

Official Journal

of the European Union

L 358

English edition

Legislation

Volume 47

3 December 2004

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2067/2004**of 22 November 2004****amending Regulation (EC) No 527/2003 authorising the offer and delivery for direct human consumption of certain wines imported from Argentina which may have undergone oenological processes not provided for in Regulation (EC) No 1493/1999**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽¹⁾, and in particular Article 45(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) As an exception to Article 45(1) of Regulation (EC) No 1493/1999, Regulation (EC) No 527/2003⁽²⁾ authorises imports into the Community of wine produced in Argentina which has undergone certain oenological processes not provided for in the Community rules. That authorisation is due to expire on 30 September 2004.
- (2) Negotiations are currently underway between the Community, represented by the Commission, and Argentina on an agreement on trade in wine. These involve in particular the respective oenological processes of the two parties and the protection of geographical indications.

- (3) With a view to ensuring the continued smooth progress of these negotiations, the derogation allowing the addition of malic acid to wines produced on the territory of Argentina and imported into the Community should be extended until the entry into force of the agreement resulting from the above negotiations, but not later than 30 September 2005.

- (4) Regulation (EC) No 527/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 1(1) of Regulation (EC) No 527/2003, the date '30 September 2004' shall be replaced by that of '30 September 2005'.

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 October 2004.

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

Done at Brussels, 22 November 2004.

For the Council

The President

C. VEERMAN

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Commission Regulation (EC) No 1795/2003 (OJ L 262, 14.10.2003, p. 13).

⁽²⁾ OJ L 78, 25.3.2003, p. 1. Regulation as amended by Regulation (EC) No 1776/2003 (OJ L 260, 11.10.2003, p. 1).

COUNCIL REGULATION (EC) No 2068/2004**of 29 November 2004****amending Regulation (EC) No 2667/2000 on the European Agency for Reconstruction**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 181a(2), first sentence thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas:

(1) The European Agency for Reconstruction implements Community assistance provided for in Regulation (EC) No 2666/2000⁽²⁾ in Serbia and Montenegro, including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999, and in the former Yugoslav Republic of Macedonia.

(2) Regulation (EC) No 2667/2000⁽³⁾ applies until 31 December 2004.

(3) Regulation (EC) No 2667/2000 provides that the Commission shall submit to the Council an evaluation report on its application and a proposal on the status of the Agency.

(4) The Commission made that report public on 4 June 2004.

(5) Community assistance for Serbia and Montenegro, including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999, and in the former Yugoslav Republic of Macedonia is programmed in Country Strategy Papers for the period 2002 to 2006,

in line with the Community's financial perspectives. The Commission is in the process of proposing multi-annual indicative programmes for the period 2005-2006 for these countries and territories.

(6) In the light of the positive evaluation of the activities of the Agency and the fact that the framework of Community assistance covers the period until 2006, it is important to ensure continuity in the implementation of Community assistance. Consequently, the mandate of the European Agency for Reconstruction should be prolonged until 31 December 2006.

(7) A Constitutional Charter was adopted in the Federal Republic of Yugoslavia on 4 February 2003, renaming the country 'Serbia and Montenegro'⁽⁴⁾. This change of name should be taken into account.

(8) Regulation (EC) No 2667/2000 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2667/2000 is hereby amended as follows:

1. in Article 1, the term 'to the Federal Republic of Yugoslavia' shall be replaced by the term 'to Serbia and Montenegro';

2. in Article 2(1)(b), the term 'the Federal Republic of Yugoslavia' shall be replaced by the term 'Serbia and Montenegro';

3. in Article 4(10), the term 'to the Federal Republic of Yugoslavia' shall be replaced by the term 'to Serbia and Montenegro';

4. Article 14 shall be replaced by:

'Article 14

By 31 December 2005 the Commission shall report to the Council on the future of the mandate of the Agency. Any proposal to extend the mandate of the Agency beyond 31 December 2006 should be made by the Commission to the Council by 31 March 2006.'

⁽¹⁾ Opinion delivered on 17 November 2004 (not yet published in the Official Journal).

⁽²⁾ OJ L 306, 7.12.2000, p. 1. Regulation as amended by Regulation (EC) No 2415/2001 (OJ L 327, 12.12.2001, p. 3).

⁽³⁾ OJ L 306, 7.12.2000, p. 7. Regulation as last amended by Regulation (EC) No 1646/2003 (OJ L 245, 29.9.2003, p. 16).

⁽⁴⁾ Including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

5. Article 15 shall be replaced by:

Article 15

The Commission may delegate to the Agency the execution of the Community assistance decided upon for Serbia and Montenegro and for the former Yugoslav Republic of Macedonia under Regulation (EC) No 1628/96.;

6. In Article 16, the date '31 December 2004' shall be replaced by '31 December 2006'.

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, 29 November 2004.

For the Council

The President

L. J. BRINKHORST

COMMISSION REGULATION (EC) No 2069/2004**of 2 December 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 3 December 2004.

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

Done at Brussels, 2 December 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽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 2 December 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	102,7
	070	81,3
	204	95,1
	999	93,0
0707 00 05	052	98,6
	204	32,5
	999	65,6
0709 90 70	052	95,2
	204	67,8
	999	81,5
0805 10 10, 0805 10 30, 0805 10 50	388	45,6
	999	45,6
0805 20 10	204	50,6
	999	50,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	74,4
	204	57,0
	624	99,7
	720	30,1
	999	65,3
0805 50 10	052	55,0
	388	41,4
	528	25,5
	999	40,6
0808 10 20, 0808 10 50, 0808 10 90	052	90,5
	388	136,9
	400	85,8
	404	97,0
	512	104,5
	720	77,9
	804	107,6
	999	100,0
0808 20 50	400	96,5
	720	66,4
	999	81,5

⁽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 2070/2004**of 1 December 2004****authorising transfers between the quantitative limits of textiles and clothing products originating in the Republic of India**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) The Memorandum of Understanding between the European Community and the Republic of India on arrangements in the area of market access for textile products, initialled on 31 December 1994⁽²⁾, provides that favourable consideration should be given to certain requests for 'exceptional flexibility' by India.
- (2) The Republic of India has made a request for transfers between categories on 13 October 2004.
- (3) The transfers requested by the Republic of India fall within the limits of the flexibility provisions referred to in Article 7 and set out in Annex VIII, column 9 to Regulation (EEC) No 3030/93.

(4) It is appropriate to grant the request.

(5) It is desirable for this Regulation to enter into force the day after its publication in order to allow operators to benefit from it as soon as possible.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee provided for in Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

Article 1

Transfers between the quantitative limits for textile goods originating in the Republic of India are authorised for the quota year 2004 in accordance with the Annex.

Article 2

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

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

Done at Brussels, 1 December 2004.

For the Commission

Peter MANDELSON

Member of the Commission

⁽¹⁾ OJ L 275, 8.11.1993, p. 1. Regulation as last amended by Regulation (EC) No 1627/2004 (OJ L 295, 18.9.2004, p. 1).

⁽²⁾ OJ L 153, 27.6.1996, p. 53.

ANNEX

664 INDIA				Adjustment					
Group	Category	Unit	Limit 2004	Adjusted working level	Quantity in units	Quantity in tonnes	%	Flexibility	New adjusted working level
IA	3	kgs	38 567 000	34 138 690	- 4 000 000	- 4 000	-10,4	Transfer to categories 4, 5 and 6	30 138 690
IB	4	pcs	100 237 000	118 908 122	6 480 000	1 000	6,5	Transfer from category 3	125 388 122
IB	5	pcs	53 303 000	51 901 809	9 060 000	2 000	17,0	Transfer from category 3	60 961 809
IB	6	pcs	13 706 000	15 876 615	1 760 000	1 000	12,8	Transfer from category 3	17 636 615

COMMISSION REGULATION (EC) No 2071/2004**of 2 December 2004****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1757/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 1757/2004⁽²⁾.
- (2) In accordance with Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, the Commission may, on the basis of the tenders notified, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95.

In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified on 26 November to 2 December 2004, pursuant to the invitation to tender issued in Regulation (EC) No 1757/2004, the maximum refund on exportation of barley shall be 17,99 EUR/t.

Article 2

This Regulation shall enter into force on 3 December 2004.

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

Done at Brussels, 2 December 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 313, 12.10.2004, p. 10.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 2072/2004**of 2 December 2004****concerning tenders notified in response to the invitation to tender for the export of oats issued in Regulation (EC) No 1565/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 7 thereof,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾, and in particular Article 7 thereof,

Having regard to Commission Regulation (EC) No 1565/2004 of 3 September 2004 on a special intervention measure for cereals in Finland and Sweden for the 2004/2005 marketing year⁽³⁾,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from

Finland and Sweden to all third countries, with the exception of Bulgaria, Norway, Romania and Switzerland was opened pursuant to Regulation (EC) No 1565/2004.

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 26 November to 2 December 2004 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1565/2004.

Article 2

This Regulation shall enter into force on 3 December 2004.

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

Done at Brussels, 2 December 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

⁽³⁾ OJ L 285, 4.9.2004, p. 3.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 November 2004

concerning the accession by the Republic of Moldova to the Agreement to establish a science and technology centre in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine and the United States of America

(2004/823/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

establish a science and technology centre in Ukraine (hereinafter the Agreement).

Having regard to the Treaty establishing the European Community,

- (2) Through Regulations (EC) No 1766/98 and (Euratom) No 2387/98, the European Community and the European Atomic Energy Community (hereinafter the Communities), acting as one party, acceded to the Agreement.

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EC) No 1766/98 of 30 July 1998 concerning the accession by the European Community and the European Atomic Energy Community, acting as one party, to the Agreement to establish a science and technology centre in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine and the United States of America ⁽¹⁾, and in particular Article 3(1)(3) and (4) thereof,

- (3) On 12 February 2004, the Republic of Moldova deposited with the Secretariat of the Centre the instrument of accession by Moldova to the Agreement. In accordance with Article XIII of the Agreement, it is the responsibility of the Governing Board of the Centre to approve this accession.

Having regard to Commission Regulation (Euratom) No 2387/98 of 3 November 1998 concerning the accession by the European Atomic Energy Community and the European Community, acting as one party, to an Agreement having established in 1993 a science and technology centre in Ukraine between Canada, Sweden, Ukraine and the United States of America ⁽²⁾ and in particular Article 2 thereof,

- (4) The Communities are represented on the Governing Board of the Centre by the Presidency of the Council and by the Commission. The position of the Communities with regard to questions arising under Article XIII of the Agreement is determined by the Council and expressed as a general rule by the Presidency,

Having regard to the proposal from the Commission,

HAS DECIDED AS FOLLOWS:

Whereas:

Article 1

- (1) On 25 October 1993, Canada, Sweden, Ukraine and the United States of America concluded the Agreement to

The accession of the Republic of Moldova to the Agreement to establish a science and technology centre in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine and the United States of America, is hereby approved on behalf of the Communities.

⁽¹⁾ OJ L 225, 12.8.1998, p. 2.

⁽²⁾ OJ L 297, 6.11.1998, p. 4.

Article 2

The Presidency of the Council shall express within the Governing Board of the Centre the approval of the Communities to the accession of the Republic of Moldova to the Agreement.

Done at Brussels, 22 November 2004.

For the Council

The President

B. R. BOT

COMMISSION

COMMISSION DECISION

of 1 December 2004

establishing a model health certificate for non-commercial movements of dogs, cats and ferrets from third countries into the Community

(notified under document number C(2004) 4421)

(Text with EEA relevance)

(2004/824/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC⁽¹⁾, and in particular Article 8(4) thereof,

Whereas:

(1) Regulation (EC) No 998/2003 establishes conditions for non-commercial movements of dogs, cats and ferrets from third countries into the Community. These conditions differ depending on the status of the third country of origin and of the Member State of destination.

(2) Commission Decision 2004/203/EC of 18 February 2004 establishing a model health certificate for non-commercial movements from third countries of dogs, cats and ferrets⁽²⁾ establishes the model certificate to accompany such animals when entering the Community, for which a Corrigendum⁽³⁾ has been published.

(3) Commission Decision 2004/539/EC of 1 July 2004 establishing a transitional measure for the implementation of Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals⁽⁴⁾ allows until 1 October 2004 the coexistence of certificates issued in conformity with Regulation (EC) No 998/2003 or with the national rules which were in force before 3 July 2004.

(4) By Council Decision 2004/650/EC of 13 September 2004 amending Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals to take account of the accession of Malta⁽⁵⁾, Malta was added to the list of countries in Part A of Annex II to the Regulation. Consequently specific provisions applying to entries of pet animals into Ireland, Sweden and the United Kingdom should be extended to Malta.

(5) For the sake of clarity Decision 2004/203/EC should be repealed and replaced by this Decision.

(6) In view of the very specific nature of the animals and movements concerned, it is appropriate to facilitate the drawing up and use of the certificate for the veterinarians and travelers concerned.

⁽¹⁾ OJ L 146, 13.6.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 592/2004 (OJ L 94, 31.3.2004, p. 7).

⁽²⁾ OJ L 65, 3.3.2004, p. 13. Decision as amended by Decision 2004/301/EC (OJ L 98, 2.4.2004, p. 55).

⁽³⁾ OJ L 111, 17.4.2004, p. 83.

⁽⁴⁾ OJ L 237, 8.7.2004, p. 21.

⁽⁵⁾ OJ L 298, 23.9.2004, p. 22.

- (7) Since Regulation (EC) No 998/2003 and Decision 2004/203/EC, as replaced by the present Decision, are to apply from 3 July 2004, this Decision should also apply without delay.
- (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

1. This Decision establishes the model certificate and its conditions of use for non-commercial movements from third countries of pet animals of the species dogs, cats and ferrets, provided for in Article 8(4) of Regulation (EC) No 998/2003.

2. The model certificate is set out in the Annex to this Decision.

Article 2

1. The certificate referred to in Article 1(2) shall be required for non-commercial movements of pet animals of the species dogs, cats and ferrets (the pet animals) coming from:

- (a) all third countries and entering into a Member State other than Ireland, Malta, Sweden and the United Kingdom, and
- (b) third countries listed in Section 2 of Part B and in Part C of Annex II to Regulation (EC) No 998/2003 and entering into Ireland, Malta, Sweden and the United Kingdom. The certificate shall not be used for animals from or prepared in third countries not listed in Annex II to Regulation (EC) No 998/2003, when moving to Ireland, Malta, Sweden or the United Kingdom, in which case Article 8(1)(b)(ii) of the Regulation shall apply.

2. By way of derogation from paragraph 1, Member States shall authorise the non-commercial movement of dogs, cats and ferrets accompanied by a passport in accordance with the model established by Commission Decision 2003/803/EC⁽¹⁾ from those third countries listed in Section 2 of Part B of Annex II to Regulation (EC) No 998/2003 which have notified the Commission and the Member States of their intention to use the passport instead of the certificate.

⁽¹⁾ OJ L 312, 27.11.2003, p. 1.

3. Notwithstanding the rules applying to movements to Malta, Member States shall accept a certificate of the model in the Annex to Decision 2004/203/EC.

Article 3

1. The certificate referred to in Article 1 shall consist of a single sheet drawn up at least in the language of the Member State of entry and in English. It shall be completed in block letters in the language of the Member State of entry or in English.

2. The certificate referred to in Article 1 shall be issued as follows:

(a) Parts I to V of the certificate shall:

(i) either be completed and signed by an official veterinarian designated by the competent authority of the country of dispatch, or

(ii) be completed and signed by a veterinary surgeon authorised by the competent authority, and subsequently endorsed by the competent authority;

(b) Parts VI and VII, where applicable, shall be completed and signed by a veterinarian authorised to practice veterinary medicine in the country of dispatch.

3. The certificate shall be accompanied by supporting documentation, or a certified copy thereof, including the identification details of the animal concerned, vaccination details and the result of the serological test.

4. The certificate is valid for intra-Community movements for a period of four months from the date of issue or until the date of expiry of the vaccination shown in Part IV, whichever is earlier.

Article 4

The vaccination required in Part IV shall be carried out by use of an inactivated vaccine produced at least in accordance with the standards described in the *Manual of Diagnostic Tests and Vaccines for Terrestrial Animals*, latest edition, of the *Office International des Epizooties*.

Article 5

1. Member States shall ensure that the conditions provided for in Article 8(1)(a) of Regulation (EC) No 998/2003 are only applied to pet animals from a third country listed in Section 2 of Part B or in Part C of Annex II to that Regulation undertaking:

- either a direct journey to the Member State of entry, or
- a journey between the third country of dispatch and the Member State of entry including a residence exclusively in one or more countries listed in Section 2 of Part B or in Part C of Annex II to Regulation (EC) No 998/2003.

2. By way of derogation to paragraph 1, the journey may include transiting a third country not listed in Annex II to Regulation (EC) No 998/2003 by air or sea, if the pet animal remains within the perimeter of an international airport in such a country or remains secured within the vessel.

Article 6

Decision 2004/203/EC is repealed.

Article 7

This Decision shall apply from 6 December 2004.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 1 December 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Model of health certificate for the non-commercial movement from third countries of pet animals of the domestic species dogs, cats and ferrets, as provided for in Article 8(4) of Regulation (EC) No 998/2003.

VETERINARY CERTIFICATE for domestic dogs, cats and ferrets entering the European Community for non-commercial movements (Regulation (EC) No 998/2003)		
Country of dispatch of the animal: _____		
Serial number of the certificate:		
I. Owner/responsible person accompanying the animal		
First name:	Surname:	
Address:		
Postcode:	City:	
Country:	Telephone:	
II. Description of the animal		
Species:	Breed:	Sex:
Date of birth:	Coat (colour and type):	
III. Identification of the animal		
Microchip number:		
Location of microchip:	Date of microchipping:	
Tattoo number:	Date of tattooing:	
IV. Vaccination against rabies		
Manufacturer and name of vaccine:		
Batch number:	Vaccination date:	Valid until:
V. Rabies serological test (when required)		
I have seen an official record of the result of a serological test for the animal, carried out on a sample taken on (dd/mm/yyyy) _____, and tested in an EU-approved laboratory, which states that the rabies neutralising antibody titre was equal to or greater than 0,5 IU/ml.		

Official veterinarian or veterinarian authorised by the competent authority (*) (in the latter case, the competent authority must endorse the certificate)	
First name:	Surname:
Address:	Signature, date and stamp:
Postcode:	
City:	
Country:	
Telephone:	
(*) Delete as applicable	
Endorsement by the competent authority (not necessary when the certificate is signed by an official veterinarian)	
Date and stamp:	
VI. Tick treatment (when required)	
Manufacturer and name of product:	
Date and time of treatment (dd/mm/yyyy + 24-hour clock):	
Name of veterinarian:	
Address:	Signature, date and stamp:
Postcode:	
City:	
Country:	
Telephone:	
VII. Echinococcus treatment (when required)	
Manufacturer and name of product:	
Date and time of treatment (dd/mm/yyyy + 24-hour clock):	
Name of veterinarian:	

Address:	Signature, date and stamp:
Postcode:	
City:	
Country:	
Telephone:	

Notes for guidance

1. Identification of the animal (tattoo or microchip) must have been verified before any entries are made on the certificate.
2. The rabies vaccine used must be an inactivated vaccine produced in accordance with OIE standards.
3. The certificate is **valid for four months after signature** by the official veterinarian or endorsement by the competent authority, or until the date of expiry of the vaccination shown in Part IV, whichever is earlier.
4. Animals from, or prepared in, third countries not listed in Annex II to Regulation (EC) No 998/2003, may not enter Ireland, Malta, Sweden or the United Kingdom, either directly or via another country listed in Annex II unless brought into conformity with national rules.
5. This certificate must be accompanied by supporting documentation, or a certified copy thereof, including the identification details of the animal concerned, vaccination details and the result of the serological test.

Conditions applying (Regulation (EC) No 998/2003)

(a) Entry in a Member State other than Ireland, Malta, Sweden and the United Kingdom

1. from a third country listed in Annex II to Regulation (EC) No 998/2003:
Parts I, II, III and IV must be completed (and VII for Finland).
In case of a subsequent movement to Finland, Part VII and to Ireland, Malta, Sweden or the United Kingdom, Parts V, VI and VII must be completed in compliance with national rules, and may be completed in a country listed in Annex II to Regulation (EC) No 998/2003.
2. from a third country not listed in Annex II to Regulation (EC) No 998/2003:
Parts I, II, III, IV and V must be completed (and VII for Finland). The sample referred to in Part V must have been taken more than three months before the entry. For subsequent movement to Ireland, Malta, Sweden or the United Kingdom — see note 4. In case of a subsequent movement to Finland, Part VII must be completed (see (a)(1) above).

(b) Entry in Ireland, Malta, Sweden and the United Kingdom

1. from a third country listed in Annex II to Regulation (EC) No 998/2003:
Parts I, II, III, IV, V, VI and VII must be completed (Parts III, V, VI and VII complying with national rules).
2. from a third country not listed in Annex II to Regulation (EC) No 998/2003:
The certificate is not valid — see note 4.

COMMISSION DECISION

of 29 November 2004

on protection measures with regard to imports of equidae from Romania

(notified under document number C(2004) 4440)

(Text with EEA relevance)

(2004/825/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽¹⁾, and in particular Article 18(7) thereof,

Whereas:

- (1) Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae⁽²⁾ provides, *inter alia*, for the definition of categories of equidae and identification requirements.
- (2) The Commission adopted Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species, and amending Decisions 93/195/EEC and 94/63/EC⁽³⁾.
- (3) In accordance with the aforementioned list, Member States authorise importation of all categories of equidae from Romania under the conditions laid down for countries assigned to the sanitary group 'B' in Decisions 92/260/EC⁽⁴⁾, 93/195/EEC⁽⁵⁾, 93/196/EEC⁽⁶⁾ and 93/197/EEC⁽⁷⁾ respectively for the temporary admission of registered horses, for the re-entry after

temporary export of registered horses, for imports of equidae for slaughter and for imports of registered equidae and equidae for breeding and production.

- (4) Decision 93/197/EEC requires for imports of equidae from certain countries assigned to the sanitary Group 'B' that the health tests be carried out in laboratories approved by the Member State of destination.
- (5) Commission Decision 94/467/EC of 13 July 1994 lays down health guarantees for the transport of equidae from one third country to another in accordance with Article 9(1)(c) of Directive 91/496/EEC⁽⁸⁾.
- (6) Commission Decision 2000/68/EC of 22 December 1999 amending Commission Decision 93/623/EEC and establishing the identification of equidae for breeding and production⁽⁹⁾ requires equidae to be accompanied during their movement, and in particular during transport to the slaughterhouse, by an identification document.
- (7) A series of follow-up missions of the Food and Veterinary Office carried out in Romania and the controls carried out by Member States at approved border inspection posts repeatedly revealed shortcomings with regard to the conditions under which equidae from Romania are prepared for export to the Member States and transported to destination which were not remedied according to the recommendations made in those reports.
- (8) It is therefore necessary to reinforce the measures adopted to safeguard the health of Community equidae population and to ensure the animal welfare of equidae on the territory of Member States by adopting protective measures laying down a specific regime for imports of equidae for slaughter and imports of equidae for breeding and production which originate in Romania and reinforcing control measures.
- (9) OJ L 23, 28.1.2000, p. 72.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 224, 18.8.1990, p. 42. Directive as last amended by Directive 2004/68/EC (OJ L 139, 30.4.2004, p. 320). Corrigendum to the Directive (OJ L 226, 25.6.2004, p. 128).

⁽³⁾ OJ L 73, 11.3.2004, p. 1.

⁽⁴⁾ OJ L 130, 15.5.1992, p. 67. Decision as last amended by Decision 2004/241/EC (OJ L 74, 12.3.2004, p. 19).

⁽⁵⁾ OJ L 86, 6.4.1993, p. 1. Decision as last amended by Decision 2004/211/EC (OJ L 73, 11.3.2004, p. 1).

⁽⁶⁾ OJ L 86, 6.4.1993, p. 7. Decision as last amended by the 2003 Act of Accession.

⁽⁷⁾ OJ L 86, 6.4.1993, p. 16. Decision as last amended by Decision 2004/241/EC (OJ L 74, 12.3.2004, p. 19).

⁽⁸⁾ OJ L 190, 26.7.1994, p. 28. Decision as last amended by Decision 2001/662/EC (OJ L 232, 30.8.2001, p. 28).

- (9) The endorsement by the central competent authority in Romania of the issued certificates should reinforce the assurances given in particular pursuant to Article 12(2)(d) of Directive 90/426/EEC.
- (10) Improved identification of equidae and testing in laboratories approved by the Member State of destination of equidae imported from Romania into the Community should also contribute to the sound enforcement of the import regime.
- (11) In order to follow up the situation and with a view to withdrawing the measures, it is necessary to receive regularly information on the findings of checks carried out at approved border inspection posts or during a period of residence in the Member State of destination.
- (12) 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 prohibit importation of equidae originating in or coming from Romania, unless otherwise provided for in this Decision.
2. The prohibition referred to in paragraph 1 shall not apply to:
 - the temporary admission in accordance with Decision 92/260/EEC, and permanent import in accordance with Decision 93/197/EEC, of registered horses from Romania,
 - the re-entry in accordance with Decision 93/195/EEC of registered horses for racing, competition and cultural events, after temporary export to Romania,
 - the transport of equidae from Romania to another third country in accordance with Decision 94/467/EC,
 - the transport of equidae in accordance with Article 6 of Decision 2004/211/EC from other third countries through the territory of Romania into the European Community,

- the import of consignments of equidae for direct slaughter in accordance with Article 2,
- the permanent import of equidae for breeding and production in accordance with Article 3.

Article 2

Member States of final destination shall authorise imports from Romania of equidae for direct slaughter under the following conditions:

1. the consignment of animals is accompanied by a single duly completed veterinary certificate in accordance with Annex I to this Decision, which shall be endorsed by the central competent authority in Romania;
2. in addition to the hot-branded 'S' of at least 3 cm size on the left front leg hoof, each animal is actively marked with an injectable electronic identifier (transponder) complying with the ISO 11784 and ISO 11785 standards and injected in the upper-central part of the left side of the neck;
3. each animal is identified and accompanied by an identification document in accordance with Annex II to this Decision, stating in particular the number of the electronic identifier referred to in paragraph 2 and indicating its implantation place;
4. the laboratory tests required in accordance with the certificate referred to in paragraph 1 have been carried out by a laboratory approved by the Member State of destination, on samples clearly identified with a reference to the number displayed by the electronic identifier referred to in paragraph 2. The test results certified by the laboratory shall be attached to the animal health certificate accompanying the animals.

Article 3

Member States of final destination shall authorise imports from Romania of equidae for breeding and production under the following conditions:

1. each individual animal is accompanied by a duly completed veterinary certificate in accordance with Annex III to this Decision, which shall be endorsed by the central competent authority in Romania;

2. each animal is actively marked with an injectable electronic identifier (transponder) complying with the ISO 11784 and ISO 11785 standards and injected in the upper-central part of the left side of the neck;
 3. each animal is identified and accompanied by an identification document in accordance with Annex II to this Decision, stating in particular the number of the electronic identifier referred to in paragraph 2 and indicating its implantation place;
 4. the laboratory tests required in accordance with the certificate referred to in paragraph 1 have been carried out by a laboratory approved by the Member State of destination on samples clearly identified with a reference to the number displayed by the electronic identifier referred to in paragraph 2. The test results certified by the laboratory shall be attached to the animal health certificate accompanying the animal.
- (a) equidae for direct slaughter imported in accordance with Article 2 are conveyed directly to the slaughterhouse of destination where they shall be slaughtered within 72 hours and not later than five days after arrival in the Community;
 - (b) injectable identifiers (transponders) are removed at the slaughterhouse of destination and destroyed under official supervision; for control purposes, the slaughterhouse operators shall provide the competent authority with a monthly report indicating for each slaughtered animal the number of the veterinary certificate, the date of slaughter of the animal and the date of destruction of the transponder mentioned on the respective certificates;
 - (c) equidae for breeding and production imported in accordance with Article 3 remain for the first 30 days following entry into the Member State of destination on the holding of destination indicated in the veterinary certificate referred to in Article 2(1), unless the animal, duly identified in accordance with Decision 2000/68/EC, is moved to the slaughterhouse for immediate slaughter under the responsibility of the competent authority.

Article 4

1. Member States carrying out the checks provided for in Article 4 of Directive 91/496/EEC upon introduction into the Community shall not refuse entry on Community territory:

- (a) of a consignment of equidae for direct slaughter which entirely complies with the conditions in Article 2, and in particular the readable electronic identifier requirement, provided that the competent authority in the Member State of final destination has communicated its acceptance of this consignment and at least the details of points 1, 2, 5, 6 and 8.5 of the certificate referred to in Article 2(1) to the border inspection post in the port of entry onto the territory of the European Community;
- (b) of equidae for breeding and production complying with the conditions in Article 3, provided that the competent authority in the Member State of final destination has communicated its general acceptance of such imports to the competent authority of the Member State responsible for the border inspection post in the port of entry onto the territory of the European Community.

2. The competent authority of the Member State responsible for the checks upon introduction of equidae into the Community shall provide to the Commission at the latest on 25th of each month a report in accordance with the format of Annex IV for each entry point concerned which shall cover the checks carried out during the preceding month and the measures taken to remedy detected animal health and welfare shortcomings.

Article 5

1. The competent authority in the Member State of destination of equidae referred to in Articles 2 and 3 shall ensure that:

2. The competent authority in the Member State of destination shall carry out the following measures upon arrival at the slaughterhouse or during the period of residence on the holding of destination referred to in paragraph 1(c):

- (a) a verification of the identity of the animals;
- (b) an animal health and welfare inspection;
- (c) a randomised repetition of the laboratory tests required in accordance with the animal health certificates in Annexes I and III respectively to this Decision;
- (d) in cases where the tests carried out in accordance with paragraph (c) produce results inconsistent with the statement contained in the certificates referred to in Article 2(1) and Article 3(1) a mandatory genetic verification of the origin of the samples shall be carried out on shadow samples which shall be retained for at least 2 months by the laboratory that carried out the first test.

3. The competent authority responsible for the checks in slaughterhouses shall provide to the Commission at the latest on 25 of each month a report in accordance with the format in Annex V which shall cover the checks carried out during the preceding month and the measures taken to remedy detected animal health and welfare shortcomings.

Article 6

Member States shall take the necessary measures, including where necessary legal provisions, to ensure that the costs of the administrative procedures, including any necessary laboratory testing, related to imports of equidae from Romania in accordance with Articles 2 and 3 of this Decision are fully borne by the importer.

Article 7

This Decision shall apply from 23 December 2004.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 29 November 2004.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

<p>1. Consignor (name and address in full) </p>	<p>VETERINARY CERTIFICATE for equidae⁽¹⁾ for slaughter from Romania consigned directly to a slaughterhouse in the European Community No ⁽²⁾ ORIGINAL</p>																																																						
<p>2. Consignee (name and address in full) </p>	<p>3. Origin of the animals ⁽³⁾ 3.1. Country: 3.2. Code of territory:</p>																																																						
<p>5. Intended destination of the animals 5.1. EU Member State: 5.2. Name, address and registration number of the slaughterhouse: </p>	<p>4. Competent Authority 4.1. Ministry: 4.2. Service: 4.3. Local/Regional level:</p>																																																						
<p>7. Means of transport and consignment identification ⁽⁴⁾ 7.1. Lorry ⁽⁵⁾, or Rail-wagon ⁽⁵⁾ 7.2. Registration number(s): 7.3. Consignment identification details ⁽⁵⁾: </p>	<p>6. Establishment(s) and place of loading for exportation (name and address of the establishment(s)) 6.1. Holding(s) ⁽⁵⁾ 6.2. Approved isolation centre ⁽⁵⁾</p>																																																						
<p>8. Identification of the animals 8.1. Animal species and/or cross-breeds: 8.2. The corresponding identification documents are attached to this certificate. 8.3. The animals are marked with a hot-branded 'S' of at least 3 cm size on the left front leg hoof. 8.4. Individual identification of the animals included in this consignment:</p> <table border="1" data-bbox="181 1458 1425 1921" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Number of the electronic identifier ⁽⁶⁾</th> <th style="width: 30%;">Sex ⁽⁷⁾</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>		Number of the electronic identifier ⁽⁶⁾	Sex ⁽⁷⁾																																																				
Number of the electronic identifier ⁽⁶⁾	Sex ⁽⁷⁾																																																						
<p>8.5. Total number of animals:</p>																																																							

9. Animal health attestation — disease situation in country, area and holding

I, the undersigned official veterinarian, hereby certify, that the animals described above meet the following requirements:

- 9.1. they are not animals to be destroyed under a national programme of infectious or contagious diseases eradication;
- 9.2. they come from ROMANIA, where the following diseases are compulsorily notifiable:
African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including Venezuelan equine encephalomyelitis), equine infectious anaemia, vesicular stomatitis, rabies and anthrax;
- 9.3. they come from the territory with code RO-0 which, at the date of issuing this certificate:
- (a) is considered free from African horse sickness in accordance with EC legislation;
 - (b) has been free for 24 months from Venezuelan equine encephalomyelitis;
 - (c) has been free for 6 months from dourine, glanders and vesicular stomatitis;
- 9.4. they come from holdings
- (⁵) either [which have been free from any official prohibition on health grounds:
- (a) for the past 15 days in the case of anthrax;
 - (b) for the past 30 days in the case of rabies;
 - (c) for the past 6 months in the case of equine encephalomyelitis, beginning on the day on which the last equidae suffering from the disease was slaughtered;
 - (d) in the case of equine infectious anaemia, until the date on which, the infected animals having been slaughtered, the remaining animals have shown a negative reaction to two Coggins tests carried out three months apart;]
- (⁵) or [on which, in the event of a notifiable infectious or contagious disease mentioned in 9.1, all the animals of susceptible species have been slaughtered, the premises disinfected and which remained unoccupied by animals susceptible to the disease during a period of 30 days or 15 days in the case of anthrax.]

10. Animal health attestation — Health tests⁽⁸⁾ and vaccination

- 10.1. during the isolation period specified in point 11.3 each of the animals described in point 8.4 was subjected to the following health tests carried out in a laboratory approved by the competent authority in Romania and by the competent authority in the Member State of destination on a blood sample taken within 10 days of export on..... (date):
- (a) a Coggins test for equine infectious anaemia with negative result;
 - (b) a complement fixation test for glanders with negative result at a dilution of 1 in 10;
- 10.2. the animals
- (⁵) either [were not vaccinated against African horse sickness;]
- (⁵) or [were vaccinated against African horse sickness on (dates).]

11. Animal health attestation — Residence, contacts, quarantine and examination

- 11.1. the animals have remained in the territory described under point 9.3 in holdings under veterinary supervision during at least 90 days immediately preceding the exportation, or since birth if younger than 90 days of age, or since entry if they were imported directly from the European Community during the previous 90 days;
- 11.2. as far as can be ascertained, during the past 15 days prior to pre-export isolation they have not been in contact with animals from holdings which did not satisfy the conditions in point 9.4;
- 11.3. during the last 30 days prior to export they have been isolated from equidae not of the same health status and from equidae imported into Romania from other third countries;
- 11.4. they were examined by an official veterinarian within less than 24 hours of loading and showed:
- (a) no clinical sign of other infectious or contagious diseases;
 - (b) no obvious signs of ectoparasitic infestation;
 - (c) no obvious signs of diseases that impair their fitness for the intended transport.

12. Animal transport attestation

I, the undersigned official veterinarian, hereby certify, that the animals described above

(a) have been treated before and at the time of loading in accordance with the relevant provisions of Council Directive 91/628/EEC, in particular as regards watering and feeding;

and

(b) appeared to be fit for the intended transport at the time of loading.

13. The certificate is valid for 10 days from the date of issue.

The attached declaration signed by the owner⁽⁵⁾ or representative of the owner⁽⁵⁾ of the animals is part of this certificate.

14. Public Health attestation

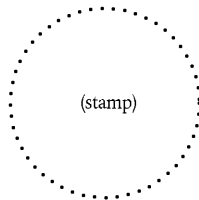
I, the undersigned official veterinarian, hereby certify, that the animals described in point 8 of this certificate have not received :

— any stilbene or thyreostatic substances,

— oestrogenic, androgenic or gestagenic substances for purposes other than therapeutic or zootechnical treatment.

15. Official stamp and signature

Done at on



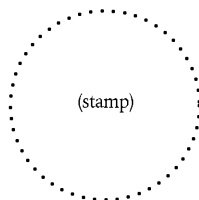
.....
(signature of official veterinarian)

.....
(name in capital letters, qualifications and title)

16. Endorsement by central competent authority:

The above certificate has been verified and endorsed by the central competent authority in Romania.

Done at on



.....
(signature of central competent authority)

.....
(name in capital letters, qualifications and title)

Indicative notes

- (¹) Animals of the species *Equus caballus*, *Equus asinus* and their cross-breeds intended for slaughter.
Animals shall be slaughtered within 72 hours after arrival at the slaughterhouse and not more than five days after arrival in the Community.
- (²) Issued by the competent authority.
- (³) Country and code of territory as appearing in Annex I to Commission Decision 2004/211/EC (as last amended).
- (⁴) The registration number(s) of rail-wagon or lorry should be given as appropriate.
- (⁵) Delete as appropriate.
- (⁶) Each animal is marked with an injectable electronic identifier (transponder) complying with the ISO 11784 and ISO 11785 standards, is identified and accompanied by the identification document set up in Annex II to Decision 2004/.../EC stating the number of the electronic identifier and indicating its implantation place.
- (⁷) Sex (M = male, F = female, C = castrated).
- (⁸) Laboratory tests have been carried out by a laboratory approved by the Member State of destination on samples clearly identified with a reference to the number of the electronic identifier referred to in (6). The test results certified by the laboratory shall be attached to the animal health certificate accompanying the animals.

DECLARATION

No of corresponding certificate:

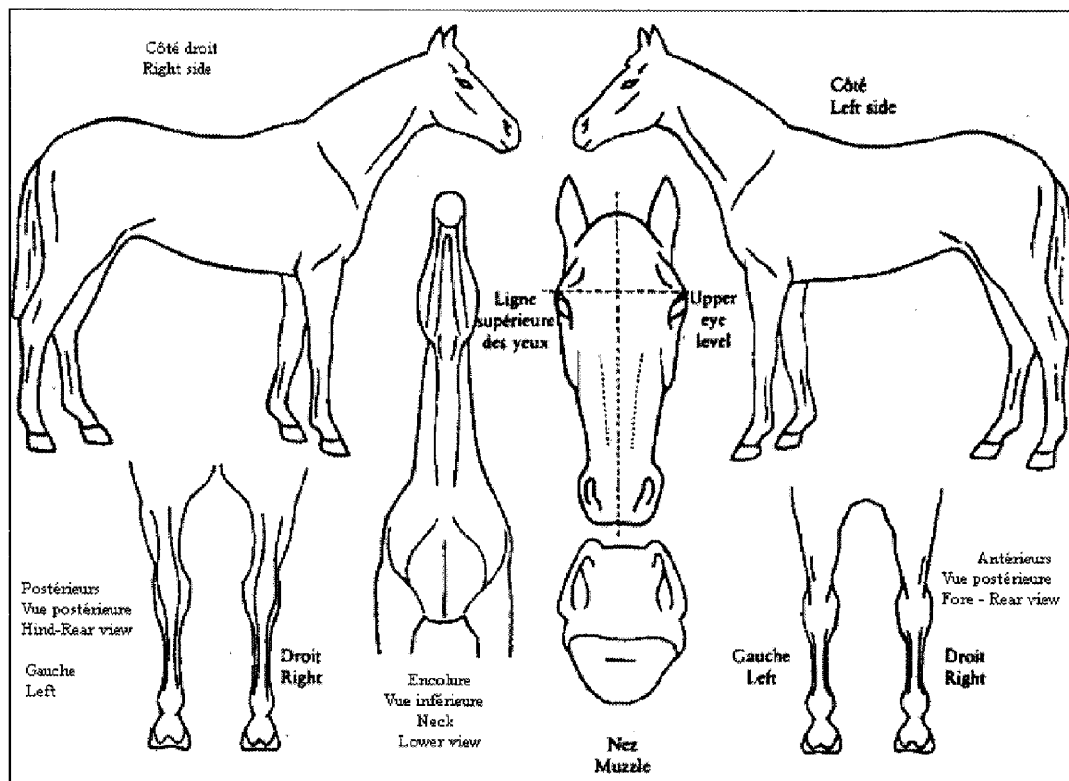
I, the undersigned, (*insert name in block letters*), owner/representative of the owner (*delete as appropriate*) of the animals declare:

- (1) the animals will be sent from the holding described in the certificate directly to the premises of destination, without passing through a market, marshalling or assembly centre;
- (2) the transportation will be effected in such a way that the health and wellbeing of the animals can be protected effectively and that the animals do not come in contact with equidae not accompanied by an animal health certificate as required for importation into the European Community;
- (3) the animals have remained in Romania since birth or for at least 90 days prior to this declaration.

.....
(Place and date)

.....
(Signature)

ANNEX II
IDENTIFICATION DOCUMENT



Numéro du transpondeur — Number of electronic identifier	Race — Breed	Sexe — Sex	Robe — Colour
---	--------------	------------	---------------

Signalement: Description:	Circonscription — District:
Tête: Head:	Le — On:
Ant. G: Foreleg L:	Signature et cachet du vétérinaire agréé (ou de l'autorité compétente) Signature and stamp of qualified veterinary surgeon (or competent authority) (en lettres capitales) (in capital letters)
Ant. D: Foreleg R:	
Post G: Hindleg L:	
Post D: Hindleg R:	
Corps: Body:	
Marques: Markings:	

ANNEX III

<p>1. Consignor (name and address in full)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p>VETERINARY CERTIFICATE for equidae⁽¹⁾ for breeding and production from Romania consigned to the European Community</p> <p>No⁽²⁾ ORIGINAL</p>				
<p>2. Consignee (name and address in full)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p>3. Origin of the animal⁽³⁾</p> <p>3.1. Country:</p> <p>3.2. Code of territory:.....</p>				
<p>5. Intended destination of the animal</p> <p>5.1. EU Member State:</p> <p>5.2. Name, address and registration number of the holding:</p> <p>.....</p> <p>.....</p>	<p>4. Competent Authority</p> <p>4.1. Ministry:</p> <p>4.2. Service:</p> <p>.....</p> <p>4.3. Local/Regional level:</p> <p>.....</p>				
<p>7. Means of transport and consignment identification⁽⁴⁾</p> <p>7.1. Lorry⁽⁵⁾, Rail-wagon⁽⁵⁾</p> <p>7.2. Registration number(s):</p> <p>.....</p> <p>.....</p> <p>7.3. Consignment identification details⁽⁵⁾:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p>6. Establishment(s) and place of loading for exportation (name and address of the establishment(s))</p> <p>6.1. Holding:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>6.2. Approved isolation centre⁽⁵⁾</p> <p>.....</p> <p>.....</p> <p>.....</p>				
<p>8. Identification of the animal</p> <p>8.1. Animal species and/or cross-breed:</p> <p>8.2. The corresponding identification document accompanying the animal is attached to this certificate.</p> <p>8.3. Individual identification of the animal included in this consignment⁽⁶⁾</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Official identification numbers⁽⁶⁾</td> <td style="width: 50%; text-align: center;">Age and Sex⁽⁷⁾</td> </tr> <tr> <td>.....</td> <td>.....</td> </tr> </table>		Official identification numbers ⁽⁶⁾	Age and Sex ⁽⁷⁾
Official identification numbers ⁽⁶⁾	Age and Sex ⁽⁷⁾				
.....				
<p>9. Animal health attestation — disease situation in country, area and holding</p> <p>I, the undersigned official veterinarian, hereby certify, that the animal described above meet the following requirements:</p> <p>9.1. it is not an animal to be destroyed under a national programme for infectious or contagious diseases eradication;</p> <p>9.2. it comes from ROMANIA, where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including Venezuelan equine encephalomyelitis), equine infectious anaemia, vesicular stomatitis, rabies and anthrax;</p> <p>9.3. it comes from the territory with code RO-0⁽³⁾ which, at the date of issuing this certificate:</p> <p>(a) is considered free from African horse sickness in accordance with EC legislation;</p> <p>(b) has been free for 24 months from Venezuelan equine encephalomyelitis;</p> <p>(c) has been free for six months from dourine, glanders and vesicular stomatitis;</p>					

9.4. it comes from a holding

(⁵) either [which has been free from any official prohibition on health grounds:

- (a) for the past 15 days in the case of anthrax;
- (b) for the past 30 days in the case of rabies;
- (c) for the past six months in the case of equine encephalomyelitis, beginning on the day on which the last equidae suffering from the disease was slaughtered;
- (d) in the case of equine infectious anaemia, until the date on which, the infected animals having been slaughtered, the remaining animals have shown a negative reaction to two Coggins tests carried out three months apart;

(⁵) or [on which, in the event of a notifiable infectious or contagious disease mentioned in point 9.2, all the animals of susceptible species have been slaughtered, the premises disinfected and which remained unoccupied by animals susceptible to the disease during a period of 30 days or 15 days in the case of anthrax;]

and where there was no suspicion of contagious equine metritis (CEM) reported to the competent authorities during the past two months.

10. Animal health attestation — Health tests⁽⁸⁾ and vaccination

10.1. during the isolation period specified in point 11.3 the animal was subjected to the following health tests carried out in a laboratory approved by the competent authority in Romania and by the competent authority in the Member State of destination:

- (a) a Coggins test for equine infectious anaemia with negative result on a blood sample taken within 10 days of export on (date)⁽¹⁰⁾;
- (b) a complement fixation test for glanders with negative result at a dilution of 1 in 10 on a blood sample taken within 10 days of export on (date)⁽¹⁰⁾; and
- (c) a complement fixation test for dourine (*Trypanosoma equiperdum*), with negative result at a dilution of 1 in 10 on a blood sample taken within 10 days of export on (date)⁽¹⁰⁾;

(⁵) (⁹) it is an uncastrated male equine animal older than 180 days and

(⁵) either [(d) is certified on the territory of a country in which equine viral arteritis (EVA) has not been officially recorded during the last 6 months;]

(⁵) or [(d) was tested on a blood sample taken within 21 days of export on (date) by virus neutralisation test for equine viral arteritis (EVA) with negative result at a dilution of 1 in 4;]

(⁵) or [(d) was tested on an aliquot of its entire semen taken within 21 days of export on (date) by virus isolation test for equine viral arteritis (EVA) with negative results;]

(⁵) or [(d) was vaccinated on (date) against equine viral arteritis (EVA) under official veterinary supervision, and re-vaccinated at regular intervals, with a vaccine approved by the competent authority, and the initial vaccination was carried out

(⁵) either [(i) on the day a blood sample was taken that subsequently proved negative in a virus neutralisation test for EVA at a dilution of 1 in 4]]]

(⁵) or [(ii) during a period of isolation of not more than 15 days under official veterinary supervision, commencing on the day a blood sample was taken that was tested during that time with negative result in a virus neutralisation test for EVA at a dilution of 1:4]]]

(⁵) or [(iii) when the animal was at an age of 180 to 270 days, during a period of isolation under official veterinary supervision, and during the isolation period, two blood samples taken at least 10 days apart proved a stable or declining antibody titre in a virus neutralisation test for EVA.]]]

10.2. the animal

(⁵) either was not vaccinated against African horse sickness;]

(⁵) or vaccinated against African horse sickness on (dates).]

11. Animal health attestation — Residence, contact, quarantine and examination

11.1. the animal has remained in the territory described under point 9.3 in holdings under veterinary supervision during at least 90 days immediately preceding the exportation, or since birth if less than 90 days of age, or since entry if it was imported directly from the European Community during the previous 90 days;

- 11.2. as far as can be ascertained, during the past 15 days prior to pre-export isolation it has not been in contact with animals from holdings which did not satisfy the conditions in point 9.4;
- and during the past two months prior to export isolation it had no contact indirectly or directly through coitus with equidae infected or suspected of contagious equine metritis (CEM);
- 11.3. for at least 30 days prior to dispatch for exportation it was isolated on the holding described under point 6.1 from equidae not of the same health status and from equidae imported into this territory from a third country;
- 11.4. the animal was examined by an official veterinarian within less than 24 hours of loading and showed:
- (a) no clinical sign of contagious equine metritis (CEM);
 - (b) no clinical sign of other infectious or contagious diseases;
 - (c) no obvious signs of ectoparasitic infestation;
 - (d) no obvious signs of diseases that impair its fitness for the intended transport.

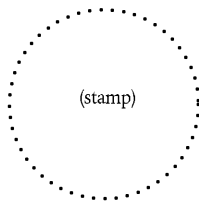
12. Animal transport attestation

- 12.1. I, the undersigned official veterinarian, hereby certify, that the animal described above
- (a) has been treated before certification in accordance with the relevant provisions of Council Directive 91/628/EEC, in particular as regards watering and feeding;
- and (b) appeared to be fit for the intended transport at the time of examination;
- 12.2. I have ascertained that arrangements have been made:
- (a) to load the animal for dispatch to the European Community within less than 24 hours following examination;
 - (b) to protect it from any contact with other equidae not complying with at least the same health requirements as described in this certificate;
 - (c) to load the animal in the means of transport described under point 7 above that were cleaned and disinfected before loading with an officially authorised disinfectant and so constructed that faeces, urine, litter or fodder could not escape during transportation;
 - (d) to transport the animal from the holding described in point 6.1 directly to the Member State of destination, without passing through a market, marshalling or assembly centre.

13. The certificate is valid for 10 days from the date of issue.
The attached declaration of the owner or representative of the owner of the animal is part of this certificate.

14. Official stamp and signature

Done at on



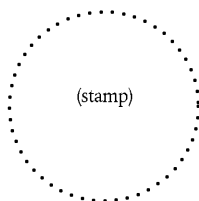
.....
(signature of official veterinarian)

.....
(name in capital letters, qualifications and title)

15. Endorsement by central competent authority:

The above certificate has been verified and endorsed by the central competent authority in Romania.

Done at on



.....
(signature of central competent authority)

.....
(name in capital letters, qualifications and title)

Indicative notes

- (¹) Animal of the species *Equus caballus*, *Equus asinus* and their cross-breeds intended for breeding or production.
After importation the animal must be conveyed without delay to the holding of destination where they shall remain for a minimum period of 30 days before further movement outside the holding, except in the case of a dispatch to a slaughterhouse.
- (²) Issued by the competent authority.
- (³) Country and code of territory as appearing in Annex I to Commission Decision 2004/211/EC (as last amended).
- (⁴) The registration number(s) of rail-wagon or lorry should be given as appropriate.
- (⁵) Delete as appropriate.
- (⁶) The animal must be marked with an injectable electronic identifier (transponder) complying with the ISO 11784 and ISO 11785 standards, and must be identified and accompanied by the identification document set up in Annex II to Decision 2004/.../EC stating the number of the electronic identifier and indicating its implantation place.
If a passport accompanies the animal, it should be stated the number of the passport and the name of the competent authority which validated it.
- (⁷) Age (months) Sex (M = male, F = female, C = castrated).
- (⁸) Tests carried out in the animal before dispatch for exportation and the date (dd/mm/yy) in which the samples were taken. Laboratory tests must have been carried out by a laboratory approved by the Member State of destination on samples clearly identified with a reference to the number of the electronic identifier referred to in (6). The test results certified by the laboratory shall be attached to the animal health certificate accompanying the animal.
- (⁹) Only in the case of uncastrated males older than 180 days, from a territory that has not been free for six months from equine viral arteritis (EVA).
- (¹⁰) Date of loading. Imports of this animal shall not be allowed when the animal was loaded either prior to the date of authorisation for exportation to the European Community of the territory mentioned under (3), or during a period where restrictive measures have been adopted by the European Community against imports of these animals from this territory.

DECLARATION

No of corresponding certificate:

I, the undersigned, (*insert name in block letters*), owner /representative of the owner (*delete as appropriate*) of the animal declare:

- (1) the animal will be loaded within less than 24 hours following inspection and sent directly from the premises of dispatch to the premises of destination, without passing through a market, marshalling or assembly centre;
- (2) the transportation will be effected in such a way that the health and wellbeing of the animal can be protected effectively and that the animal does not come in contact with equidae not accompanied by an animal health certificate as required for importation into the European Community;
- (3) the animal has remained in Romania since birth or for at least 90 days prior to this declaration.

.....
(Place and date)

.....
(Signature)

ANNEX IV

Report of border inspection posts as referred to in Article 4(2)

Member State:

Name of border inspection post:

Year:

Month:

Number of equidae presented for importation	Number of non-compliance (in number of equidae)			
	On documentary check	On identity check	On physical check	
			Animal Health	Animal Welfare

ANNEX V

Report of Member States as referred to in Article 5(3)

Member State:

Year:

Month:

Number of equidae received (*)	Number of equidae checked at destination	Identity checks		Comparative testing		Genetic verifications		Animal welfare checks	
		Total	Non-compliant	Total	Non-compliant	Total	Non-compliant	Total	Non-compliant

(*) This number corresponds to the number of horses declared to be sent to the Member States of destination through the TRACE or ANIMO system.

COMMISSION DECISION

of 29 November 2004

amending Decision 2002/887/EC authorising derogations from certain provisions of Council Directive 2000/29/EC in respect of naturally or artificially dwarfed plants of *Chamaecyparis Spach*, *Juniperus L.* and *Pinus L.*, originating in Japan

(notified under document number C(2004) 4441)

(2004/826/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Decision 2002/887/EC is amended as follows:

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular Article 15(1) thereof,

1. in the first paragraph and in the second paragraph of Article 2, '1 August 2003 and 1 August 2004' is replaced by '1 August 2005 and 1 August 2006';

Having regard to the request made by the United Kingdom,

2. the table in Article 4 is replaced by the following table:

Whereas:

Plants	Period
<i>Chamaecyparis</i> :	1.1.2005 to 31.12.2006
<i>Juniperus</i> :	15.11.2004 to 31.3.2005, and 1.11.2005 to 31.3.2006
<i>Pinus</i> :	1.1.2005 to 31.12.2006'

(1) Commission Decision 2002/887/EC⁽²⁾ authorises Member States to provide derogations from certain provisions of Council Directive 2000/29/EC in respect of plants of *Chamaecyparis Spach*, *Juniperus L.* and *Pinus L.*, originating in Japan, for limited periods and subject to specific conditions.

Article 2

(2) Since the circumstances justifying the authorisation still apply and there is no new information giving cause for revision of the specific conditions, the authorisation should be extended.

This Decision is addressed to the Member States.

(3) Decision 2002/887/EC should therefore be amended accordingly.

Done at Brussels, 29 November 2004.

(4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2004/102/EC (OJ L 309, 6.10.2004, p. 9).

⁽²⁾ OJ L 309, 12.11.2002, p. 8.

COMMISSION DECISION**of 29 November 2004****authorising a temporary derogation from certain provisions of Council Directive 2000/29/EC in respect of the importation of soil originating in Australia***(notified under document number C(2004) 4449)**(2004/827/EC)*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular Article 15(1) thereof,

Having regard to the request made by Australia,

Whereas:

- (1) Under Directive 2000/29/EC, soil originating in certain third countries may not in principle be introduced into the Community.
- (2) Australia has asked to be allowed to export a small quantity of soil originating in Australia to the Community to be deposited for ceremonial purposes on the grave of an Australian citizen buried in Belgium.
- (3) The soil in question will be suitably treated before leaving Australia and accompanied by an official certificate to this effect issued by the Australian authorities.
- (4) The Commission considers that there is no risk of spreading organisms harmful to plants or plant products if the soil is treated as proposed by Australia.
- (5) Member States should therefore for a limited period be authorised to provide for a derogation to allow the import of small quantities of soil subject to specific conditions for treatment.

- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Member States are hereby authorised to provide for a derogation from Article 4(1) of Directive 2000/29/EC, with regard to the prohibitions referred to in point 14 of Part A of Annex III to that Directive for soil originating in Australia.

In order to qualify for the derogation, the soil shall be subject to the specific conditions provided for in the Annex, be introduced into the Community between 20 November 2004 and 31 January 2005 and be destined for ceremonial use.

The authorisation is without prejudice to any further authorisation or procedures which may be required under other legislation.

Article 2

Member States which grant derogations pursuant to this Decision shall submit a report thereon to the Commission before 1 March 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 November 2004.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2004/102/EC (OJ L 309, 6.10.2004, p. 9).

ANNEX

Specific conditions applying to soil originating in Australia benefiting from the derogation provided for in Article 1 of this Decision

1. The soil shall be:
 - (a) heated in hot air at not less than 121 °C for not less than two hours once the core temperature has been reached, or,
 - (b) Gamma irradiated at 50 kGray (5 Mrad).
2. The soil shall be accompanied by a phytosanitary certificate issued in Australia in accordance with Annex VII of Directive 2000/29/EC. The certificate shall state under 'Additional declaration', the indication 'This consignment meets the conditions laid down in Commission Decision 2004/.../EC'.
3. Prior to introduction into the Community, the importer shall officially inform the responsible official bodies in the Member State of introduction of:
 - (a) the quantity of soil,
 - (b) the origin of the soil,
 - (c) the intended date of introduction,
 - (d) the destination of the soil.
4. The soil shall be destined only for the location which has been notified in accordance with point 3(d) to the responsible official bodies.

In those cases where the destination is situated in a Member State other than the Member State where the soil enters the Community, the responsible official bodies of the Member State of entry, at the moment of receipt of the aforementioned advance notification from the importer, shall inform the responsible official bodies of the Member State of destination giving the location for which the soil is destined.

CORRIGENDA

Corrigendum to Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors

(Official Journal of the European Union L 134 of 30 April 2004)

On page 104, Annex XXVI, Correlation table:

<i>for:</i>	Article 1(9), (d)	Article 1(16),	Adapted
	Article 1(10)		New
	Article 1(11)		New
	Article 1(12)		New

<i>read:</i>	Article 1(10)	Article 1(16)	Adapted
	Article 1(11)		New
	Article 1(12)		New
	Article 1(13)		New