout the transport.

4. The measures in the protection zone shall continue to be applied at least until:

- (a) cleansing, disinfection and, if necessary, disinsectisation in the infected holdings have been carried out;
- (b) pigs on all holdings have undergone clinical and laboratory examinations carried out in accordance with the diagnostic manual in order to detect the possible presence of African swine fever virus.

The examinations referred to in point (b) shall not take place until 45 days have elapsed since the completion of preliminary cleansing, disinfection and, if necessary, disinsectisation measures on the infected holdings.

5. However, by way of derogation from paragraphs 1(f), and from paragraphs 2 and 4, the 40- and 45-day periods stipulated therein may be reduced to 30 days if, in accordance with the diagnostic manual, the Member States have applied an intensive sampling and testing programme making it possible to rule out the presence of African swine fever on the holding in question.

Article 11

Measures in the established surveillance zone

1. Member States shall ensure that the following measures are applied in the surveillance zone:

- (a) a census shall be taken of all pig holdings;
- (b) the movement and transport of pigs on public or private roads, excluding when necessary the service roads of holdings, shall be prohibited, unless approved by the competent authority. This prohibition need not be applied to the transit of pigs by road or rail, without unloading or stopping, or to slaughter pigs coming from outside the surveillance zone and on their way to a slaughterhouse situated in the said zone for immediate slaughter;
- (c) trucks and other vehicles and equipment which are used to transport pigs or other livestock or material which may be contaminated (such as carcasses, feedingstuff, manure, slurry and so forth) shall be cleaned, disinfected, if necessary disinsectised and treated as soon as possible after contamination, in accordance with Article 12. No truck or vehicle which has been used in the transport of pigs may leave the zone without having been cleaned and disinfected;
- (d) no other domestic animal may enter or leave a holding during the first seven days after establishment of the zone without the authorisation of the competent authority;
- (e) all dead or diseased pigs on a holding shall be immediately notified to the competent authority, which shall carry out appropriate investigations in accordance with the procedures laid down in the diagnostic manual;

⁽¹⁾ OJ L 302, 31.12.1972, p. 24 (S.E. SER. I (1972) p. 3). Directive as amended by the 1994 Act of Accession.

⁽²⁾ OJ L 47, 21.2.1980, p. 4. Directive as amended by the 1994 Act of Accession.

(f) pigs may not be removed from the holding in which they are kept for at least 30 days after the completion of the preliminary cleansing, disinfection and, if necessary, disinsectisation of the infected holdings. After 30 days, subject to the conditions set out in Article 10(3), the competent authority may authorise the removal of the pigs from the said holding to be directly transported to:

- a slaughterhouse designated by the competent authority, preferably within the protection or surveillance zone, for the purpose of immediate slaughter,
- a processing plant or a suitable place where the pigs are immediately killed and their carcasses are processed under official supervision, or
- in exceptional circumstances, other premises located within the protection or surveillance zone. Member States making use of this provision shall immediately inform the Commission thereof in the Standing Veterinary Committee.

However, if the pigs are to be transported to a slaughterhouse, at the request of a Member State, accompanied by appropriate justification, and in accordance with the procedure referred to in Article 24(2), derogations from Article 10(3)(e) and (f), fourth indent, may be authorised, in particular with respect to the marking of the meat from these pigs and its subsequent use, and the destination of the treated products;

- (g) semen, ova or embryos of pigs shall not leave the holdings situated within the surveillance zone;
- (h) any person entering or leaving pig holdings shall comply with appropriate hygienic measures as necessary to reduce the risk of African swine fever virus spreading.

2. Where the prohibitions provided for in paragraph 1 are maintained beyond 40 days because of further outbreaks of the disease, and where as a result animal welfare or other problems arise in keeping the pigs, subject to the conditions referred to in Article 10(3), the competent authority may, following a reasoned application by the owner, authorise the removal of pigs from a holding within the surveillance zone to be directly transported to:

- (a) a slaughterhouse designated by the competent authority, preferably within the protection or surveillance zone, for the purpose of immediate slaughter;
- (b) a processing plant or a suitable place where the pigs are immediately killed and their carcasses are processed under official supervision, or
- (c) in exceptional circumstances, other premises located within the protection or surveillance zone. Member States making use of this provision shall immediately inform the Commission thereof in the Standing Veterinary Committee.

3. The measures in the surveillance zone shall continue to be applied at least until:

- (a) cleansing, disinfection and, if necessary, disinsectisation in the infected holdings have been carried out;
- (b) pigs on all holdings have undergone clinical and, where necessary, laboratory examinations as laid down in the diagnostic manual in order to detect the eventual presence of African swine fever virus.

The examinations referred to in point (b) shall not take place until 40 days have elapsed since the completion of preliminary cleansing, disinfection and, if necessary, disinsectisation measures on the infected holdings.

4. However, by way of derogation from paragraph 1(f), and from paragraphs 2 and 3, the 30-day periods stipulated in paragraph 1(f) and the 40-day periods stipulated in paragraphs 2 and 3 may be reduced respectively to 21, 30 and 20 days if, in accordance with the diagnostic manual, the Member States have applied an intensive sampling and testing programme making it possible to rule out the presence of African swine fever on the holding in question.

Article 12

Cleansing, disinfection and treatment with insecticides

Member States shall ensure that:

- (a) the disinfectants and insecticides to be used and their concentrations are officially approved by the competent authority;
- (b) the cleansing, disinfection and, if necessary, insecticide operations are carried out under official supervision in accordance with:
- the instructions given by the official veterinarian; and
 - the principles and procedures laid down in Annex II.

Article 13

Repopulation of pig holdings following disease outbreaks

1. The reintroduction of pigs to holdings referred to in Article 5 shall not take place until at least 40 days after completion of the cleansing, disinfection and, if necessary, disinsectisation operations in the holding in question in accordance with paragraphs 2 to 5 of this Article.

2. The reintroduction of pigs shall take account of the type of farming practised on the holding concerned, and shall conform to one of the procedures set out in paragraphs 3 and 4.

3. In the case of holdings where the occurrence of disease has not been linked to vectors, the following procedure shall apply:

- (a) as regards open-air holdings, the reintroduction of pigs shall start with the introduction of sentinel pigs which have been checked and found negative for the presence of antibodies against African swine fever virus or which come from holdings not subjected to any restrictions related to African swine fever. The sentinel pigs shall be placed, in accordance with the requirements of the competent authority, throughout the infected holding and shall be sampled 45 days later, and shall be tested for the presence of antibodies, in accordance with the diagnostic manual. No pig may leave the holding before the negative results of the serological tests are available; if none of the pigs has developed antibodies against African swine fever virus, full repopulation may then take place;
- (b) as regards all other forms of rearing, the reintroduction of pigs shall either take place in accordance with the measures provided for in point (a) or shall be based on total repopulation, provided that:
- all the pigs arrive within a period of 20 days and come from holdings not subjected to any restrictions related to African swine fever,
 - pigs in the repopulated herd shall be subjected to a serological examination in accordance with the diagnostic manual. Sampling for that examination shall be carried out at the earliest 45 days after the arrival of the last pigs,
 - no pig may leave the holding before the negative results of the serological examination are available.

4. In the case of holdings where the occurrence of disease has been linked to vectors, restocking shall not take place for at least six years unless:

- (a) specific operations to eliminate the vector from the premises and places where the pigs are to be kept or can come into contact with the vector have been successfully carried out under official supervision, or
- (b) it has been possible to show that the persistence of the vector no longer represents a significant risk of African swine fever being transmitted.

Thereafter, the measures laid down in paragraph 3(a) shall apply.

In addition to those measures, however, no pig may leave the holding in question after full repopulation until further serological examinations for African swine fever have been carried out with negative results on samples collected from the pigs in the holding at the earliest 60 days after full repopulation, in accordance with the diagnostic manual.

5. Where the occurrence of disease has not been linked to vectors, and if more than six months have elapsed since the completion of the cleansing and disinfection operations in the holding, the competent authority may authorise derogation from paragraph 3, taking into account the epidemiological situation.

6. The reintroduction of domestic animals of species other than pigs to the holdings described in Article 5 shall be subject to authorisation by the competent authority, which shall take account of the risk of spreading the infection or of the persistence of vectors presented by such reintroduction.

Article 14

Measures in cases where African swine fever is suspected or confirmed in a slaughterhouse or means of transport

1. Where there is a suspicion of African swine fever in a slaughterhouse or means of transport, Member States shall ensure that the competent authority immediately sets in motion official means of investigation to confirm or to rule out the presence of the disease in accordance with the procedures laid down in the diagnostic manual.

2. Should a case of African swine fever be detected in a slaughterhouse or means of transport, the competent authority shall ensure that:

- (a) all susceptible animals in the slaughterhouse or in the means of transport are killed without delay;
- (b) the carcasses, offal and animal waste of possibly infected and contaminated animals are processed under official supervision;
- (c) cleansing, disinfection and, if necessary, disinsectisation of buildings and equipment, including vehicles, takes place under the supervision of the official veterinarian in accordance with Article 12;
- (d) an epidemiological inquiry is carried out as provided in Article 8 *mutatis mutandis*;
- (e) the African swine fever virus isolate is subject to the laboratory procedure laid down in the diagnostic manual, to identify the genetic type of virus;
- (f) the measures referred to in Article 7 are applied in the holding where the infected pigs or carcasses came from and in the other contact holdings. Unless otherwise indicated by the epidemiological inquiry, the measures laid down in Article 5(1) shall be applied in the holding of origin of the infected pigs or carcasses;
- (g) no animals are reintroduced for slaughter or transport until at least 24 hours after completion of the cleansing, disinfection and, if necessary, disinsectisation operations conducted in accordance with Article 12.

Article 15

Measures in cases where African swine fever is suspected or confirmed in feral pigs

1. Immediately after the competent authority of a Member State has information that feral pigs are suspected of being infected, it shall take all appropriate measures to confirm or rule out the presence of the disease, by giving information to the owners of pigs and to hunters, and by investigations of all feral pigs shot or found dead, including laboratory testing.

2. As soon as confirmation of a primary case of African swine fever in feral pigs has taken place, in order to reduce the spread of disease, the competent authority of a Member State shall immediately:

(a) establish an expert group including veterinarians, hunters, wild life biologists and epidemiologists. The expert group shall assist the competent authority in:

- studying the epidemiological situation and defining an infected area in accordance with Article 16(3)(b),
- establishing appropriate measures to be applied in the infected area in addition to the ones referred to in points (b) and (c); these measures may include suspension of hunting and a ban on feeding feral pigs,
- drawing up the eradication plan to be submitted to the Commission in accordance with Article 16,
- carrying out checks to verify the effectiveness of the measures adopted to eradicate African swine fever from the infected area;

(b) place under official surveillance pig holdings in the defined infected area, and shall in particular order that:

- an official census be carried out of all categories of pigs on all holdings; the census shall be kept up to date by the owner. The information in the census shall be produced on request and may be checked at each inspection. However, as regards open-air pig holdings, the first census carried out may be done on the basis of an estimate,
- all pigs on the holding be kept in their living quarters or some other place where they can be isolated from feral pigs. Feral pigs must not have access to any material which may subsequently come in contact with the pigs on the holding,
- no pigs enter or leave the holding, except where authorised by the competent authority having regard to the epidemiological situation,
- appropriate means of disinfection and if necessary disinsectisation be used at the entrance and exits of buildings housing pigs and of the holding itself,
- appropriate hygiene measures be applied by all persons coming into contact with feral pigs, to reduce the risk of African swine fever virus spreading,

- all dead or diseased pigs with African swine fever symptoms on a holding be tested for the presence of African swine fever,
 - no part of any feral pig, whether shot or found dead, nor any material or equipment which could be contaminated with African swine fever virus, shall be brought into a pig holding,
 - pigs, their semen, embryos or ova shall not be moved from the infected area for intra-Community trade;
- (c) arrange that all feral pigs shot or found dead in the defined infected area are inspected by an official veterinarian and examined for African swine fever in accordance with the diagnostic manual. Carcasses of all animals found positive shall be processed under official supervision. Where such testing proves negative as regards African swine fever, Member States shall apply the measures laid down in Article 11(2) of Council Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild-game meat⁽¹⁾. Parts not intended for human consumption shall be processed under official supervision;
- (d) ensure that the African swine fever virus isolate is subject to the laboratory procedure indicated in the diagnostic manual, to identify the genetic type of virus.

3. If a case of African swine fever has occurred in feral pigs in an area of a Member State close to the territory of another Member State, the Member States concerned shall collaborate in the establishment of disease control measures.

Article 16

Plans for the eradication of African swine fever from a feral pig population

1. Without prejudice to the measures laid down in Article 15, Member States shall submit to the Commission within 90 days of the confirmation of a primary case of African swine fever in feral pigs a written plan of the measures taken to eradicate the disease in the area defined as infected, and of the measures applied on the holdings in that area.

The Commission shall examine the plan in order to determine whether it permits the desired objective to be attained. The plan, if necessary with amendments, shall be approved in accordance with the procedure referred to in Article 24(2).

The plan may subsequently be amended or supplemented to take account of developments in the situation.

If these amendments concern the re-definition of the infected area, Member States shall ensure that the Commission and the other Member States are informed of these amendments without delay.

⁽¹⁾ OJ L 268, 14.9.1992, p. 35. Directive as last amended by Directive 97/79/EC (OJ L 24, 30.1.1998, p. 31).

If the amendments concern other provisions of the plan, Member States shall submit the amended plan to the Commission for examination and eventual approval in accordance with the procedure referred to in Article 24(2).

2. After the measures provided for in the plan mentioned in paragraph 1 have been approved, they shall replace the initial measures laid down in Article 15, on a date which shall be decided upon when approval is given.

3. The plan mentioned in paragraph 1 shall contain information on:

- (a) the results of the epidemiological investigations and controls carried out in accordance with Article 15 and the geographical distribution of the disease;
- (b) the definition of the infected area within the territory of the Member State concerned. When defining the infected area, the competent authority shall take into account:
 - the results of the epidemiological investigations carried out and the geographical distribution of the disease,
 - the feral pig population in the area,
 - the existence of major natural or artificial obstacles to movements of feral pigs;
- (c) the organisation of close cooperation between biologists, hunters, hunting organisations, the wildlife services and veterinary authorities (animal health and public health);
- (d) the information campaign to be enforced to increase hunters' awareness of the measures they have to adopt in the framework of the eradication plan;
- (e) specific efforts made to determine the extent of the infection in the feral pig population, by investigating feral pigs shot by hunters or found dead, and by laboratory testing, including age-stratified epidemiological investigations;
- (f) the requirements to be complied with by hunters in order to avoid any spread of the disease;
- (g) the method of removal of feral pigs found dead or shot, which shall be based on:
 - processing under official supervision, or
 - inspection by an official veterinarian and laboratory tests as provided for in the diagnostic manual. Carcasses of all animals found positive shall be processed under official supervision. Where such testing proves negative as regards African swine fever, Member States shall apply the measures laid down in Article 11(2) of Directive 92/45/EEC. Parts not intended for human consumption shall be processed under official supervision;
- (h) the epidemiological inquiry which is carried out on each feral pig, whether shot or found dead. This inquiry must include the completion of a questionnaire which supplies information about:
 - the geographical area where the animal was found dead or shot,

- the date on which the animal was found dead or shot,
- the person who found or shot the animal,
- the age and sex of the pig,
- if shot: symptoms before shooting,
- if found dead: the state of the carcass,
- laboratory findings;

- (i) surveillance programmes and prevention measures applicable to the holdings situated in the defined infected area, and, if necessary, in its surroundings, including the transport and movement of animals within, from and to the area; these measures shall at least include the ban on moving pigs, their semen, embryos or ova from the infected area for intra-Community trade and may include a temporary ban on pig production and on the establishment of new holdings;
- (j) other criteria to be applied for lifting the measures taken;
- (k) the authority with responsibility for supervising and coordinating the departments responsible for implementing the plan;
- (l) the information system established in order that the expert group appointed in accordance with Article 15(2)(a) can review on a regular basis the results of the eradication plan;
- (m) the disease monitoring measures which shall be enforced at the earliest 12 months after diagnosis of the last case of African swine fever in feral pigs in the defined infected area; these monitoring measures shall stay in place for at least 12 additional months and shall at least include the provisions already enforced in accordance with points (e), (g) and (h).

4. A report concerning the epidemiological situation in the defined area and the results of the eradication plan shall be transmitted to the Commission and to the other Member States in the Committee referred to in Article 23 every six months.

More detailed rules relating to the information to be provided by the Member States on this matter may be adopted in accordance with the procedure referred to in Article 23(2).

Article 17

Measures to prevent the spread of African swine fever virus by means of vectors

1. Should the presence of vectors be possible or suspected on a holding where African swine fever has been confirmed, the competent authority shall ensure that:

- (a) the infected building and its surroundings are checked for the presence of vectors, by means of physical inspection and, if necessary, the trapping of specimens in accordance with Annex III;

- (b) where the presence of vectors is confirmed:
- appropriate laboratory tests are carried out to confirm or rule out the presence of African swine fever virus in the vectors,
 - further appropriate monitoring, checking and control measures are established in the holding and in the area around the holding;
- (c) where the presence of vectors is confirmed but its control is impracticable, pigs and if necessary other domestic animals are not kept on the holding for at least six years.

2. Information on the implementation of paragraph 1 shall be provided by the Member State concerned to the Commission and to the other Member States in the framework of the Standing Veterinary Committee.

3. Further measures for the monitoring and control of vectors and for the prevention of African swine fever may be adopted in accordance with the procedure referred to in Article 24(2).

Article 18

Diagnostic procedures and bio-safety requirements

1. Member States shall ensure that:
- (a) diagnostic procedures, sampling and laboratory testing to detect the presence of African swine fever are carried out in accordance with the diagnostic manual;
 - (b) a national laboratory is responsible for coordinating standards and methods of diagnosis in each Member State in accordance with Annex IV.
2. The national laboratories referred to in Annex IV shall liaise with the Community reference laboratory as indicated in Annex V. Without prejudice to the provisions of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, and in particular Article 28 thereof, the powers and duties of the laboratory shall be those described in that Annex.
3. In order to ensure uniform procedures to diagnose African swine fever and an appropriate differential diagnosis with classical swine fever, within six months of the date when this Directive enters into force and in accordance with the procedure referred to in Article 23(2), an African swine fever diagnostic manual shall be adopted to establish at least:
- (a) minimum quality standards to be observed by African swine fever diagnostic laboratories and for the transport of samples;
 - (b) criteria and procedures to be followed when clinical or *post mortem* examinations are carried out to confirm or exclude the presence of African swine fever;
 - (c) criteria and procedures to be followed for the collection of samples from live pigs or their carcasses, to confirm or

exclude African swine fever by laboratory examinations, including sampling methods for serological or virological screenings carried out in the framework of the application of the measures provided for in this Directive;

- (d) laboratory tests to be used for the diagnosis of African swine fever, including criteria for evaluating the results of the laboratory tests;
- (e) laboratory techniques for the genetic typing of the African swine fever virus isolate.

4. In order that appropriate bio-safety conditions are guaranteed to protect animal health, the African swine fever virus, its genome and antigens and vaccines for research, diagnosis or manufacture shall be manipulated or used only in places, establishments or laboratories approved by the competent authority.

The list of approved places, establishments or laboratories shall be transmitted to the Commission not later than 1 January 2004 and shall be kept updated thereafter.

5. Annexes IV and V and the diagnostic manual may be supplemented or amended in accordance with the procedure referred to in Article 23(2).

Article 19

Use, manufacture and sale of African swine fever vaccines

Member States shall ensure that:

- (a) the use of African swine fever vaccines is prohibited;
- (b) the manipulation, manufacture, storage, supply, distribution or sale of African swine fever vaccines in the territory of the Community is carried out under official control.

However, to take account of developments in scientific and technical research into the production of such a vaccine, the Commission shall submit to the Council a report accompanied if necessary by appropriate proposals to update this Directive.

Article 20

Community controls

Experts from the Commission may make on-the-spot checks in cooperation with the competent authorities of the Member States, in so far as this is necessary to ensure uniform application of this Directive. The Member State in whose territory checks are made shall provide the experts with all the assistance necessary for carrying out their duties. The Commission shall inform the competent authority of the results of the checks made.

The rules of application of this Article and in particular those governing the procedure for cooperation with the national authorities shall be adopted in accordance with the procedure referred to in Article 23(2).

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Decision 2001/572/EC (OJ L 203, 28.7.2001, p. 16).

Article 21

Contingency plans

1. Each Member State shall draw up a contingency plan specifying the national measures to be implemented in the event of an outbreak of African swine fever, taking into account local factors, such as, in particular, the density of pigs, which are likely to influence the spread of African swine fever.

This plan shall allow access to facilities, equipment, personnel and all other appropriate materials necessary for the rapid and efficient eradication of the outbreak.

2. The criteria and requirements to be applied for drawing up the contingency plan shall be those set out in Annex VI.

In accordance with the procedure referred to in Article 23(2), those criteria and requirements may be amended or supplemented to take into account the specific nature of African swine fever and the progress made in the development of disease control measures.

3. The Commission shall examine the plans in order to determine whether they permit the desired objective to be attained and shall suggest to the Member State concerned any amendments required, in particular to ensure that they are compatible with those of the other Member States.

The plans, if necessary amended, shall be approved in accordance with the procedure referred to in Article 23(2).

The plans may be subsequently amended or supplemented, in accordance with the procedure referred to in Article 23(2), to take into account developments in the situation. In any event, every five years each Member State shall update the plan and submit it to the Commission for approval in accordance with the procedure referred to in Article 23(2).

Article 22

Disease control centres and expert groups

1. Member States shall ensure that a fully functional national disease control centre can be immediately set up in the event of any outbreaks of African swine fever.

2. The national disease control centre shall direct and monitor the operations of the local disease control centres referred to in paragraph 3. It shall be responsible, *inter alia*, for:

- (a) defining the necessary control measures;
- (b) ensuring the prompt and efficient implementation of the abovementioned measures by the local disease control centres;

- (c) allocating staff and other resources to local disease control centres;

- (d) providing information to the Commission, to other Member States, the national veterinary organisations, national authorities and the agricultural and trading bodies;

- (e) liaising with diagnostic laboratories;

- (f) liaising with the press and other media;

- (g) liaising with the police authorities to ensure that specific legal measures are taken.

3. Member States shall ensure that fully functional local disease control centres can be immediately set up in the event of any outbreaks of African swine fever.

4. Certain functions of the national disease control centre may, however, be delegated to the local disease control centre operating at an administrative level as provided for in Article 2(2)(p) of Directive 64/432/EEC⁽¹⁾ or at another level, provided the objectives of the national disease control centre are not thereby compromised.

5. Member States shall create a permanently operational expert group to maintain the expertise needed to assist the competent authority in ensuring disease preparedness.

In the event of an outbreak the expert group shall assist the competent authority at least in:

- (a) the epidemiological enquiry;

- (b) sampling, testing and interpretation of results of laboratory tests;

- (c) establishment of disease control measures.

6. Member States shall ensure that the national and local disease control centres and the expert group have staff, facilities and equipment including communication systems as necessary, and a clear and effective chain of command and management to ensure the prompt implementation of the disease control measures laid down in this Directive.

Details regarding staff, facilities, equipment, chain of command and management of the national and local disease control centres and of the expert group shall be laid down in the contingency plans referred to in Article 21.

7. Further criteria and requirements concerning the function and duties of the national disease control centres, local disease control centres and expert groups may be laid down in accordance with the procedure provided for in Article 23(2).

⁽¹⁾ Council Directive of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ L 121, 29.7.1964, p. 1977) (S.E. SER.I (1963-1964) p. 164). Directive as last amended by Commission Regulation (EC) No 535/2002 (OJ L 80, 23.3.2002, p. 22).

*Article 23***Normal regulatory procedure**

1. The Commission shall be assisted by a Committee.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period provided for in Article 5(6) of Decision 1999/468/EC shall be three months.

3. The Committee shall adopt its rules of procedure.

*Article 24***Accelerated regulatory procedure**

1. The Commission shall be assisted by a Committee.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period provided for in Article 5(6) of Decision 1999/468/EC shall be 15 days.

3. The Committee shall adopt its rules of procedure.

*Article 25***Amendment of Annex I to Directive 92/119/EEC**

In Annex I to Directive 92/119/EC the words 'Teschén disease' shall be replaced by the words 'African swine fever'.

*Article 26***Implementing measures**

1. Annexes I to VI to this Directive shall be amended in accordance with the procedure laid down in Article 23(2).
2. Any detailed rules necessary for the implementation of this Directive may be adopted in accordance with the procedure laid down in Article 23(2) or when the epidemiological situation so requires, in accordance with the procedure laid down in Article 24(2).

*Article 27***Transitional provisions**

Pending the application of this Directive, transitional provisions on the control of African swine fever may be adopted in accordance with the procedure referred to in Article 23(2).

*Article 28***Transposition into national law**

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2003. They shall forthwith inform the Commission thereof.

They shall apply those provisions from 1 July 2003.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making a reference shall be laid down by Member States.

*Article 29***Entry into force**

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

*Article 30***Addressees**

This Directive is addressed to the Member States.

Done at Luxembourg, 27 June 2002.

For the Council

The President

M. ARIAS CAÑETE

ANNEX I

Notification of disease and further epidemiological information to be provided by the Member State where African swine fever has been confirmed

1. Within 24 hours of the confirmation of any primary outbreak, primary case in feral pigs or case in a slaughterhouse or means of transport, the Member State concerned must notify by means of the Animal Disease Notification System established in accordance with Article 5 of Directive 82/894/EEC:
 - (a) the date of dispatch;
 - (b) the time of dispatch;
 - (c) the name of Member State;
 - (d) the name of disease;
 - (e) the number of the outbreak or case;
 - (f) the date on which African swine fever was suspected;
 - (g) the date of confirmation;
 - (h) the methods used for confirmation;
 - (i) whether the disease has been confirmed in feral pigs or in pigs in a holding, slaughterhouse or means of transport;
 - (j) the geographical location where the outbreak or the case of African swine fever has been confirmed;
 - (k) the disease control measures applied.
2. In the case of primary outbreaks or cases in slaughterhouses or means of transport, the Member State concerned must forward the following information in addition to the data referred to in point 1:
 - (a) the number of susceptible pigs in the outbreak, slaughterhouse or means of transport;
 - (b) the number of dead pigs of each category in the holding, slaughterhouse or means of transport;
 - (c) for each category, the morbidity of the disease and the number of pigs in which African swine fever has been confirmed;
 - (d) the number of pigs killed in the outbreak, or in the slaughterhouse or means of transport;
 - (e) the number of carcasses processed;
 - (f) in the case of an outbreak, its distance from the nearest pig holding;
 - (g) if African swine fever was confirmed in a slaughterhouse or means of transport, the location of the holding or holdings of origin of the infected pigs or carcasses.
3. In the case of secondary outbreaks, the information referred to in points 1 and 2 must be forwarded within the time limits laid down in Article 4 of Directive 82/894/EEC.
4. The Member State concerned shall ensure that the information to be provided in accordance with points 1, 2 and 3, in relation to any outbreak or case of African swine fever in a holding, slaughterhouse or means of transport is followed as soon as possible by a written report to the Commission and the other Member States including at least:
 - (a) the date on which the pigs in the holding, slaughterhouse or means of transport were killed and their carcasses processed;
 - (b) the results of the tests carried out on samples taken when pigs were killed;
 - (c) where the derogation provided for in Article 6(1) has been applied, the number of pigs killed and processed, and the number of pigs which are to be slaughtered at a later date together with the time limit laid down for their slaughter;
 - (d) any information relating to the possible origin of the disease or, if ascertained, its actual origin;
 - (e) information on the control system established to ensure that the measures laid down in Articles 10 and 11 for the control of animal movements are effectively implemented;
 - (f) in the case of a primary outbreak or of a case of African swine fever in a slaughterhouse or means of transport, the genetic type of virus responsible for the outbreak or for the case;
 - (g) where pigs have been killed in contact holdings or in holdings containing pigs suspected of being infected with African swine fever virus, information on:
 - the date of killing and the number of pigs of each category killed in each holding,

- the epidemiological link between the outbreak or case of African swine fever and each contact holding or the other reasons that have induced the suspicion that African swine fever is present in each suspected holding,
- the results of the laboratory tests carried out on the samples taken from the pigs in the holdings and when such pigs were killed,

where pigs in contact holdings have not been killed, information must be provided concerning the reasons for this decision.

ANNEX II

Principles and procedures for cleansing, disinfection and treatment with insecticides

1. General principles and procedures:
 - (a) the cleansing and disinfection operations and, where necessary, the measures to destroy rodents and insects using officially authorised products must be carried out under official supervision and in accordance with the instructions given by the official veterinarian;
 - (b) the disinfectants to be used and their concentrations must be officially approved by the competent authority to ensure destruction of African swine fever virus;
 - (c) the efficacy of disinfectants must be regularly checked before use, as the efficacy of certain disinfectants is diminished by prolonged storage;
 - (d) the choice of disinfectants, insecticides and of procedures for disinfection and disinsectisation must be made taking into account the nature of the premises, vehicles and objects which are to be treated;
 - (e) the conditions under which degreasing agents, disinfectants and insecticides are used must ensure that their efficacy is not impaired. In particular technical parameters indicated by the manufacturer, such as pressure, minimum temperature and required contact time must be observed;
 - (f) irrespective of the disinfectant used, the following general rules should be applied:
 - thorough soaking of bedding and litter as well as faecal matter with the disinfectant,
 - washing and cleansing by careful brushing and scrubbing of the ground, floor, ramps and walls, if possible after the removal or dismantling of equipment or installations so as not to impair the effective cleansing and disinfection procedures,
 - then, further application of disinfectant for a minimum contact time as stipulated in the manufacturer's recommendations,
 - the water used for cleaning operations must be disposed of in such a way as to avoid any risk of spreading the virus, in accordance with the instructions of the official veterinarian;
 - (g) where washing is carried out with liquids applied under pressure, re-contamination of the previously cleansed parts must be avoided;
 - (h) washing, disinfecting or destroying of equipment, installations, articles or compartments likely to be contaminated must be included;
 - (i) following the disinfection procedures, re-contamination must be avoided;
 - (j) cleansing, disinfection and disinsectisation required in the framework of this Directive must be documented in the holding or vehicle register and where official approval is required, be certified by the supervising official veterinarian.
2. Special provisions on the cleansing and disinfection of infected holdings:
 - (a) preliminary cleansing and disinfection:
 - during the killing of the animals, all necessary measures must be taken to avoid or minimise the spread of African swine fever virus. Those measures include, *inter alia*, the installation of temporary disinfection equipment, supply of protective clothing, showers, decontamination of used equipment, instruments and facilities and the interruption of power supply to the ventilation,
 - carcasses of killed animals must be sprayed with disinfectant,
 - if the carcasses have to be removed from the holding for processing, covered and leak proof containers must be used,
 - as soon as the carcasses of the pigs have been removed for processing, those parts of the holding in which the animals were housed and any parts of other buildings, yards etc., contaminated during killing, or post-mortem examination must be sprayed with disinfectants approved in accordance with Article 12,
 - any tissue or blood spilled during slaughter or post-mortem or gross contamination of buildings, yards, utensils etc. must be carefully collected and processed with the carcasses,
 - the disinfectant must remain on the surface for at least 24 hours;
 - (b) final cleansing and disinfection:
 - manure and used bedding must be removed and treated as provided in point 3(a),
 - grease and dirt must be removed from all surfaces by the application of a degreasing agent and the surfaces washed with water,
 - after washing with cold water, further spraying with disinfectant must be applied,
 - after seven days the premises must be treated with a degreasing agent, rinsed with water, sprayed with disinfectant and rinsed again with water.

3. Disinfection of contaminated bedding, manure and slurry:
 - (a) manure and used bedding must be stacked to heat, sprayed with disinfectant and left for at least 42 days or destroyed by burning or burying;
 - (b) slurry must be stored for at least 60 days after the last addition of infective material, unless the competent authorities authorise a reduced storage period for slurry which has been effectively treated in accordance with the instructions given by the official veterinarian so as to ensure the destruction of the virus.
4. However, by way of derogation from points 1 and 2, in the case of open-air holdings the competent authority may establish specific procedures for cleansing and disinfection, taking into account the type of holding and the climatic conditions.

ANNEX III

Guidelines for the retrieval of vectors

1. The search for vectors must be carried out in the pigs' living and resting quarters and in the surrounding area.

Vectors are generally to be found in old buildings, in the shade where conditions in terms of temperature and humidity are favourable.

The best results will be achieved if the search takes place in late spring, during the summer and early autumn, periods during which vectors are most active.
2. Two methods should be used:
 - (a) search for vectors in soil, sand or dust extracted from the spaces between stones (in the case of stone-built areas) or from the interstices or crevices in the walls under the tiles or from the ground of the premises by means of a brush or any other appropriate tool. Earth and sand should be sifted as necessary. A magnifying glass may be useful when searching for young larvae;
 - (b) search for vectors by means of CO₂ traps. The traps must be placed for several hours in the pig stalls preferably during the night and in any event in shady areas out of the daylight. The traps should be constructed in such a way that the vectors are brought close enough to the CO₂ source for it to be impossible for them to return to their habitat.

ANNEX IV

National African swine fever laboratories and their responsibilities

1. The national African swine fever laboratories are as follows:

Belgium

Centre d'étude et de recherche vétérinaires et agrochimiques, 1180 Bruxelles

Denmark

Danmarks Veterinære Institut — Afdeling for Virologi, Lindholm, 4771 Kalvehave

Germany

Bundesforschungsanstalt für Viruskrankheiten der Tiere, Tübingen, 17498 Riems

Greece

Veterinary Institute of Infectious and Parasitic Diseases, 15310 Ag. Paraskevi

Spain

Centro de Investigación en Sanidad Animal, 28130 Valdeolmos (Madrid)

France

AFSSA-Ploufragan, Zoopole des Côtes d'Armor, 22440 Ploufragan

Ireland

Veterinary Research Laboratory, Abbotstown, Castleknock, Dublin 15

Italy

Istituto Zooprofilattico Sperimentale dell'Umbria e delle Marche, 06100 Perugia

Luxembourg

Laboratoire de médecine vétérinaire de l'État, 1020 Luxembourg

The Netherlands

Central Institute for animal disease control (CIDC-Lelystad), P.O. Box 2004, 8203 AA Lelystad

Austria

Bundessanstalt für veterinärmedizinische Untersuchungen in Mödling, Robert Koch-Gasse 17, 2340 Mödling

Portugal

Laboratório Nacional de Investigação Veterinária, 1500 Lisboa

Finland

Eläinlääkintä- ja elintarviketutkimuslaitos, 00231 Helsinki

Forskningsanstalten för veterinärmedicin och livsmedel, 00231 Helsingfors

Sweden

Statens Veterinärmedicinska Anstalt, 75189 Uppsala

United Kingdom

Institute for Animal Health, Pirbright, Woking, Surrey GU24 0NF

2. National African swine fever laboratories are responsible for ensuring that in each Member State the laboratory testing to detect the presence of African swine fever and the identification of the genetic type of virus isolates are carried out in accordance with the diagnostic manual. To this end, they may make special agreements with the Community Reference Laboratory or with other national laboratories.

3. The national African swine fever laboratory in each Member State is responsible for coordinating the standards and diagnostic methods in each African swine fever diagnostic laboratory within that State. To this end:
 - (a) they may provide diagnostic reagents to individual laboratories;
 - (b) they shall control the quality of all diagnostic reagents used in that Member State;
 - (c) they shall arrange comparative tests periodically;
 - (d) they shall hold isolates of African swine fever virus from cases and outbreaks confirmed in that Member State.

ANNEX V

Community Reference Laboratory for African swine fever

1. The Community Reference Laboratory for African swine fever is: Centro de Investigación en Sanidad Animal, 28130 Valdeolmos, Madrid, Spain.
2. The functions and duties of the Community Reference Laboratory for African swine fever are:
 - (a) to coordinate, in consultation with the Commission, the methods employed in the Member States for diagnosing African swine fever, specifically by:
 - storing and supplying cell cultures for use in diagnosis,
 - typing, storing and supplying strains of African swine fever virus for serological tests and the preparation of anti-sera,
 - supplying standardised sera, conjugate sera and other reference reagents to the national laboratories in order to standardise the tests and reagents employed in the Member States,
 - building up and holding an African swine fever virus collection,
 - organising periodic comparative tests of diagnostic procedures at Community level,
 - collecting and collating data and information on the methods of diagnosis used and the results of tests carried out,
 - characterising isolates of the virus by the most up-to-date methods available to allow greater understanding of the epizootiology of African swine fever,
 - keeping abreast of developments in African swine fever surveillance, epizootiology and prevention throughout the world,
 - retaining expertise on the virus causing African swine fever and other pertinent viruses to enable rapid differential diagnosis;
 - (b) to make the necessary arrangements for training or re-training experts in laboratory diagnosis with a view to harmonising diagnostic techniques;
 - (c) to have trained personnel available for emergency situations occurring within the Community;
 - (d) to perform research activities and whenever possible coordinate research activities directed towards an improved control of African swine fever;
 - (e) to draw up technical protocols relating to procedures to verify the efficacy of disinfectants against the African swine virus.
3. The Community Reference Laboratories for classical swine fever and African swine fever shall organise their activities in such a way so as to ensure proper coordination of the comparative tests organised at Community level for the diagnosis of these two diseases.

ANNEX VI

Criteria and requirements relating to contingency plans

Member States are to ensure that contingency plans meet the following criteria and requirements at least:

- (a) the adoption of measures to ensure that the legal powers necessary for the implementation of contingency plans exist and make it possible to carry out a rapid and effective eradication campaign;
 - (b) the adoption of measures that will ensure access to emergency funds, budgetary means and financial resources in order to cover all aspects of the fight against an epidemic outbreak of African swine fever;
 - (c) a chain of command must be set up to ensure that in the event of the outbreak of an epidemic the decision-taking procedure for an epizootic is rapid and effective. If necessary, the chain of command must be placed under the authority of a central decision-taking unit responsible for directing all the strategies for the fight against the disease. The director of the veterinary services must be a member of that unit and act as a link between the central decision-taking unit and the national disease control centre provided for in Article 22;
 - (d) the adoption of measures to ensure that appropriate resources are available for a rapid and effective campaign, including laboratory staff, equipment and infrastructure;
 - (e) an instruction manual must be provided. It must give a full and detailed practical description of all the procedures, instructions and measures to be employed in the event of an outbreak of African swine fever;
 - (f) the staff must regularly take part in:
 - (i) training schemes covering the clinical signs of African swine fever, epidemiological surveys and the control of the disease;
 - (ii) alarm drills organised at least twice a year;
 - (iii) training in communications techniques in order to organise information campaigns concerning the current outbreak of the epidemic disease, aimed at authorities, farmers and veterinarians.
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COMMISSION DIRECTIVE 2002/66/EC

of 16 July 2002

amending the Annexes to Council Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC as regards the fixing of maximum levels for pesticide residues in and on fruit and vegetables, cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables ⁽¹⁾, as last amended by Commission Directive 2000/82/EC ⁽²⁾, and in particular Article 5 thereof,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽³⁾, as last amended by Commission Directive 2002/42/EC ⁽⁴⁾, and in particular Article 10 thereof,

Having regard to Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin ⁽⁵⁾, as last amended by Directive 2002/42/EC, and in particular Article 10 thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on products of plant origin, including fruit and vegetables ⁽⁶⁾, as last amended by Directive 2002/42/EC, and in particular Article 7 thereof,

Whereas:

(1) In the case of cereals and products of plant origin including fruit and vegetables, residue levels should reflect the use of minimum quantities of pesticides necessary to achieve effective protection of plants, applied in such a manner that the amount of residue is both as low as practicable and toxicologically acceptable, having regard, in particular to the protection of the environment and the protection of the health of consumers in terms of estimated dietary intake of consumers. In the case of foodstuffs of animal origin, residue levels should reflect the consumption by animals of cereals and products of plant origin treated with pesticides and, where relevant, the direct consequences of the use of veterinary medicines. Community

maximum residue levels (MRLs) represent the upper limit to the amounts of such residues that might be found in commodities when good agricultural practices have been respected by producers.

(2) MRLs for pesticides should be kept under review and the levels may be changed to take account of new information and data. MRLs should be fixed at the lower limit of analytical determination where there are no authorised uses.

(3) Commission Decisions have been taken not to include active substances in Annex I to Council Directive 91/414/EEC of 15 June 1991 on the placing of plant protection products on the market ⁽⁷⁾, as last amended by Commission Directive 2002/48/EC ⁽⁸⁾ for: lindane (Commission Decision 2000/801/EC ⁽⁹⁾), quintozone (Commission Decision 2000/816/EC ⁽¹⁰⁾), permethrin (Commission Decision 2000/817/EC ⁽¹¹⁾), zineb (Commission Decision 2001/245/EC ⁽¹²⁾) and parathion (Commission Decision 2001/520/EC ⁽¹³⁾). These Decisions provided that plant protection products containing these active substances shall no longer be authorised for use in the Community. It is therefore necessary to add all of the pesticide residues arising from use of these plant protection products to the Annexes to Directives 86/362/EEC, 86/363/EEC and 90/642/EEC to allow for proper surveillance and control of the prohibition of their uses and to protect the consumer. Since it is not possible to discriminate in routine monitoring between zineb and other dithiocarbamates, it is not possible to set MRLs for zineb. In order to allow legitimate expectations to be fulfilled for existing stocks of pesticides to be used, the Commission non-inclusion Decisions allowed a phasing out period, and it is appropriate that MRLs premised on the notion that use of the substance concerned is not authorised in the Community, should not apply until the end of the phasing out period applying to that substance.

⁽¹⁾ OJ L 340, 9.12.1976, p. 26.

⁽²⁾ OJ L 3, 6.1.2001, p. 18.

⁽³⁾ OJ L 221, 7.8.1986, p. 37.

⁽⁴⁾ OJ L 134, 22.5.2002, p. 29.

⁽⁵⁾ OJ L 221, 7.8.1986, p. 43.

⁽⁶⁾ OJ L 350, 14.12.1990, p. 71.

⁽⁷⁾ OJ L 230, 19.8.1991, p. 1.

⁽⁸⁾ OJ L 148, 6.6.2002, p. 19.

⁽⁹⁾ OJ L 324, 21.12.2000, p. 42.

⁽¹⁰⁾ OJ L 332, 28.12.2000, p. 112.

⁽¹¹⁾ OJ L 332, 28.12.2000, p. 114.

⁽¹²⁾ OJ L 88, 28.3.2001, p. 19.

⁽¹³⁾ OJ L 187, 10.7.2001, p. 47.

- (4) Maximum residue levels have previously been fixed in relation to lindane and parathion for some commodities, in Annex II to Directive 76/895/EEC (as amended by Commission Directive 82/528/EEC)⁽¹⁾, but this Directive allows Member States to establish higher MRLs. To establish harmonised maximum levels of pesticide residues for lindane and parathion in and on fruit and vegetables at Community level it is necessary to include these MRLs instead in Directive 90/642/EEC. Further, the MRLs should be amended to reflect the withdrawal of authorisations at Community level.
- (5) Community maximum residue levels and the levels recommended by the *Codex Alimentarius* are fixed and evaluated following similar procedures. There are a limited number of *Codex* maximum residue limits for lindane, quitozene, permethrin and parathion. These have been considered in the setting of the maximum residue levels fixed in this Directive. *Codex* MRLs that will be recommended for withdrawal in the near future were not taken into account. The *Codex* MRLs for lindane 0,1 mg/kg (eggs) and 0,7 mg/kg (poultry meat) are EMRLs (extraneous residue limits). These MRLs are not set at the level which would result from current use of plant protection products, but take account of the fact that uses of the substances in the past have left residues which can be considered as contaminants. The MRLs based on *Codex* MRLs having been evaluated in the light of the risks for the consumers, no risk was established when using the toxicological end points based on the studies available to the Commission. The ADI for lindane is 0,001 mg/kg bw/day (JMPR 1997), no acute reference dose being considered necessary, the ADI for parathion is 0,004 mg/kg bw/day (JMPR 1995), the ARfD being 0,01 mg/kg bw/day (JMPR 1995), the ADI for permethrin is 0,05 mg/kg bw/day (JMPR 1999), no ARfD being considered necessary, the ADI for quitozene is 0,01 mg/kg bw/day (JMPR 1995), no ARfD being considered necessary.
- (6) The Community notified the draft Commission Directive to the World Trade Organisation and the comments received have been considered in finalising the Directive. MRLs for specific pesticide/crop combinations used in third countries could be examined by the Commission on the basis of the acceptable data submitted⁽²⁾.
- (7) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Annex II to Directive 76/895/EEC the entries relating to lindane and parathion shall be deleted.

Article 2

In the table in Part A of Annex II to Directive 86/362/EEC entries in respect of the following pesticide residues shall be added:

Pesticide residue	Maximum level (mg/kg)
Lindane	0,01 (*) cereals
Quitozene (sum of quitozene, and pentachloro-aniline expressed as quitozene)	0,02 (*) cereals
Permethrin (sum of isomers)	0,05 (*) cereals
Parathion	0,05 (*) cereals

(*) Indicates lower limit of analytical determination.

Article 3

Entries in respect of the following pesticide residues shall be added to the table in part A of Annex II to Directive 86/363/EEC:

⁽¹⁾ OJ L 234, 9.8.1982, p. 1.

⁽²⁾ Guidance notes on import tolerances — Document 7169/VI/99 rev. 1.

Pesticide residue	Maximum level (mg/kg)		
	Of fat contained in meat, preparations of meat, offals and animal fats listed in Annex I within CN codes 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602 (i) (iv)	For raw cows' milk and whole cream cows' milk listed in Annex 1 within CN code 0401; for the other foodstuffs within CN codes 0401, 0402, 0405 00 and 0406, in accordance with (ii) (iv)	Of shelled fresh eggs, in birds' eggs and egg yolks listed in Annex 1 within CN code 0407 00 and 0408 (iii) (iv)
Lindane	Poultry meat 0,7 ⁽¹⁾ Others 0,02 ⁽²⁾	0,001 (*)	0,1 ⁽¹⁾
Quintozene	0,01 (*)	0,01 (*)	0,01 (*)
Parathion	0,05 (*)	0,05 (*)	0,05 (*)

⁽¹⁾ These MRLs are based on *Codex* MRLs (extraneous residue limits) and do not result from the use of plant protection products.

⁽²⁾ Based on monitoring data.

(*) Indicates lower limit of analytical determination.

Article 4

In the table in Annex II to Directive 90/642/EEC, the entries for pesticide residues as set out in the Annex to this Directive shall be added or modified.

Article 5

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

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 November 2002 at the latest. They shall forthwith inform the Commission thereof.
2. They shall apply these provisions as of 1 December 2002 for lindane, quintozene and permethrin and as of 1 May 2003 for parathion.
3. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 16 July 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Lindane	Quintozene (sum of quintozene, and pentachloroaniline expressed as quintozene)	Permethrin (sum of isomers)	Parathion
1. Fruits, fresh, dried or uncooked, preserved by freezing, not containing added sugar: nuts	0,01 (*)	0,02 (*)	0,05 (*)	0,05 (*)
(i) CITRUS FRUIT				
Grapefruit				
Lemons				
Limes				
Mandarins (including clementines and other hybrids)				
Oranges				
Pomelos				
Others				
(ii) TREE NUTS (shelled or unshelled)				
Almonds				
Brazil nuts				
Cashew nuts				
Chestnuts				
Coconuts				
Hazelnuts				
Macadamia				
Pecans				
Pine nuts				
Pistachios				
Walnuts				
Others				
(iii) POME FRUIT				
Apples				
Pears				
Quinces				
Others				
(iv) STONE FRUIT				
Apricots				
Cherries				
Peaches (including nectarines and similar hybrids)				
Plums				
Others				
(v) BERRIES AND SMALL FRUIT				
(a) Table and wine grapes				
Table grapes				
Wine grapes				
(b) Strawberries (other than wild)				
(c) Cane fruit (other than wild)				
Blackberries				
Dewberries				
Loganberries				
Raspberries				
Others				

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Lindane	Quintozene (sum of quintozene, and pentachloroaniline expressed as quintozene)	Permethrin (sum of isomers)	Parathion
(d) Other small fruit and berries (other than wild) Bilberries Cranberries Currants (red, black and white) Gooseberries Others				
(e) Wild berries and wild fruit				
(vi) MISCELLANEOUS Avocados Banans Dates Figs Kiwi Kumquats Litchis Mangoes Olives Passion fruit Pineapples Pomegranate Others				
2. Vegetables, fresh or uncooked, frozen or dry	0,01 (*)	0,02 (*)	0,05 (*)	0,05 (*)
(i) ROOT AND TUBER VEGETABLES Beetroot Carrots Celeriac Horseradish Jerusalem artichokes Parsnips Parsley root Radishes Salsify Sweet potatoes Swedes Turnips Yam Others				
(ii) BULB VEGETABLES Garlic Onions Shallots Spring onions Others				
(iii) FRUITING VEGETABLES (a) Solanacea Tomatoes Peppers Aubergines Others				

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Lindane	Quintozene (sum of quintozene, and pentachloroaniline expressed as quintozene)	Permethrin (sum of isomers)	Parathion
(b) Cucurbits — edible peel Cucumbers Gherkins Courgettes Others				
(c) Cucurbits — inedible peel Melons Squashes Watermelons Others				
(d) Sweetcorn				
(iv) BRASSICA VEGETABLES				
(a) Flowering brassica Broccoli Cauliflower Others				
(b) Head brassica Brussels sprouts Head cabbage Others				
(c) Leafy brassica Chinese cabbage Kale Others				
(d) Kohlrabi				
(v) LEAF VEGETABLES AND FRESH HERBS				
(a) Lettuce and similar Cress Lamb's lettuce Lettuce Scarole (broad-leaf endive) Others				
(b) Spinach and similar Spinach Beet leaves (chard) Others				
(c) Watercress				
(d) Witloof				
(e) Herbs Chervil Chives Parsley Celery leaves Others				
(vi) LEGUME VEGETABLES (fresh) Beans (with pods) Beans (without pods) Peas (with pods) Peas (without pods) Others				

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Lindane	Quintozene (sum of quintozene, and pentachloroaniline expressed as quintozene)	Permethrin (sum of isomers)	Parathion
(vii) STEM VEGETABLES (fresh) Asparagus Cardoons Celery Fennel Globe artichokes Leek Rhubarb Others				
(viii) FUNGI (a) Cultivated mushrooms (b) Wild mushrooms				
3. Pulses Beans Lentils Peas Others	0,01 (*)	0,02 (*)	0,05 (*)	0,05 (*)
4. Oils seeds Linseed Peanuts Poppy seed Sesame seed Sunflower seed Rapeseed Soya bean Mustard seed Cotton seed Others	0,01 (*)	0,05 (#) 0,02 (*)	0,05 (*)	0,05 (*)
5. Potatoes Early potatoes Ware potatoes	0,01 (*)	0,02 (*)	0,05 (*)	0,05 (*)
6. Tea (leaves and stems, dried, fermented or otherwise, of <i>Camellia sinensis</i>)	0,05 (*)	0,05 (*)	0,1 (*)	0,1 (*)
7. Hops (dried), including hop pellets and unconcentrated powder	0,05 (*)	0,05 (*)	0,1 (*)	0,1 (*)

(*) Indicates lower limit of analytical determination.

(#) Indicates that the MRL is based on Codex MRL.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 July 2002

on the implementation of Council Decision 1999/297/EC establishing a Community statistical information infrastructure relating to the industry and markets of the audiovisual and related sectors

(notified under document number C(2002) 2580)

(Text with EEA relevance)

(2002/591/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 1999/297/EC of 26 April 1999 establishing a Community statistical information infrastructure relating to the industry and markets of the audiovisual and related sectors ⁽¹⁾, and in particular Articles 2 and 3 thereof,

Whereas:

- (1) Decision 1999/297/EC determined the individual statistical actions necessary in order to establish a Community statistical information infrastructure relating to the industry and markets of the audiovisual and related sectors.
- (2) Commission Decision 1999/841/EC ⁽²⁾ adopted a first set of 14 measures for the implementation of individual statistical actions.
- (3) It is necessary to adopt a further set of measures for the implementation of individual statistical actions.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Statistical Programme Committee,

HAS ADOPTED THIS DECISION:

Article 1

Measures to implement individual statistical actions referred to in Article 2 of Decision 1999/297/EC are specified in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 July 2002.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 117, 5.5.1999, p. 39.

⁽²⁾ OJ L 326, 18.12.1999, p. 65.

ANNEX

A. Measures to implement actions to be undertaken by the national authorities

Reference in the Decision 1999/297/EC		Description of the measure	Date scheduled for completing the measure
Article 2(1)(b)	1	Annual update of the existing inventory by each Member State of national statistics and sources, 2001 to 2003	September 2003
Article 2(1)(c)	2	Annual forwarding to Eurostat by each Member State during 2001 to 2003 of a questionnaire on audiovisual statistics (firms, functions and products) already on hand or available from the competent national authorities. The questionnaire, which is based on the Auvis classification plan, will be drawn up each year after consultation with Member States, and sent to them by April of each year. Member States will send data by November of each year	April 2004
Article 2(1)(d)	3	Voluntary participation in pilot studies to test working methods and nomenclatures in practice and promote the creation of Community statistics (firms, functions and products) in the audiovisual and related sectors. The list of studies and the timetable for their implementation will be drawn up by Eurostat after consultation with Member States, and taking into account the priorities expressed in user needs studies	April 2004

B. Measures to implement actions to be undertaken by Eurostat

Reference in the Decision 1999/297/EC		Description of the measure	Date scheduled for completing the measure
Article 2(2)(a)	1	Studies required to develop the Community institutional and functional methodological framework and nomenclatures. A list of studies and their timetable for implementation will be drawn up by Eurostat each year after consultation with Member States, and taking into account the priorities expressed in user needs studies	April 2004
Article 2(2)(a)	2	Annual updating and publication, via the web, of the general methodological manual on audiovisual statistics	January 2004
	3	Updating of the chapter specific to audiovisual services in the Eurostat Manual of Business Statistics	March 2004
Article 2(2)(b)	4	Annual processing of the data received from the annual questionnaire to Member States, and making the results available in Eurostat's dissemination database, and via publications	April 2004
	5	Adaptation of an existing Eurostat computerised system to receive, validate, transform and store statistics gathered from Member States and international organisations	April 2004

Reference in the Decision 1999/297/EC		Description of the measure	Date scheduled for completing the measure
Article 2(2)(c)	6	Comparison of existing statistical systems in Member States, Candidate and other countries with a view to improved comparability	April 2004
Article 2(2)(d)	7	Interim report on the progress made in implementing the Council Decision	July 2002
	8	Final report giving an assessment of the implementation of Decision 1999/297/EC and of the relevance of, and needs for, statistics in the audiovisual sector	April 2004

COMMISSION DECISION**of 15 July 2002****amending Decisions 95/467/EC, 96/577/EC, 96/578/EC and 98/598/EC on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards gypsum products, fixed fire-fighting systems, sanitary appliances and aggregates respectively***(notified under document number C(2002) 2586)***(Text with EEA relevance)**

(2002/592/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products ⁽¹⁾, as amended by Directive 93/68/EEC ⁽²⁾, and in particular Article 13(4) thereof,

Whereas:

- (1) The Commission has already adopted a series of decisions on attesting the conformity of construction products pursuant to Article 20(2) of Directive 89/106/EEC.
- (2) The need may arise to adapt those decisions to technical progress.
- (3) This is the case of Commission Decisions 95/467/EC ⁽³⁾, 96/577/EC ⁽⁴⁾, 96/578/EC ⁽⁵⁾ and 98/598/EC ⁽⁶⁾.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

Article 1

Decision 95/467/EC is hereby amended as follows.

1. In Annex 3, in the table for product family GYPSUM PRODUCTS (1/4) 'fibrous gypsum plaster casts,' is inserted after 'fibrous gypsum boards,'.
2. In Annex 3, in the table for product family GYPSUM PRODUCTS (2/4) 'fibrous gypsum plaster casts,' is inserted after 'gypsum plasters,'.
3. In Annex 3, in the table for product family GYPSUM PRODUCTS (4/4) the product family 'fibrous gypsum plaster casts,' is inserted after 'ceiling elements and plasters,'.

Article 2

Decision 96/577/EC is hereby amended as follows.

1. In Annex I, fifth indent, the following text is inserted after 'nozzles/sprinklers/outlets.': 'high pressure container valve assemblies and their actuators, selector valves and their actuators, non-electrical disable devices, flexible connectors, pressure gauges and pressure switches, mechanical weighing devices and check valves and non-return valves.'

⁽¹⁾ OJ L 40, 11.2.1989, p. 12.⁽²⁾ OJ L 220, 30.8.1993, p. 1.⁽³⁾ OJ L 268, 10.11.1995, p. 29.⁽⁴⁾ OJ L 254, 8.10.1996, p. 44.⁽⁵⁾ OJ L 254, 8.10.1996, p. 49.⁽⁶⁾ OJ L 287, 24.10.1998, p. 25.

2. In Annex II, in the table for product family FIRE ALARM/DETECTION, FIXED FIRE FIGHTING, FIRE AND SMOKE CONTROL AND EXPLOSION SUPPRESSION PRODUCTS (1/1), the following row is inserted at the end of the fixed suppression and extinguishing section:

Wet alarm valve assemblies	Fire safety		1
Dry alarm valve assemblies			
Deluge alarm valve assemblies			
Multiple controls			
High pressure container valve assemblies and their actuators			
Selector valves and their actuators			
Non-electrical disable devices			
Flexible connectors			
Pressure gauges and pressure switches			
Mechanical weighing devices			
Check valves and non-return valves			

Article 3

Decision 96/578/EC is hereby amended as follows.

- In Annex III in the table for product family SANITARY APPLIANCES (1/1), the word 'Sinks' is deleted from the first row of the table, such that the paragraph begins 'Basins and communal troughs; ...'.
- In Annex III in the table for product family SANITARY APPLIANCES (1/1), the following row is inserted after the header row:

Sinks	Preparation of food, the washing of dishes and the discharge of domestic waste water		4 (*)
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(*) System 1: See Annex III, section 2(i), of Directive 89/106/EEC, without audit-testing of samples.

Article 4

Decision 98/598/EC is hereby amended as follows.

- In Annex III, in the table for product family AGGREGATES FOR USES WITHOUT HIGH SAFETY REQUIREMENTS (1/2), the indent in the first row '— for concrete mortar and grout', and the indent in the fourth row '— for concrete mortar and grout' are deleted.
- In Annex III, in the table for product family AGGREGATES FOR USES WITHOUT HIGH SAFETY REQUIREMENTS (1/2) the following row is inserted:

Aggregates and fillers for concrete mortar and grout	In buildings, roads and other civil engineering work		4
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- In Annex III, in the table for product family AGGREGATES FOR USES WITH HIGH SAFETY REQUIREMENTS (2/2) the indent in the first row '— for concrete mortar and grout', and the indent in the fourth row '— for concrete mortar and grout' are deleted.

4. In Annex III, in the table for product family AGGREGATES FOR USES WITH HIGH SAFETY REQUIREMENTS (2/2) the following row is inserted:

Aggregates and fillers for concrete mortar and grout	In buildings, roads and other civil engineering work		2 +
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Article 5

This Decision is addressed to the Member States.

Done at Brussels, 15 July 2002.

For the Commission

Erkki LIIKANEN

Member of the Commission

COMMISSION DECISION

of 19 July 2002

recognising in principle the completeness of the dossiers submitted for detailed examination in view of the possible inclusion of Spirodiclofen and Dimoxystrobin in Annex I to Council Directive 91/414/EEC concerning the placing of plant-protection products on the market

(notified under document number C(2002) 2693)

(Text with EEA relevance)

(2002/593/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection products on the market ⁽¹⁾, as last amended by Commission Directive 2002/18/EC ⁽²⁾, and in particular Article 6(3) thereof,

Whereas:

- (1) Directive 91/414/EEC provides for the development of a Community list of active substances authorised for incorporation in plant protection products.
- (2) A dossier for the active substance Spirodiclofen was submitted by Bayer AG, Germany, to the Dutch authorities on 23 August 2001 with an application to obtain its inclusion in Annex I to Directive 91/414/EEC. A dossier and an application concerning the active substance Dimoxystrobin were submitted by BASF, United Kingdom, to the authorities of the United Kingdom on 28 November 2001.
- (3) The Dutch authorities and the authorities of the United Kingdom have indicated to the Commission that, on preliminary examination, the dossiers for the active substances concerned appear to satisfy the data and information requirements of Annex II to Directive 91/414/EEC. The dossiers submitted appear also to satisfy the data and information requirements of Annex III to Directive 91/414/EEC in respect of one plant-protection product containing the active substance concerned. In accordance with Article 6(2) of Directive 91/414/EEC, the dossiers were subsequently forwarded by the respective applicants to the Commission and other Member States, and were referred to the Standing Committee on the Food Chain and Animal Health.
- (4) By this Decision it should be formally confirmed at Community level that the dossiers are considered as satisfying in principle the data and information requirements provided for in Annex II and, for at least one

plant-protection product containing the active substance concerned, the requirements of Annex III to Directive 91/414/EEC.

- (5) This Decision should not prejudice the right of the Commission to request the applicant to submit further data or information to the Member State designated as rapporteur in respect of a given substance in order to clarify certain points in the dossier.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The dossiers concerning the active substances identified in the Annex to this Decision, which were submitted to the Commission and the Member States with a view to obtaining the inclusion of those substances in Annex I to Directive 91/414/EEC, satisfy in principle the data and information requirements set out in Annex II to Directive 91/414/EEC.

The dossiers also satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance, taking into account the uses proposed.

Article 2

The rapporteur Member States shall pursue the detailed examination for the dossiers concerned and shall report the conclusions of their examinations accompanied by any recommendations on the inclusion or non-inclusion of the active substance concerned in Annex I of Directive 91/414/EEC and any conditions related thereto to the Commission as soon as possible and at the latest within a period of one year from the date of publication of this Decision in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.⁽²⁾ OJ L 55, 26.2.2002, p. 29.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 July 2002.

For the Commission
David BYRNE
Member of the Commission

ANNEX

ACTIVE SUBSTANCES CONCERNED BY THIS DECISION

No	Common Name, CIPAC Identification Number	Applicant	Date of application	Rapporteur Member State
1	Spirodiclofen CIPAC No 737	Bayer AG, Germany	23 August 2001	NL
2	Dimoxystrobin CIPAC No 739	BASF, United Kingdom	28 November 2001	UK

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1176/2002 of 28 June 2002 laying down detailed rules for exports of certain fruit and vegetables and processed fruit and vegetable products to Estonia and amending Regulations (EC) Nos 1961/2001 and 1429/95

(Official Journal of the European Communities L 170 of 29 June 2002)

On page 69 in recital 2:

for: 'Council Regulation (EC) No 1148/2002 ...';

read: 'Council Regulation (EC) No 1151/2002 ...';

and in footnote 7:

for: 'See page 11 of this Official Journal.';

read: 'See page 15 of this Official Journal.';

on page 70 in Article 2(1)(b), in the 11 indents:

for: '... 1148/2002'.

read: '... 1176/2002';

and in the fifth indent, delete the word 'Council'.
