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(Continued overleaf)

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

Commission

2004/639/EC:

- ★ **Commission Decision of 6 September 2004 laying down the importation conditions of semen of domestic animals of the bovine species** (*notified under document number C(2004) 3364*) ⁽¹⁾ 21



⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1597/2004
of 14 September 2004
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⁾, 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 15 September 2004.

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

Done at Brussels, 14 September 2004.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to Commission Regulation of 14 September 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	66,6
	999	66,6
0707 00 05	052	106,2
	999	106,2
0709 90 70	052	87,3
	999	87,3
0805 50 10	382	67,7
	388	51,5
	524	47,5
	528	53,0
	999	54,9
0806 10 10	052	86,2
	220	130,6
	400	169,8
	624	144,8
	999	132,9
0808 10 20, 0808 10 50, 0808 10 90	388	62,5
	400	99,3
	508	75,4
	512	100,3
	528	86,4
	800	159,0
	804	90,5
999	96,2	
0808 20 50	052	104,7
	388	71,5
	999	88,1
0809 30 10, 0809 30 90	052	117,7
	999	117,7
0809 40 05	066	75,0
	094	36,7
	400	106,6
	624	131,0
	999	87,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1598/2004
of 10 September 2004
prohibiting fishing for megrim by vessels flying the flag of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2287/2003 of 19 December 2003 fixing for 2004 the fishing opportunities and associated fishing conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required, lays down quotas for megrim for 2004⁽²⁾.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of megrim in the waters of ICES division VIIIc, sub-areas IX, X and CECAF 34.1.1 (EC waters) by vessels flying the flag of Portugal or registered

in Portugal have exhausted the quota allocated for 2004. Portugal has prohibited fishing for this stock from 14 June 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of megrim in the waters of ICES division VIIIc, sub-areas IX and X and CECAF 34.1.1 (EC waters) by vessels flying the flag of Portugal or registered in Portugal are hereby deemed to have exhausted the quota allocated to Portugal for 2004.

Fishing for megrim in the waters of ICES division VIIIc, sub-areas IX and X and CECAF 34.1.1 by vessels flying the flag of Portugal or registered in Portugal is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 14 June 2004.

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

Done at Brussels, 10 September 2004.

For the Commission
Jörgen HOLMQUIST
Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1954/2003 (OJ L 289, 7.11.2003, p. 1).

⁽²⁾ OJ L 344, 31.12.2003, p. 1. Regulation as last amended by Regulation (EC) No 867/2004 (OJ L 161, 30.4.2004, p. 144).

COMMISSION REGULATION (EC) No 1599/2004
of 10 September 2004
prohibiting fishing for sand eel by vessels flying the flag of a Member State other than Denmark or the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2287/2003 of 19 December 2003 fixing for 2004 the fishing opportunities and associated fishing conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required, lays down sand eel quotas for 2004⁽²⁾.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota available to the Member States.
- (3) According to the information received by the Commission, catches of sand eel in the waters of ICES

division IIa, Skagerrak, Kattegat, North Sea (EC waters) by vessels flying the flag of a Member State or registered in a Member State other than Denmark or the United Kingdom, have exhausted the quota for 2004,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of sand eel in the waters of ICES division IIa, Skagerrak, Kattegat, North Sea (EC waters) by vessels flying the flag of a Member State or registered in a Member State other than Denmark or the United Kingdom, are deemed to have exhausted the quota for the Member States for 2004.

Fishing for sand eel in the waters of ICES division IIa, Skagerrak, Kattegat, North Sea (EC waters) by vessels flying the flag of a Member State or registered in a Member State, other than Denmark and the United Kingdom, is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

This Regulation shall enter into force on the 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, 10 September 2004.

For the Commission

Jörgen HOLMQUIST

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1954/2003 (OJ L 289, 7.11.2003, p. 1).

⁽²⁾ OJ L 344, 31.12.2003, p. 1. Regulation as last amended by Regulation (EC) No 867/2004 (OJ L 161, 30.4.2004, p. 144).

COMMISSION REGULATION (EC) No 1600/2004
of 13 September 2004
prohibiting fishing for anglerfish by vessels flying the flag of France

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2287/2003 of 19 December 2003 fixing for 2004 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required, lays down anglerfish quotas for 2004⁽²⁾.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of anglerfish in the waters of ICES division VIIIc, sub-areas IX, X and CECAF 34.1.1

(EC waters) by vessels flying the flag of France or registered in France have exhausted the quota allocated for 2004. France has prohibited fishing for this stock from 17 July 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of anglerfish in the waters of ICES division VIIIc, sub-areas IX and X and CECAF 34.1.1 (EC waters) by vessels flying the flag of France or registered in France are hereby deemed to have exhausted the quota allocated to France for 2004.

Fishing for anglerfish in the waters of ICES division VIIIc, sub-areas IX and X and CECAF 34.1.1 by vessels flying the flag of France or registered in France is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 17 July 2004.

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

Done at Brussels, 13 September 2004.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1954/2003 (OJ L 289, 7.11.2003, p. 1).

⁽²⁾ OJ L 344, 31.12.2003, p. 1. Regulation as last amended by Regulation (EC) No 867/2004 (OJ L 161, 30.4.2004, p. 144).

COMMISSION REGULATION (EC) No 1601/2004**of 14 September 2004****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs⁽¹⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽³⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95⁽⁴⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

(2) It results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin. Therefore, representative prices should be published.

(3) It is necessary to apply this amendment as soon as possible, given the situation on the market.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 15 September 2004.

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

Done at Brussels, 14 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 806/2003.

⁽³⁾ OJ L 282, 1.11.1975, p. 104. Regulation as last amended by Commission Regulation (EC) No 2916/95 (OJ L 305, 19.12.1995, p. 49).

⁽⁴⁾ OJ L 145, 29.6.1995, p. 47. Regulation as last amended by Regulation (EC) No 1148/2004 (OJ L 222, 23.6.2004, p. 15).

ANNEX

to the Commission Regulation of 14 September 2004 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

'ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security referred to in Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 90	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as "65 % chickens", or otherwise presented, frozen	84,2	10	01
		82,2	11	03
0207 14 10	Boneless cuts of fowl of the species Gallus domesticus, frozen	151,1	55	01
		193,9	33	02
		186,9	37	03
		270,4	9	04
0207 14 50	Breasts of chicken, frozen	134,1	25	03
0207 27 10	Boneless cuts of turkey, frozen	246,3	15	01
1602 32 11	Preparations of uncooked fowl of the species Gallus domesticus	164,1	42	01
		189,4	30	02
		186,9	31	03

⁽¹⁾ Origin of imports:

- 01 Brazil
- 02 Thailand
- 03 Argentina
- 04 Chile.

COMMISSION REGULATION (EC) No 1602/2004
of 14 September 2004
fixing the export refunds on eggs applicable from 15 September 2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs⁽¹⁾, and in particular the third subparagraph of Article 8(3) thereof,

Whereas:

- (1) Article 8 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that regulation and prices for those products on the Community market may be covered by an export refund.
- (2) It follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time.
- (3) The present market situation in certain third countries and that regarding competition makes it necessary to fix a refund differentiated by destination for certain products in the egg sector.
- (4) Article 21 of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down detailed rules for the application of the system of export refunds on agricultural products⁽²⁾, stipulates that no refund is granted if the products are not of sound and fair marketable

quality on the date on which the export declaration is accepted. In order to ensure uniform application of the rules in force, it should be stated that, in order to qualify for the refund, the egg products listed in Article 1 of Regulation (EEC) No 2771/75 must bear the health mark laid down in Council Directive 89/437/EEC of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products⁽³⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2771/75 is granted and the amount of that refund shall be as shown in the Annex hereto.

However, in order to qualify for the refund, products falling within the scope of Chapter XI of the Annex to Directive 89/437/EEC must also satisfy the health marking conditions laid down in that Directive.

Article 2

This Regulation shall enter into force on 15 September 2004.

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

Done at Brussels, 14 September 2004.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 444/2003 (OJ L 67, 12.3.2003, p. 3).

⁽³⁾ OJ L 212, 22.7.1989, p. 87. Directive as last amended by Regulation (EC) No 806/2003.

ANNEX

Export refunds on eggs applicable from 15 September 2004

Product code	Destination	Unit of measurement	Amount of refund
0407 00 11 9000	E16	EUR/100 pcs	1,70
0407 00 19 9000	E16	EUR/100 pcs	0,80
0407 00 30 9000	E09	EUR/100 kg	6,00
	E10	EUR/100 kg	25,00
	E17	EUR/100 kg	3,00
0408 11 80 9100	E18	EUR/100 kg	40,00
0408 19 81 9100	E18	EUR/100 kg	20,00
0408 19 89 9100	E18	EUR/100 kg	20,00
0408 91 80 9100	E18	EUR/100 kg	75,00
0408 99 80 9100	E18	EUR/100 kg	19,00

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 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

E09 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong SAR, Russia and Turkey.

E10 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

E16 all destinations except the United States of America and Bulgaria.

E17 all destinations except Switzerland, Bulgaria and those of E09 and E10.

E18 all destinations except Switzerland and Bulgaria.

COMMISSION REGULATION (EC) No 1603/2004**of 14 September 2004****fixing the export refunds on poultrymeat applicable from 15 September 2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat⁽¹⁾, and in particular the third subparagraph of Article 8(3) thereof,

Whereas:

- (1) Article 8 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) It follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time.
- (3) Article 21 of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down detailed rules for the application of the system of export refunds on agricultural products⁽²⁾ stipulates that no refund is granted if the products are not of sound and fair marketable quality on the date on which the export declaration is accepted. In order to ensure uniform application of the

rules in force, it should be stated that, in order to qualify for the refund, the poultrymeat listed in Article 1 of Regulation (EEC) No 2777/75 must bear the health mark as laid down in Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat⁽³⁾.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2777/75 is granted and the amount of that refund shall be as shown in the Annex hereto.

However, in order to qualify for the refund, products falling within the scope of Chapter XII of the Annex to Directive 71/118/EEC must also satisfy the health marking conditions laid down in that Directive.

Article 2

This Regulation shall enter into force on 15 September 2004.

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

Done at Brussels, 14 September 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 444/2003 (OJ L 67, 12.3.2003, p. 3).

⁽³⁾ OJ L 55, 8.3.1971, p. 23. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

ANNEX

Export refunds on poultrymeat applicable from 15 September 2004

Product code	Destination	Unit of measurement	Amount of refund
0105 11 11 9000	A02	EUR/100 pcs	0,80
0105 11 19 9000	A02	EUR/100 pcs	0,80
0105 11 91 9000	A02	EUR/100 pcs	0,80
0105 11 99 9000	A02	EUR/100 pcs	0,80
0105 12 00 9000	A02	EUR/100 pcs	1,70
0105 19 20 9000	A02	EUR/100 pcs	1,70
0207 12 10 9900	V01	EUR/100 kg	45,00
0207 12 10 9900	A24	EUR/100 kg	45,00
0207 12 90 9190	V01	EUR/100 kg	45,00
0207 12 90 9190	A24	EUR/100 kg	45,00
0207 12 90 9990	V01	EUR/100 kg	45,00
0207 12 90 9990	A24	EUR/100 kg	45,00

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 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

V01 Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, United Arab Emirates, Jordan, Yemen, Lebanon, Iraq and Iran.

COMMISSION REGULATION (EC) No 1604/2004
of 14 September 2004
fixing the export refunds on beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal⁽¹⁾, and in particular Article 33(12) thereof,

Whereas:

- (1) Article 33 of Regulation (EC) No 1254/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Commission Regulations (EEC) No 32/82⁽²⁾, (EEC) No 1964/82⁽³⁾, (EEC) No 2388/84⁽⁴⁾, (EEC) No 2973/79⁽⁵⁾ and (EC) No 2051/96⁽⁶⁾ lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products, and for certain destinations.
- (3) It follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below.
- (4) With regard to live animals, for reasons of simplification export refunds should no longer be granted for categories with insignificant trade with third countries. Moreover, in the light of the general concern of animal welfare, export refunds for live animals for slaughter should be limited as much as possible. Consequently, export refunds for such animals should only be granted for third countries which for cultural and/or religious reasons traditionally import substantial numbers of animals for domestic slaughter. As to live animals for reproduction, in order to prevent any abuse, export refunds for pure-bred breeding animals should be limited to heifers and cows of no more than 30 months of age.
- (5) Export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10.
- (6) In the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland. To allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States.
- (7) In the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community presence of international trade may be maintained by granting a refund corresponding to that at present available.
- (8) In the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant.
- (9) Commission Regulation (EEC) No 3846/87⁽⁷⁾ establishes the agricultural product nomenclature for the purposes of export refunds. The refunds are set on the basis of the product codes as defined in that nomenclature.
- (10) In order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought into line with those on fresh or chilled cuts other than those from adult male bovine animals.
- (11) Checks on products covered by CN code 1602 50 should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁸⁾.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 4, 8.1.1982, p. 11. Regulation as last amended by Regulation (EC) No 744/2000 (OJ L 89, 11.4.2000, p. 3).

⁽³⁾ OJ L 212, 21.7.1982, p. 48. Regulation as last amended by Regulation (EC) No 2772/2000 (OJ L 321, 19.12.2000, p. 35).

⁽⁴⁾ OJ L 221, 18.8.1984, p. 28. Regulation as last amended by Regulation (EEC) No 3661/92 (OJ L 370, 19.12.1992, p. 16).

⁽⁵⁾ OJ L 336, 29.12.1979, p. 44. Regulation as last amended by Regulation (EEC) No 3434/87 (OJ L 327, 18.11.1987, p. 7).

⁽⁶⁾ OJ L 274, 26.10.1996, p. 18. Regulation as last amended by Regulation (EC) No 2333/96 (OJ L 317, 6.12.1996, p. 13).

⁽⁷⁾ OJ L 366, 24.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 118/2003 (OJ L 20, 24.1.2003, p. 3).

⁽⁸⁾ OJ L 62, 7.3.1980, p. 5. Regulation as last amended by Commission Regulation (EC) No 444/2003 (OJ L 67, 12.3.2003, p. 3).

- (12) Refunds should be granted only on products that are allowed to move freely in the Community. Therefore, to be eligible for a refund, products should be required to bear the health mark laid down in Council Directives 64/433/EEC⁽¹⁾, 94/65/EC⁽²⁾ and 77/99/EEC⁽³⁾, respectively.
- (13) Pursuant to Article 6(2) of Regulation (EEC) No 1964/82, the special refund is to be reduced if the quantity of boned meat to be exported amounts to less than 95 %, but not less than 85 %, of the total weight of cuts produced by boning.
- (14) The negotiations on the adoption of additional concessions, held within the framework of the Europe Agreements between the European Community and the associated central and eastern European Countries, aim in particular to liberalise trade in products covered by the common organisation of the market in beef and veal. To this end, it was decided, *inter alia*, to abolish export refunds on products intended for export to Romania. This country should therefore be excluded from the list of destinations giving rise to the grant of a refund, while ensuring that the abolition of refunds for this country may not lead to the creation of a differentiated refund for exports to other countries.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products on which export refunds as referred to in Article 33 of Regulation (EC) No 1254/1999 are granted and the amount thereof and the destinations shall be as set out in the Annex to this Regulation.
2. The products must meet the relevant health marking requirements of:
 - Chapter XI of Annex I to Directive 64/433/EEC,
 - Chapter VI of Annex I to Directive 94/65/EC,
 - Chapter VI of Annex B to Directive 77/99/EEC.

Article 2

In the case referred to in the third subparagraph of Article 6(2) of Regulation (EEC) No 1964/82 the rate of the refund on products falling within product code 0201 30 00 9100 shall be reduced by EUR 14,00/100 kg.

Article 3

The fact of not setting an export refund for Romania shall not be deemed to constitute a differentiation of the refund.

Article 4

This Regulation shall enter into force on 15 September 2004.

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

Done at Brussels, 14 September 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 21, 29.7.1964, p. 2012/64. Directive as last amended by Directive 95/23/EC (OJ L 243, 11.10.1995, p. 7).

⁽²⁾ OJ L 368, 31.12.1994, p. 10. Directive as amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽³⁾ OJ L 26, 31.1.1977, p. 85. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

ANNEX

to the Commission Regulation of 14 September 2004 fixing export refunds on beef

Product code	Destination	Unit of measurement	Refunds (7)
0102 10 10 9140	B00	EUR/100 kg live weight	53,00
0102 10 30 9140	B00	EUR/100 kg live weight	53,00
0102 90 71 9000	B11	EUR/100 kg live weight	41,00
0201 10 00 9110 ⁽¹⁾	B02	EUR/100 kg net weight	71,50
	B03	EUR/100 kg net weight	43,00
	039	EUR/100 kg net weight	23,50
0201 10 00 9120	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0201 10 00 9130 ⁽¹⁾	B02	EUR/100 kg net weight	97,00
	B03	EUR/100 kg net weight	56,50
	039	EUR/100 kg net weight	33,50
0201 10 00 9140	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	14,00
	039	EUR/100 kg net weight	16,00
0201 20 20 9110 ⁽¹⁾	B02	EUR/100 kg net weight	97,00
	B03	EUR/100 kg net weight	56,50
	039	EUR/100 kg net weight	33,50
0201 20 20 9120	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	14,00
	039	EUR/100 kg net weight	16,00
0201 20 30 9110 ⁽¹⁾	B02	EUR/100 kg net weight	71,50
	B03	EUR/100 kg net weight	43,00
	039	EUR/100 kg net weight	23,50
0201 20 30 9120	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0201 20 50 9110 ⁽¹⁾	B02	EUR/100 kg net weight	123,00
	B03	EUR/100 kg net weight	71,50
	039	EUR/100 kg net weight	41,00
0201 20 50 9120	B02	EUR/100 kg net weight	58,50
	B03	EUR/100 kg net weight	17,50
	039	EUR/100 kg net weight	19,50
0201 20 50 9130 ⁽¹⁾	B02	EUR/100 kg net weight	71,50
	B03	EUR/100 kg net weight	43,00
	039	EUR/100 kg net weight	23,50
0201 20 50 9140	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0201 20 90 9700	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0201 30 00 9050	400 ⁽³⁾	EUR/100 kg net weight	23,50
	404 ⁽⁴⁾	EUR/100 kg net weight	23,50

Product code	Destination	Unit of measurement	Refunds (7)
0201 30 00 9060 (6)	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	13,00
	039	EUR/100 kg net weight	15,00
	809, 822	EUR/100 kg net weight	37,00
0201 30 00 9100 (2) (6)	B08, B09	EUR/100 kg net weight	172,00
	B03	EUR/100 kg net weight	102,00
	039	EUR/100 kg net weight	60,00
	809, 822	EUR/100 kg net weight	152,50
0201 30 00 9120 (2) (6)	220	EUR/100 kg net weight	205,00
	B08	EUR/100 kg net weight	94,50
	B09	EUR/100 kg net weight	88,00
	B03	EUR/100 kg net weight	56,50
0202 10 00 9100	039	EUR/100 kg net weight	33,00
	809, 822	EUR/100 kg net weight	83,50
	220	EUR/100 kg net weight	123,00
	B02	EUR/100 kg net weight	33,50
0202 10 00 9900	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
	B02	EUR/100 kg net weight	46,00
0202 20 10 9000	B03	EUR/100 kg net weight	14,00
	039	EUR/100 kg net weight	16,00
	B02	EUR/100 kg net weight	46,00
0202 20 30 9000	B03	EUR/100 kg net weight	14,00
	039	EUR/100 kg net weight	16,00
	B02	EUR/100 kg net weight	33,50
0202 20 50 9100	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
	B02	EUR/100 kg net weight	58,50
0202 20 50 9900	B03	EUR/100 kg net weight	17,50
	039	EUR/100 kg net weight	19,50
	B02	EUR/100 kg net weight	33,50
0202 20 90 9100	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
	B02	EUR/100 kg net weight	33,50
0202 30 90 9100	400 (3)	EUR/100 kg net weight	23,50
	404 (4)	EUR/100 kg net weight	23,50
0202 30 90 9200 (6)	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	13,00
	039	EUR/100 kg net weight	15,00
	809, 822	EUR/100 kg net weight	37,00

Product code	Destination	Unit of measurement	Refunds (7)
0206 10 95 9000	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	13,00
	039	EUR/100 kg net weight	15,00
	809, 822	EUR/100 kg net weight	37,00
0206 29 91 9000	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	13,00
	039	EUR/100 kg net weight	15,00
	809, 822	EUR/100 kg net weight	37,00
0210 20 90 9100	039	EUR/100 kg net weight	23,00
1602 50 10 9170 (8)	B02	EUR/100 kg net weight	22,50
	B03	EUR/100 kg net weight	15,00
	039	EUR/100 kg net weight	17,50
1602 50 31 9125 (2)	B00	EUR/100 kg net weight	88,50
1602 50 31 9325 (2)	B00	EUR/100 kg net weight	79,00
1602 50 39 9125 (2)	B00	EUR/100 kg net weight	88,50
1602 50 39 9325 (2)	B00	EUR/100 kg net weight	79,00
1602 50 39 9425 (2)	B00	EUR/100 kg net weight	30,00
1602 50 39 9525 (2)	B00	EUR/100 kg net weight	30,00
1602 50 80 9535 (8)	B00	EUR/100 kg net weight	17,50

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Regulation (EEC) No 32/82.

(2) The refund is granted subject to compliance with the conditions laid down in amended Regulation (EEC) No 1964/82.

(3) Carried out in accordance with amended Regulation (EEC) No 2973/79.

(4) Carried out in accordance with amended Regulation (EC) No 2051/96.

(5) The refund is granted subject to compliance with the conditions laid down in amended Regulation (EEC) No 2388/84.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1.8.1986, p. 39). The term 'average content' refers to the sample quantity as defined in Article 2(1) of Regulation (EC) No 765/2002 (OJ L 117, 4.5.2002, p. 6). The sample is to be taken from that part of the consignment presenting the highest risk.

(7) Article 33(10) of amended Regulation (EC) No 1254/1999 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(8) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Council Regulation (EEC) No 565/80.

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 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

B00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Romania.

B02: B08, B09 and destination 220.

B03: Ceuta, Melilla, Iceland, Norway, Faroe Islands, Andorra, Gibraltar, Vatican City, Bulgaria, Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro, former Yugoslav Republic of Macedonia, the communes of Livigno and Campione d'Italia, Helgoland, Greenland, stores and provisions (destinations referred to in Articles 36 and 45, and if appropriate in Article 44, of Commission Regulation (EC) No 800/1999, as amended (OJ L 102, 17.4.1999, p. 11)).

B08: Turkey, Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan, Morocco, Algeria, Tunisia, Libya, Lebanon, Syria, Iraq, Iran, Israel, West Bank/Gaza Strip, Jordan, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates, Oman, Yemen, Pakistan, Sri Lanka, Myanmar (Burma), Thailand, Vietnam, Indonesia, Philippines, China, North Korea, Hong Kong.

B09: Sudan, Mauritania, Mali, Burkina Faso, Niger, Chad, Cape Verde, Senegal, Gambia, Guinea-Bissau, Guinea, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Benin, Nigeria, Cameroon, Central African Republic, Equatorial Guinea, São Tomé and Príncipe, Gabon, Congo, Congo (Democratic Republic), Rwanda, Burundi, Saint Helena and dependencies, Angola, Ethiopia, Eritrea, Djibouti, Somalia, Uganda, Tanzania, Seychelles and dependencies, British Indian Ocean Territory, Mozambique, Mauritius, Comoros, Mayotte, Zambia, Malawi, South Africa, Lesotho.

B11: Lebanon and Egypt.

COMMISSION REGULATION (EC) No 1605/2004**of 14 September 2004****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2004/2005 marketing year are fixed by

Commission Regulation (EC) No 1210/2004⁽³⁾. These prices and duties have last been amended by Commission Regulation (EC) No 1577/2004⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 September 2004.

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

Done at Brussels, 14 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 232, 1.7.2004, p. 11.

⁽⁴⁾ OJ L 288, 8.9.2004, p. 10.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 15 September 2004

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	18,83	6,89
1701 11 90 ⁽¹⁾	18,83	12,77
1701 12 10 ⁽¹⁾	18,83	6,70
1701 12 90 ⁽¹⁾	18,83	12,25
1701 91 00 ⁽²⁾	19,22	16,95
1701 99 10 ⁽²⁾	19,22	11,50
1701 99 90 ⁽²⁾	19,22	11,50
1702 90 99 ⁽³⁾	0,19	0,45

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 1606/2004**of 14 September 2004****fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs⁽¹⁾, and in particular Article 8(3) thereof,

Whereas:

- (1) Article 8(1) of Regulation (EEC) No 2771/75 provides that the difference between prices in international trade for the products listed in Article 1(1) of that Regulation and prices within the Community may be covered by an export refund where these goods are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75.
- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question

must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

- (3) Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lays down that the export refund for a product contained in goods may not exceed the refund applicable to that product when exported without further processing.
- (4) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1(1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 September 2004.

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

Done at Brussels, 14 September 2004.

For the Commission

Olli REHN

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

ANNEX

Rates of the refunds applicable from 15 September 2004 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)			
CN code	Description	Destination ⁽¹⁾	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	6,00
		03	25,00
		04	3,00
	(b) On exportation of other goods	01	3,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption: not sweetened	01	40,00
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid: not sweetened	01	20,00
ex 0408 19 89	– – – – Frozen: not sweetened	01	20,00
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption: not sweetened	01	75,00
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption: not sweetened	01	19,00

⁽¹⁾ The destinations are as follows:

01 Third countries,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines,

04 All destinations except Switzerland and those of 02 and 03.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 September 2004

laying down the importation conditions of semen of domestic animals of the bovine species

(notified under document number C(2004) 3364)

(Text with EEA relevance)

(2004/639/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down animal health requirements governing trade and imports into the Community of semen of domestic animals of bovine species⁽¹⁾, and in particular Article 8(1), Article 10(2) and Article 11(2) thereof,

Whereas:

- (1) Commission Decision 90/14/EEC⁽²⁾, lays down the list of third countries from which bovine semen may be imported.
- (2) Commission Decision 91/277/EEC⁽³⁾, lays down health protection measures in respect of imports of deep-frozen bovine semen from Israel.
- (3) Commission Decision 94/577/EC⁽⁴⁾, lays down animal health conditions and veterinary certification for the importation of bovine semen from third countries.
- (4) Following the modification of Directive 88/407/EEC by Council Directive 2003/43/EC⁽⁵⁾, the recast of

Commission decisions related to importation of semen of domestic animals of the bovine species into the Community is required.

- (5) The lists of semen collection and storage centres from which Member States shall authorise the importation of semen originating in third countries is established and updated in accordance with Article 9(1) of Directive 88/407/EEC which foresees that the up-to-date version of all lists be made available to the public. These lists are on the Internet at: http://europa.eu.int/comm/food/index_en.htm.
- (6) Directive 2003/43/EC amending Directive 88/407/EEC provides that as of 1 January 2005, semen of domestic animals of bovine species must be collected, processed and stored according to the new provisions introduced by Directive 2003/43/EC in order to be eligible to imports.
- (7) However, it is appropriate to authorise the continuing imports of stocks of semen of domestic animals of bovine species in accordance with the provisions of Directive 88/407/EEC, prior to the modification introduced by Directive 2003/43/EC.
- (8) Therefore, Article 2(2) of Directive 2003/43/EC provides that:

⁽¹⁾ OJ L 194, 22.7.1988, p. 10. Directive as last amended by Commission Decision 2004/101/EC (OJ L 30, 4.2.2004, p. 15).

⁽²⁾ OJ L 8, 11.1.1990, p. 71. Decision as last amended by Decision 2004/52/EC (OJ L 10, 16.1.2004, p. 67).

⁽³⁾ OJ L 135, 30.5.1991, p. 60.

⁽⁴⁾ OJ L 221, 26.8.1994, p. 26. Decision as last amended by Decision 2004/52/EC.

⁽⁵⁾ OJ L 143, 11.6.2003, p. 23.

— up until 31 December 2004, Member States shall authorise imports of semen of domestic animals of bovine species collected, processed, stored before 31 December 2004 and accompanied by a certificate in accordance with the models provided for before the amendments introduced by Directive 2003/43/EC,

— after this date, Member States shall not authorise imports of semen of domestic animals of bovine species in accordance with the provisions formerly in force unless it was collected, processed and stored before 31 December 2004.

- (9) Consequently, it is necessary to provide a model certificate for imports of semen of domestic animals of the bovine species collected, processed and stored before 31 December 2004 and to be used as of 1 January 2005.
- (10) It is more convenient to gather, in the same act, all the information relating to the importation of semen of domestic animals of the bovine species (list of third countries authorised, veterinary requirements applying to importations and list of centres approved in those third countries), and to repeal Decisions 90/14/EEC, 91/277/EEC and 94/577/EC accordingly.
- (11) 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

1. Member States shall authorise the importation from third countries listed in Annex I, of semen of domestic animals of the bovine species conforming to the conditions laid down in the model animal health certificate in Annex II, part 1 and accompanied by such a certificate duly completed.

2. However, as of 1 January 2005, Member States shall authorise the importation from third countries listed in Annex I, of semen of domestic animals of the bovine species, collected, processed and stored before 31 December 2004, conforming to the conditions laid down in the model animal health certificate in Annex II, part 2 and accompanied by such a certificate duly completed.

3. The semen referred to in paragraph 1 must be collected after the date of approval of the centre by the competent national authorities of the third countries concerned.

Article 2

Decisions 90/14/EEC, 91/277/EEC and 94/577/EC are repealed.

Article 3

This Decision shall apply from 18 September 2004.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 6 September 2004.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

List of third countries from which Member States authorise importation of semen of domestic animals of the bovine species

ISO code	Country
AU	Australia
CA	Canada
CH	Switzerland
NZ	New Zealand
RO	Romania
US	United States of America

D. HEALTH INFORMATION	
11. I, undersigned official veterinarian, hereby certify that:	
11.1. (name of exporting country) ⁽³⁾ has been free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and until its date of dispatch and no vaccination against these diseases has taken place during the same period;	
11.2. the centre at which the semen to be exported was collected or stored was:	
11.2.1. approved under the conditions laid down in Annex A, Chapter I to Directive 88/407/EEC;	
11.2.2. operated and supervised under the conditions laid down in Annex A, Chapter II to Directive 88/407/EEC;	
11.3. the centre at which the semen to be exported was collected has been free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during the period commencing 30 days prior to the date of collection of the semen to be exported until 30 days after collection (in the case of fresh semen until day of dispatch);	
11.4. the bovine animals standing at the semen collection centre:	
11.4.1. come from herds and/or were born to dams which satisfy the conditions at Annex B(I)(1)(b) and (c) to Directive 88/407/EEC;	
11.4.2. have, within the 28 days preceding the quarantine isolation period, undergone the tests required by Annex B(I)(1)(d) to Directive 88/407/EEC;	
11.4.3. have satisfied the quarantine isolation period and testing requirements laid down in Annex B(I)(1)(e) to Directive 88/407/EEC;	
11.4.4. have undergone, at least once a year, with negative results, the routine tests according to Annex B(II) to Directive 88/407/EEC;	
11.5. the semen to be exported was obtained from donor bulls;	
11.5.1. which satisfy the conditions laid down in Annex C to Directive 88/407/EEC;	
11.5.2. which have been resident in the exporting country, for the period of six months immediately prior to collection of semen for export ⁽¹⁾ ;	
or	
which have been imported since less than six months in the exporting country from ⁽³⁾ . At the time of import, they satisfied the animal health conditions applied to donors whose semen is intended for export to the Community ⁽¹⁾ ;	
11.5.3. resident in:	
— either bluetongue virus free countries or zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.9 of the Terrestrial Animal Health Code ⁽¹⁾ ;	
— or bluetongue virus seasonally free zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.10 of the Terrestrial Animal Health Code ⁽¹⁾ ;	****
— or bluetongue virus infected countries or zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.11 of the Terrestrial Animal Health Code ⁽¹⁾ ;	
11.5.4. which were subjected on two occasions not more than 12 months apart to the following pre-collection and post-collection tests with negative results in an approved laboratory (the post-collection test must be performed on a blood sample taken not less than 21 days following the collection of semen for export) to an agar-gel immunodiffusion test ⁽⁴⁾ and a virus neutralisation test for all serotypes of epizootic haemorrhagic disease (EHD) known to exist in the exporting country, which are the following:	***
.....;	

11.5.5. which were subjected in an approved laboratory with negative results prior to entry and every six months to an agar-gel immuno-diffusion test ⁽⁴⁾ and a virus neutralization test for all serotypes of epizootic haemorrhagic disease (EHD) known to exist in the exporting country, which are the following:		**
11.5.6. which were subjected on two occasions not more than 12 months apart to the following pre-collection and post-collection tests with negative results in an approved laboratory (the post-collection test must be performed on a blood sample taken not less than 21 days following the collection of semen for export) to a serum neutralisation test for Akabane virus;		*
11.6. the semen to be exported was collected after the date of approval of the centre by the competent national authorities of the exporting country;		
11.7. The semen to be exported was processed, stored and transported under conditions, which satisfy the terms of Directive 88/407/EEC.		
E. VALIDITY		
12. Date and place	13. Name and qualification of the official veterinarian	14. Signature and stamp of the official veterinarian
Note for the importer: this certificate is only for veterinary purposes and has to accompany the consignment until it reaches the border inspection post.		

⁽¹⁾ Delete as necessary.

⁽²⁾ Corresponding to the identification of the donor animals and date of collection.

⁽³⁾ Countries listed in Annex I of Decision 2004/639/EC.

⁽⁴⁾ Standards for EHD virus diagnostic tests are described in the blue tongue chapter of the Terrestrial Manual.

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*** To be used only by Australia and USA.

** To be used only by Canada.

* To be used only by Australia.

D. HEALTH INFORMATION

11. I, undersigned official veterinarian, hereby certify that:

11.1.
(Name of exporting country)

has been free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and until its date of dispatch and no vaccination against these diseases has taken place during the same period;

11.2. the semen described above was collected before the date of 31 December 2004 on a semen collection centre which was:

11.2.1. approved under the conditions laid down in Annex A, Chapter I to Directive 88/407/EEC;

11.2.2. operated and supervised under the conditions laid down in Annex A, Chapter II to Directive 88/407/EEC;

11.3. the centre at which the semen to be exported was collected has been free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during the period commencing 30 days prior to the date of collection of the semen to be exported until 30 days after collection (in the case of fresh semen until day of dispatch);

11.4. at the time the semen described above was collected, all bovine animals at the semen collection centre:

11.4.1. came from herds and/or were born to dams which satisfy the conditions of paragraphs 1(b) and (c) in Chapter I of Annex B to Directive 88/407/EEC;

11.4.2. have, within the 30 days preceding the quarantine isolation period, undergone with negative results:

- the tests required by Annex B, Chapter I, 1.d.(i), (ii) and (iii) to Directive 88/407/EEC, and
- a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, and
- a virus isolation test (fluorescent antibody test or immunoperoxidase test) for bovine viral diarrhoea, which in the case of an animal less than six months of age has been deferred until that age was reached;

11.4.3. have satisfied the quarantine isolation period of 30 days and have been subjected with the required negative results to the following health tests:

- a serological test for brucellosis carried out in accordance with the procedure described in Annex C to Directive 64/432/EEC,
- either an immunofluorescent antibody test or a culture test for campylobacter foetus infection on a sample of preputial material or artificial vagina washings, or, in the case of a female animal, a vaginal mucus agglutination test,
- a microscopic examination and culture test for trichomonas foetus on a sample of preputial material or artificial vagina washings, or in the case of a female animal a vaginal mucus agglutination test;

11.4.4. have undergone, at least once a year, with negative results, the routine tests referred to in points 1(a) (b) and (c) in Chapter I of Annex B to Directive 88/407/EEC;

11.5. at the time the semen described above was collected:

11.5.1. all female bovine animals in the centre have undergone at least once a year a vaginal mucus agglutination test for campylobacter foetus infection with negative results; and

11.5.2. all bulls used for semen production have undergone with negative result either an immunofluorescent antibody test or a culture test for campylobacter foetus infection on a sample of preputial material or artificial vagina washings carried out within 12 months prior to collection;

<p>11.6. the semen to be exported was obtained from donor bulls;</p> <p>11.6.1. which satisfy the conditions laid down in Annex C to Directive 88/407/EEC;</p> <p>11.6.2. which have been resident in the exporting country, for the period of six months immediately prior to collection of semen for export ⁽¹⁾;</p> <p>or</p> <p>which have been imported since less than six months in the exporting country, from ⁽⁴⁾. At the time of import, they satisfied the health conditions applied to donors whose semen is intended for export to the Community ⁽¹⁾;</p>	
<p>11.6.3. standing in a semen collection centre in which:</p> <p>i) all bovine animals have undergone at least once a year with negative result a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis ⁽¹⁾; or</p> <p>ii) bovine animals not vaccinated against infectious bovine rhinotracheitis have undergone at least once a year with negative result a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, and testing for infectious bovine rhinotracheitis is not carried out on bulls which have received a first vaccination against infectious bovine rhinotracheitis at the insemination centre after they have been tested with negative result in a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis and which since the first vaccination have been regularly re-vaccinated with an interval of not more than six months ⁽¹⁾.</p>	
<p>11.6.4. resident in:</p> <ul style="list-style-type: none"> — either bluetongue virus free countries or zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.9 of the Terrestrial Animal Health Code ⁽¹⁾; — or bluetongue virus seasonally free zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.10 of the Terrestrial Animal Health Code ⁽¹⁾; — or bluetongue virus infected countries or zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.11 of the Terrestrial Animal Health Code ⁽¹⁾; 	****
<p>11.6.5. which were subjected on two occasions not more than 12 months apart to the following pre-collection and post-collection tests with negative results in an approved laboratory (the post-collection test must be performed on a blood sample taken not less than 21 days following the collection of semen for export) to an agar-gel immunodiffusion test ⁽⁴⁾ and a virus neutralisation test for all serotypes of epizootic haemorrhagic disease (EHD) known to exist in the exporting country, which are the following:</p> <p>.....;</p>	***
<p>11.6.6. which were subjected in an approved laboratory with negative results prior to entry and every six months to an agar-gel immunodiffusion test ⁽⁴⁾ and a virus neutralization test for all serotypes of epizootic haemorrhagic disease (EHD) known to exist in the exporting country, which are the following:</p> <p>.....;</p>	**
<p>11.6.7. which were subjected on two occasions not more than 12 months apart to the following pre-collection and post-collection tests with negative results in an approved laboratory (the post-collection test must be performed on a blood sample taken not less than 21 days following the collection of semen for export) to a serum neutralisation test for Akabane virus;</p>	*
<p>11.7. the semen to be exported was collected after the date of approval of the centre by the competent national authorities of the exporting country;</p>	
<p>11.8. the semen to be exported was processed, stored and transported under conditions which satisfy the terms of Directive 88/407/EEC prior to the modification introduced by Directive 2003/43/EC.</p>	

E. VALIDITY		
12. Date and place	13. Name and qualification of the official veterinarian	14. Signature and stamp of the official veterinarian
Note for the importer: this certificate is only for veterinary purposes and has to accompany the consignment until it reaches the border inspection post.		

(¹) Delete as necessary.

(²) Corresponding to the identification of the donor animals and date of collection.

(³) The date of collection must be earlier than 31 December 2004.

(⁴) Countries listed in Annex I of Decision 2004/639/EC.

(⁶) Standards for EHD virus diagnostic tests are described in the Blue Tongue chapter of the Terrestrial Manual.

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