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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1463/2003
of 19 August 2003
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 1947/2002 ⁽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 August 2003.

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

Done at Brussels, 19 August 2003.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 19 August 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	64,3
	060	45,4
	999	54,8
0709 90 70	052	100,3
	999	100,3
0805 50 10	382	56,5
	388	47,1
	524	51,3
	528	52,8
	999	51,9
0806 10 10	052	122,2
	064	114,9
	400	193,4
	999	143,5
0808 10 20, 0808 10 50, 0808 10 90	039	65,0
	388	65,5
	400	99,3
	508	84,8
	512	79,0
	528	31,9
	720	54,2
	800	126,4
	804	76,7
	999	75,9
	0808 20 50	052
388		71,0
512		81,5
528		87,6
800		148,4
999		94,6
0809 30 10, 0809 30 90	052	113,8
	999	113,8
0809 40 05	064	63,6
	066	62,5
	068	81,4
	093	60,7
	094	64,8
	624	155,2
	999	81,4

⁽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 1464/2003
of 19 August 2003**

setting the minimum price to be paid to producers for dried plums and the production aid for prunes for the 2003/2004 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products⁽¹⁾, as last amended by Regulation (EC) No 453/2002⁽²⁾, and in particular Article 6b(3) and Article 6c(7) thereof,

Whereas:

- (1) Article 2 of Commission Regulation (EC) No 449/2001 of 2 March 2001 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme in the sector in products processed from fruit and vegetables⁽³⁾, as last amended by Regulation (EC) No 1426/2002⁽⁴⁾, lays down the dates of the marketing years.
- (2) The criteria for setting the minimum price and the production aid are laid down in Articles 6b and 6c respectively of Regulation (EC) No 2201/96.
- (3) The products for which the minimum price and the aid are to be set are listed in Article 3 of Commission Regulation (EC) No 464/1999 of 3 March 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards aid arrangements for

prunes⁽⁵⁾ and the characteristics that these products must possess are laid down in Article 2 of that Regulation. The minimum price and the production aid should therefore be set for the 2003/2004 marketing year.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2003/2004 marketing year:

- (a) the minimum price referred to in Article 3 of Regulation (EC) No 2201/96 for dried 'd'Ente' plums shall be EUR 1 935,23 per tonne net ex-producer's premises;
- (b) the production aid referred to in Article 4 of that Regulation for prunes shall be EUR 804,15 per tonne net.

Article 2

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

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

Done at Brussels, 19 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 72, 14.3.2002, p. 9.

⁽³⁾ OJ L 64, 6.3.2001, p. 16.

⁽⁴⁾ OJ L 206, 3.8.2002, p. 4.

⁽⁵⁾ OJ L 56, 4.3.1999, p. 8.

COMMISSION REGULATION (EC) No 1465/2003
of 19 August 2003
amending Regulation (EC) No 1508/2001 laying down the marketing standard for onions

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 47/2003 ⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1508/2001 ⁽³⁾, as amended by Regulation (EC) No 46/2003 ⁽⁴⁾, laid down the marketing standard for onions, in particular with regards to presentation and marking provisions.
- (2) Consumer packaging containing mixtures of onions of different colours are becoming more common on the market and enable demand from certain consumers to be met.
- (3) Fair trading requires onions sold in the same package to be of uniform quality. This makes it necessary for mixtures of onions of different colours to be uniform in quality, as well as, for each colour concerned, in origin, variety and size when combined in sales packages. In

addition, for such sales packages, it is appropriate to indicate each of the colours that are present, as well as the country of origin for each one of the various colours.

- (4) Regulation (EC) No 1508/2001 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1508/2001 is amended according to the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 19 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 7, 11.1.2003, p. 64.

⁽³⁾ OJ L 200, 25.7.2001, p. 14.

⁽⁴⁾ OJ L 7, 11.1.2003, p. 61.

ANNEX

The Annex to Regulation (EC) No 1508/2001 is amended as follows:

1. In title V (Provisions concerning presentation), point A (Uniformity), the following second paragraph is inserted:
'Sales packages, of a net weight not exceeding three kilograms, may however contain mixtures of onions of different colours, provided they are uniform in quality, and, for each colour concerned, in origin, variety and size.'
2. In title VI (Provisions concerning marking), points B (Nature of produce) and C (Origin of produce) are replaced by the following text:

B. Nature of produce

- "Onions" if the contents are not visible from the outside,
- In the case of sales packages containing a mixture of different colours of onions:
 - "Mixed onions" or equivalent denomination,
 - when the contents are not visible from the outside, the indication of each of the colours present in the package, and, of the minimum number of pieces of each of the colours concerned.

C. Origin of produce

- Country of origin and, optionally, district where grown or national, regional or local place name,
 - In the case of sales packages containing a mixture of onions of different colours of different origins, the indication of each country of origin shall appear next to the name of the colour concerned.'
-

**COMMISSION REGULATION (EC) No 1466/2003
of 19 August 2003**

laying down the marketing standard for artichokes and amending Regulation (EC) No 963/98

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 47/2003 ⁽²⁾, and in particular Article 2(2) and Article 3(3)(c) thereof,

Whereas:

(1) Artichokes are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted. Commission Regulation (EC) No 963/98 of 7 May 1998 laying down marketing standards applicable to cauliflowers and artichokes ⁽³⁾, as last amended by Regulation (EC) No 46/2003 ⁽⁴⁾, should be amended with respect to the definition of 'Poirrade' and 'Bouquet' type artichokes.

(2) In the interest of clarity, the standards applicable to artichokes should be laid down in a separate Regulation and Regulation (EC) No 963/98 should be amended accordingly. To that end, and in the interest of preserving transparency on the world market, account should be taken of the standard for artichokes recommended by the Working Party on Standardisation of Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UN/ECE).

(3) Application of the new standards should remove products of unsatisfactory quality from the market, bring production into line with consumer requirements and facilitate trade based on fair competition, thereby helping to improve profitability.

(4) The standards are applicable at all marketing stages. Long-distance transport, storage over a certain period and the various processes the products undergo may cause some degree of deterioration owing to the biological development of the products or their perishable nature. Account should be taken of such deterioration when applying the standard at the marketing stages following dispatch. As products in the 'Extra' class have to be particularly carefully sorted and packaged, only lack of freshness and turgidity should be taken into account in their case.

(5) Certain varieties of artichoke produced in the Italian regions of Sicilia, Puglia, Sardegna, Campania, Lazio and Toscana are traditionally sold in the region of production in bunches surrounded by leaves and with stems longer than 10 centimetres. At the request of Italy, this marketing practice was authorised by Commission Regulation (EC) No 448/97 of 7 March 1997 derogating, for certain regions in Italy, from the trading standards set to artichokes ⁽⁵⁾. In order to clarify and simplify Community rules, that derogation should be integrated into this Regulation and Regulation No 448/97 should be repealed.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The marketing standard for artichokes falling within CN code 0709 10 00 shall be as set out in the Annex.

The standard shall apply at all marketing stages under the conditions laid down in Regulation (EC) No 2200/96.

However, at stages following dispatch, the products may show in relation to the provisions of the standard:

- (a) a slight lack of freshness and turgidity,
- (b) for products graded in classes other than the 'Extra' class, slight deterioration due to their development and their tendency to perish.

Article 2

1. By way of derogation from the Annex, artichokes produced in the Italian regions of Sicilia, Puglia, Sardegna, Campania, Lazio and Toscana may be sold by the retail trade within these regions in bunches surrounded by leaves and with a stem longer than 10 cm.

2. For the purposes of applying paragraph 1, each consignment shall carry, in addition to the other required information, the following indication on the document or notice referred to in Article 5(2) of Regulation (EC) No 2200/96:

'Destinato alla vendita al dettaglio unicamente in..... (region of production)'

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 7, 11.1.2003, p. 64.

⁽³⁾ OJ L 135, 8.5.1998, p. 18.

⁽⁴⁾ OJ L 7, 11.1.2003, p. 61.

⁽⁵⁾ OJ L 68, 8.3.1997, p. 17.

Article 3

Regulation (EC) No 963/98 is amended as follows:

1. In the title, the words 'and artichokes' are deleted.
2. Article 1(1) is replaced by the following:
 1. The marketing standard for cauliflowers falling within CN code 0704 10 shall be as set out in the Annex.'
3. Annex II is deleted.
4. In Annex I, the words 'Annex I' are replaced by the word 'Annex'.

Article 4

Regulation (EC) No 448/97 is repealed.

Article 5

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

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

Done at Brussels, 19 August 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

STANDARD FOR ARTICHOKES

I. DEFINITION OF PRODUCE

This standard applies to artichoke heads of varieties (cultivars) grown from *Cynara scolymus* L. to be supplied fresh to the consumer, artichokes for industrial processing being excluded.

The names 'Poivrade' and 'Bouquet' refer to young cone-shaped artichokes of the violet type.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for artichokes, after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the artichokes must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free from any visible foreign matter,
- fresh in appearance, and in particular showing no sign of withering,
- practically free from pests,
- practically free from damage caused by pests,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The stems must be cut off cleanly and must not be longer than 10 cm. This latter provision is not applicable to artichokes packed in bunches, that is: made up of a certain number of heads fastened together around the stems, or to artichokes of the variety 'Spinoso'.

The development and condition of the artichokes must be such as to enable them:

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification

Artichokes are classified in three classes defined below:

(i) 'Extra' Class

Artichokes in this class must be of superior quality. They must be characteristic of the variety and/or commercial type. The central bracts must be well closed, in accordance with the variety.

They must be free from defects with the exception of very slight superficial defects of the skin of the bracts provided these do not affect the general appearance of the produce, its quality, keeping quality and presentation in the package.

The ducts in the base must show no incipient woodiness.

(ii) Class I

Artichokes in this class must be of good quality. They must be characteristic of the variety and/or commercial type. The central bracts must be well closed, in accordance with the variety.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, its quality, keeping quality and presentation in the package:

- a slight defect in shape,
- a slight deterioration due to frost (cracks),
- very slight bruising.

The ducts in the base must show no incipient woodiness.

(iii) *Class II*

This class includes artichokes which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above. They may be slightly open.

The following defects may be allowed provided the artichokes retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- deterioration due to frost ('nipped' artichokes),
- slight bruising,
- slight staining on the outer bracts,
- incipient woodiness of the ducts in the base.

III. PROVISIONS CONCERNING SIZING

Size is determined by the maximum diameter of the equatorial section of the head.

The minimum diameter is fixed at 6 cm.

The scale given below is compulsory for the 'Extra' Class and Class I and optional for Class II:

- diameter of 13 cm and over,
- diameter from 11 cm up to but excluding 13 cm,
- diameter from 9 cm up to but excluding 11 cm,
- diameter from 7,5 cm up to but excluding 9 cm,
- diameter from 6 cm up to but excluding 7,5 cm.

In addition, a diameter from 3,5 cm up to but excluding 6 cm is allowed for artichokes of the 'Poivrade' type and the 'Bouquet' type.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) *'Extra' Class*

5 % by number of artichokes not satisfying the requirements of the class, but meeting those of Class I or, exceptionally, coming within the tolerances of that class.

(ii) *Class I*

10 % by number of artichokes not satisfying the requirements of the class, but meeting those of Class II or, exceptionally, coming within the tolerances of that class.

(iii) *Class II*

10 % by number of artichokes satisfying neither the requirements of the class, nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

B. Size tolerances

For all classes (if sized): 10 % by number of artichokes not satisfying the requirements as regards sizing and the size indicated, but conforming to the size immediately above and/or below that specified, with a minimum of 5 cm in diameter for artichokes classified in the smallest size (6 to 7,5 cm).

No size tolerance is allowed for artichokes of the 'Poivrade' type or 'Bouquet' type.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only artichokes of the same origin, variety or commercial type, quality and size (if sized).

The visible part of the contents of the package must be representative of the entire contents.

Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages of a net weight of three kilograms or less, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 ⁽¹⁾.

B. Packaging

The artichokes must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps, bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free from all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Packer and/or dispatcher: name and address or officially issued or accepted code mark. However, in the case where a code mark is used, the reference 'Packer and/or dispatcher (or equivalent abbreviations)' must be indicated in close proximity to the code mark.

B. Nature of produce

- 'Artichokes', if the contents are not visible from the outside,
- Name of the variety for the 'Extra' Class,
- 'Poivrade' or 'Bouquet', where appropriate,
- 'Spinoso', where appropriate.

C. Origin of produce

Country of origin and, optionally, district where grown or national, regional or local place name.

D. Commercial specifications

- Class,
- Number of heads,
- Size (if sized) expressed in minimum and maximum diameters of the heads.

E. Official control mark (optional)

⁽¹⁾ OJ L 7, 11.1.2003, p. 65.

COMMISSION REGULATION (EC) No 1467/2003
of 19 August 2003
amending Regulation (EC) No 1898/97 as regards the rules of application in the pigmeat sector for
the arrangements under the Europe Agreement with Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/263/EC of 27 March 2003 on the signature and conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

(1) When Commission Regulation (EC) No 1898/97 of 29 September 1997 laying down rules for the application in the pigmeat sector of the arrangements provided for in the Europe Agreements with Bulgaria, the Czech Republic, Slovakia, Romania, Poland and Hungary ⁽²⁾ was last amended by Regulation (EC) No 1160/2003 ⁽³⁾, the combined nomenclature codes of some of the products in Annex A(b) to the Protocol annexed to Decision 2003/263/EC were omitted by mistake. As a result, Part B of Annex I to Regulation (EC) No 1898/97 should be amended.

(2) The information on the agreement with Poland published in the *Official Journal of the European Union* ⁽⁴⁾ states that the Protocol annexed to Decision 2003/263/EC entered into force on 1 April 2003. The amendment provided for in this Regulation should also apply from that date.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Part B of Annex I to Regulation (EC) No 1898/97 is hereby replaced by the Annex hereto.

Article 2

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

It shall apply from 1 April 2003.

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

Done at Brussels, 19 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 97, 15.4.2003, p. 53.

⁽²⁾ OJ L 267, 30.9.1997, p. 58.

⁽³⁾ OJ L 162, 1.7.2003, p. 35.

⁽⁴⁾ OJ L 97, 15.4.2003, p. 72.

ANNEX

B. PRODUCTS ORIGINATING IN POLAND

Order No	Group No	CN code	Description ⁽¹⁾	Applicable duty	Annual quantity from 1.7.2003 to 30.6.2004 (tonnes)	Annual increase (tonnes)	Special provisions
09.4806	7	ex 1601 00 ex 1602 1602 41 10 1602 42 10 ex 1602 49	Sausages and similar products of meat, meat offal or blood; food preparations based on these products but excl. CN code 1601 00 10 Other prepared or preserved meat, meat offal or blood, of swine: — Domestic swine, hams and cuts thereof — Domestic swine, shoulders and cuts thereof — Domestic swine, other, including mixtures excl. CN code 1602 49 90	free	20 800	1 600	(²)
09.4820	8	0103 92 19	Live swine, domestic species	free	1 750		(²)
09.4809	9	ex 0203 ex 0210 0210 11 0210 12 0210 19	Meat of domestic swine, fresh, chilled or frozen Meat of swine: — Ham, shoulders and cuts thereof, with bone in — Bellies and cuts thereof — Other	free	39 000	3 000	(²) (³) (²)

(¹) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording of the description of the products is to be considered as having no more than indicative value, applicability of the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the applicability of the preferential scheme is to be determined on the basis of the CN code and corresponding description taken together.

(²) This concession is only applicable to products not benefiting from export refunds.

(³) Excluding tenderloin presented alone.

COMMISSION REGULATION (EC) No 1468/2003
of 19 August 2003
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 1110/2003 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 1448/2003 ⁽⁵⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1448/2003,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1448/2003 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 20 August 2003.

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

Done at Brussels, 19 August 2003.

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 158, 27.6.2003, p. 12.

⁽⁵⁾ OJ L 206, 15.8.2003, p. 8.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	20,65
1005 10 90	Maize seed other than hybrid	58,43
1005 90 00	Maize other than seed ⁽²⁾	58,43
1007 00 90	Grain sorghum other than hybrids for sowing	30,74

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 14 August to 18 August 2003)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	134,48 (****)	78,15	169,67 (***)	159,67 (***)	139,67 (***)	109,76 (***)
Gulf premium (EUR/t)	—	12,44	—	—	—	—
Great Lakes premium (EUR/t)	22,99	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 2378/2002).

(***) Fob Duluth.

(****) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the two-week period preceding the day of fixing:

Freight/cost: Gulf of Mexico–Rotterdam: 18,10 EUR/t; Great Lakes–Rotterdam: 26,62 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 August 2003

amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, with respect to Mayotte, Saint Pierre et Miquelon and Slovakia

(notified under document number C(2003) 2974)

(Text with EEA relevance)

(2003/606/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs⁽¹⁾, as last amended by Regulation (EC) No 806/2003⁽²⁾, and in particular Article 2(2) and (3) thereof,

Whereas:

- (1) Commission Decision 97/296/EC⁽³⁾, as last amended by Decision 2003/303/EC⁽⁴⁾, lists the countries and territories from which importation of fishery products for human consumption is authorised. Part I of the Annex to Decision 97/296/EC lists the names of the countries and territories covered by a specific Decision under Directive 91/493/EEC and part II names those qualifying under Article 2(2) of Decision 95/408/EC.
- (2) Commission Decisions 2003/608/EC⁽⁵⁾ 2003/609/EC⁽⁶⁾ and 2003/607/EC⁽⁷⁾ set specific import conditions for fishery products originating in Mayotte, Saint Pierre et Miquelon and Slovakia, respectively. These countries should therefore be added to the list in part I of the Annex to Decision 97/296/EC.
- (3) Decision 97/296/EC should therefore be amended accordingly.

- (4) This Decision should take effect on the same day as Decisions 2003/608/EC and 2003/609/EC as regards the import of fishery products from Mayotte and St Pierre et Miquelon.
- (5) As regards the import of fishery products from Slovakia this Decision should take effect on the same day as Decision 2003/607/EC, since there is no need for a transitional period.
- (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 Annex to Decision 97/296/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply from 4 October 2003, as regards the imports of fishery products from Mayotte and St Pierre et Miquelon.

This Decision shall apply from 23 August 2003 as regards the import of fishery products from Slovakia.

⁽¹⁾ OJ L 243, 11.10.1995, p. 17.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 122, 14.5.1997, p. 21.

⁽⁴⁾ OJ L 110, 3.5.2003, p. 12.

⁽⁵⁾ See page 25 of this Official Journal.

⁽⁶⁾ See page 30 of this Official Journal.

⁽⁷⁾ See page 20 of this Official Journal.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 August 2003.

For the Commission
David BYRNE
Member of the Commission

ANNEX

'ANNEX

List of countries and territories from which importation of fishery products in any form intended for human consumption is authorisedI. *Countries and territories covered by a specific Decision under Directive 91/493/EEC*

AL — ALBANIA	MR — MAURITANIA
AR — ARGENTINA	MU — MAURITIUS
AU — AUSTRALIA	MV — MALDIVES
BD — BANGLADESH	MX — MEXICO
BG — BULGARIA	MY — MALAYSIA
BR — BRAZIL	MZ — MOZAMBIQUE
CA — CANADA	NA — NAMIBIA
CH — SWITZERLAND	NC — NEW CALEDONIA
CI — CÔTE D'IVOIRE	NG — NIGERIA
CL — CHILE	NI — NICARAGUA
CN — CHINA	NZ — NEW ZEALAND
CO — COLOMBIA	OM — OMAN
CR — COSTA RICA	PA — PANAMA
CU — CUBA	PE — PERU
CZ — CZECH REPUBLIC	PG — PAPUA NEW GUINEA
EC — ECUADOR	PH — PHILIPPINES
EE — ESTONIA	PM — SAINT PIERRE AND MIQUELON
FK — FALKLAND ISLANDS	PK — PAKISTAN
GA — GABON	PL — POLAND
GH — GHANA	RU — RUSSIA
GL — GREENLAND	SC — SEYCHELLES
GM — GAMBIA	SG — SINGAPORE
GN — GUINEA (CONAKRY)	SI — SLOVENIA
GT — GUATEMALA	SK — SLOVAKIA
HN — HONDURAS	SN — SENEGAL
HR — CROATIA	SR — SURINAME
ID — INDONESIA	TH — THAILAND
IN — INDIA	TN — TUNISIA
IR — IRAN	TR — TURKEY
JM — JAMAICA	TW — TAIWAN
JP — JAPAN	TZ — TANZANIA
KR — SOUTH KOREA	UG — UGANDA
KZ — KAZAKHSTAN	UY — URUGUAY
LK — SRI LANKA	VE — VENEZUELA
LT — LITHUANIA	VN — VIETNAM
LV — LATVIA	YE — YEMEN
MA — MOROCCO	YT — MAYOTTE
MG — MADAGASCAR	ZA — SOUTH AFRICA

II. Countries and territories meeting the terms of Article 2(2) of Decision 95/408/EC

AE — UNITED ARAB EMIRATES	GD — GRENADA
AM — ARMENIA ⁽¹⁾	HK — HONG KONG
AO — ANGOLA	HU — HUNGARY ⁽²⁾
AG — ANTIGUA AND BARBUDA ⁽²⁾	IL — ISRAEL
AN — NETHERLANDS ANTILLES	KE — KENYA
AZ — AZERBAIJAN ⁽³⁾	MM — MYANMAR
BJ — BENIN	MT — MALTA
BS — BAHAMAS	PF — FRENCH POLYNESIA
BY — BELARUS	RO — ROMANIA
BZ — BELIZE	SB — SOLOMON ISLANDS
CG — REPUBLIC OF CONGO ⁽⁴⁾	SH — SAINT HELENA
CM — CAMEROON	SV — EL SALVADOR
CY — CYPRUS	TG — TOGO
DZ — ALGERIA	US — UNITED STATES OF AMERICA
ER — ERITREA	YU — SERBIA and MONTENEGRO ⁽⁶⁾ ⁽⁷⁾
FJ — FIJI	ZW — ZIMBABWE

⁽¹⁾ Authorised only for imports of live crayfish (*Astacus leptodactylus*) intended for direct human consumption.

⁽²⁾ Authorised only for imports of fresh fish.

⁽³⁾ Authorised only for imports of caviar.

⁽⁴⁾ Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.

⁽⁵⁾ Authorised only for import of live animals intended for direct human consumption.

⁽⁶⁾ Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999.

⁽⁷⁾ Authorised only for imports of wild fish intended for direct human consumption.'

COMMISSION DECISION

of 18 August 2003

laying down special conditions governing imports of fishery products from Slovakia

(notified under document number C(2003) 2975)

(Text with EEA relevance)

(2003/607/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) Slovakia is an acceding State to the Community. An inspection has been carried out in this country on behalf of the Commission to verify the conditions under which fishery products are produced, stored, marketed and dispatched to the Community.
- (2) The requirements of Directive 91/493/EC have been transposed into the legislation of Slovakia.
- (3) In particular, the 'State Veterinary and Food Administration (SVFA)' is capable of effectively verifying the implementation of the legislation in force.
- (4) The SVFA has provided official assurances regarding compliance with the standards for health controls and monitoring of live freshwater finfish, from aquaculture, intended for direct human consumption, as set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Slovakia, in accordance with Directive 91/493/EEC. These provisions should include that only live freshwater finfish from aquaculture intended for direct human consumption may be authorised for imports into the Community.
- (6) It is also necessary to draw up a list of approved establishments. This list should be drawn up on the basis of a communication from the SVFA to the Commission.
- (7) It is appropriate for the present Decision to be applied three days after its publication providing for the necessary transitional period.

- (8) 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 'State Veterinary and Food Administration (SVFA)' assisted by the 'District Veterinary and Food Administration (DVFA)' shall be the competent authority in Slovakia identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Slovakia shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Fishery products shall be live fish produced by freshwater aquaculture, intended for direct human consumption and belonging to one of the following species:

- (a) Carp (*Cyprinus carpio*);
- (b) Grass carp (*Ctenopharyngodon idella*);
- (c) Silver carp (*Hypophthalmichthys molitrix*);
- (d) Pike (*Esox lucius*);
- (e) Catfish (*Silurus glanis*);
- (f) Zander or European pikeperch (*Stizostedion lucioperca*);
- (g) Trout (*Oncorhynchus mykiss*, *Salmo trutta*);
- (h) Grayling (*Thymallus thymallus*);
- (i) Brook trout (*Salvelinus fontinalis*).

2. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model in Annex I and comprising a single sheet, duly completed, signed and dated.

3. The certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

4. The certificate shall bear the name, capacity, and signature of the representative of the SVFA, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments listed in Annex II.

Article 5

All packages shall bear the words 'SLOVAKIA' and the approval/registration number of the establishment of origin in indelible letters.

Article 6

This Decision shall apply from 23 August 2003.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 18 August 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Slovakia and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: SLOVAKIA
Competent authority: 'State Veterinary and Food Administration (SVFA)'
Inspection Service: 'District Veterinary and Food Administration (DVFA)'

I. Details identifying the fishery products

- Description of aquaculture products:
- Species (scientific name):
- Presentation of live product:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of the establishment(s) approved by the SVFA for export to the EC:
.....
.....
.....
.....

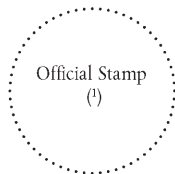
III. Destination of products

The products are dispatched
from: (Place of dispatch)
to: (Country and place of destination)
by the following means of transport:
Name and address of dispatcher:
.....
Name of consignee and address at place of destination:
.....

IV. *Health attestation*

- The official inspector hereby certifies that the fishery products specified above:
1. were produced, handled and where appropriate packaged and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 2. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 3. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 4. do not come from toxic species or species containing biotoxins;
 5. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing Decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC and Decision 2003/607/EC ⁽¹⁾.

Done at , on
(Place) (Date)



Signature of official inspector ⁽¹⁾
(Name in capital letters, capacity and qualifications of person signing)

⁽¹⁾ The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS

Approval No	Name	City Region	Category
SK 9-1	ESOX	Jovsa — District Michalovce — Region Kosicky	PP
SK 9-2	ESOX	Hrhov — District Roznava — Region Kosicky	PP
SK 9-3	SLOVRYB as	Ruzomberok — District Liptovsky Mikulas — Region Zilinsky	PP

PP: Processing Plant

COMMISSION DECISION

of 18 August 2003

laying down special conditions governing imports of fishery products from Mayotte

(notified under document number C(2003) 2976)

(Text with EEA relevance)

(2003/608/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by Regulation (EC) No 806/2003⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Mayotte to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Mayotte on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Direction des Services Vétérinaires (DSV) of the Direction de l'Agriculture et de la Forêt (DAF)' belonging to the 'Ministère français de l'agriculture et de la pêche', is capable of effectively verifying the implementation of the legislation in force.
- (4) The DSV has provided official assurances regarding compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Mayotte, in accordance with Directive 91/493/EEC.
- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board of certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC⁽³⁾. These lists should be drawn up on the basis of a communication from the DSV to the Commission.

- (7) However, the Community inspection team was not able to verify the inspection capacity of the DSV as regards the freezer or factory vessels because at the time of the inspection the two proposed freezer vessels were registered under French flag and no factory vessel was proposed to be authorised. Therefore, the inclusion of new vessels in the list will require a new inspection visit on the spot by the Commission experts.
- (8) It is appropriate for the present Decision to be applied 45 days after its publication in providing for the necessary transitional period.
- (9) 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 'Direction des Services Vétérinaires (DSV) of the Direction de l'Agriculture et de la Forêt (DAF)' belonging to the 'Ministère français de l'agriculture et de la pêche', shall be the competent authority in Mayotte identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Mayotte shall comply with Articles 3, 4 and 5.

Article 3

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

3. The certificate shall bear the name, capacity and signature of the representative of the DSV, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

Article 5

All packages shall bear the word 'MAYOTTE' and the approval/ registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

Article 6

The inclusion of new vessels in the list of Annex II shall only be done following the results of a Community inspection visit on the spot.

Article 7

This Decision shall apply from 4 October 2003.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 18 August 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Mayotte and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: MAYOTTE

Competent authority: 'The Direction des Services Vétérinaires (DSV) of the Direction de l'Agriculture et de la Forêt (DAF)'

I. Details identifying the fishery products

- Description of fishery/aquaculture ⁽¹⁾ products:
- Species (scientific name):
- Presentation of product and type of treatment ⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the DSV for export to the EC:
.....
.....

III. Destination of products

The products are dispatched
from:
(Place of dispatch)
to:
(Country and place of destination)
by the following means of transport:
Name and address of dispatcher:
.....
Name of consignee and address at place of destination:
.....

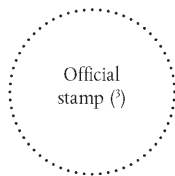
⁽¹⁾ Delete where applicable.
⁽²⁾ Live, refrigerated, frozen.

IV. *Health attestation*

- The official inspector hereby certifies that the fishery products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, frozen and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing Decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 2003/608/EC.

Done at , on

(Place) (Date)



Signature of official inspector ^(?)
(Name in capital letters, capacity and qualifications of person signing)

^(?) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City Region	Approval limit	Category
YT 976.510.01	Mayotte Aquaculture	Port de Longoni — F-97600 Mayotte		PP
YT 976.507.02	SCEA Subagri	F-97600 Mayotte		PP
YT 976.508.01	Cap Saint-Vincent			ZV
YT 976.508.02	Sterenn			ZV

ZV: Freezer Vessel

PP: Processing Plant

COMMISSION DECISION

of 18 August 2003

laying down special conditions governing imports of fishery products from Saint Pierre et Miquelon

(notified under document number C(2003) 2977)

(Text with EEA relevance)

(2003/609/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Saint Pierre et Miquelon to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Saint Pierre et Miquelon on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Direction des Services de l'Agriculture: Services Vétérinaires (DSA)' belonging to the 'Ministère français de l'agriculture et de la pêche', is capable of effectively verifying the implementation of the legislation in force.
- (4) The DSA has provided official assurances regarding compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Saint Pierre et Miquelon, in accordance with Directive 91/493/EEC.
- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board of certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC ⁽³⁾. These lists should be drawn up on the basis of a communication from the DSA to the Commission.

(7) It is appropriate for the present Decision to be applied 45 days after its publication providing for the necessary transitional period.

(8) 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 'Direction des Services de l'Agriculture: Services Vétérinaires (DSA)' of the 'Ministère français de l'agriculture et de la pêche', shall be the competent authority in Saint Pierre et Miquelon identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Saint Pierre et Miquelon shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

3. The certificate shall bear the name, capacity and signature of the representative of the DSA, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

Article 5

All packages shall bear the words 'SAINT PIERRE ET MIQUELON' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

Article 6

This Decision shall apply from 4 October 2003.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 18 August 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Saint Pierre et Miquelon and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: SAINT PIERRE ET MIQUELON

Competent authority: 'Direction des Services de l'Agriculture: Services Vétérinaires (DSA)'

I. *Details identifying the fishery products*

- Description of fishery/aquaculture ⁽¹⁾ products:
- Species (scientific name):
- Presentation of product and type of treatment ⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. *Origin of products*

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the DSA for export to the EC:

.....

III. *Destination of products*

The products are dispatched

from:
 (Place of dispatch)

to:
 (Country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

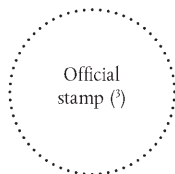
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen.

IV. Health attestation

- The official inspector hereby certifies that the fishery products specified above:
 1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, frozen and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing Decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 2003/609/EC.

Done at (Place), on (Date)



Signature of official inspector ⁽³⁾
(Name in capital letters, capacity and qualifications of person signing)

⁽³⁾ The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City Region	Category
975-02-01	Interpêche	Bd Constant Colmay — Saint-Pierre	PP
975-02-03	Société des Nouvelles Pêcheries	Bd Constant Colmay — Saint-Pierre	PP
975-02-02	Société Nouvelle des Pêches de Miquelon	Rue des Acadiens — Miquelon	PP

PP: Processing Plant

COMMISSION DECISION

of 19 August 2003

amending Decision 1999/815/EC concerning measures prohibiting the placing on the market of toys and childcare articles intended to be placed in the mouth by children under three years of age made of soft PVC containing certain phthalates

(notified under document number C(2003) 2944)

(Text with EEA relevance)

(2003/610/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/59/EEC of 29 June 1992 on general product safety⁽¹⁾, and in particular Article 11(2) thereof,

Whereas:

- (1) The Commission adopted, on 7 December 1999, Decision 1999/815/EC⁽²⁾, as last amended by Decision 2003/368/EC⁽³⁾, based on Article 9 of Directive 92/59/EEC, requiring the Member States to prohibit the placing on the market of toys and childcare articles intended to be placed in the mouth by children under three years of age, made of soft PVC containing one or more of the substances di-iso-nonyl phthalate (DINP), di(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), di-iso-decyl phthalate (DIDP), di-n-octyl phthalate (DNOP), and butylbenzyl phthalate (BBP).
- (2) The validity of Decision 1999/815/EC was limited to three months, in accordance with the provision of Article 11(2) of Directive 92/59/EEC. Therefore, the validity of the Decision was to expire on 8 March 2000.
- (3) When adopting Decision 1999/815/EC it was foreseen to prolong its validity if necessary. The validity of the measures adopted under Decision 1999/815/EC was prolonged under several Decisions for an additional period of three months each time, and is now to expire on 20 August 2003.
- (4) Some relevant developments have taken place concerning the validation of phthalates migration test methods and the comprehensive risk assessment of these phthalates under Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances⁽⁴⁾. However, further work in this area is still necessary to try to solve some crucial outstanding difficulties.

- (5) Pending resolution of the outstanding issues, and in order to guarantee the objectives of Decision 1999/815/EC and its prolongations, it is necessary to maintain the prohibition of the placing on the market of the products considered.
- (6) Certain Member States have implemented Decision 1999/815/EC by measures applicable until 20 August 2003. Therefore it is necessary to ensure that the validity of these measures is prolonged.
- (7) It is therefore necessary to prolong the validity of Decision 1999/815/EC in order to ensure that all the Member States maintain the prohibition provided for by that Decision.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Emergencies Committee,

HAS ADOPTED THIS DECISION:

Article 1

In Article 5 of Decision 1999/815/EC the words '20 August 2003' are replaced by the words '20 November 2003'.

Article 2

Member States shall take the measures necessary to comply with this Decision within less than 10 days of its notification. They shall forthwith inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 August 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 228, 11.8.1992, p. 24.

⁽²⁾ OJ L 315, 9.12.1999, p. 46.

⁽³⁾ OJ L 125, 20.5.2003, p. 12.

⁽⁴⁾ OJ L 84, 5.4.1993, p. 1.