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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3283/85**of 25 November 1985****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2956/85⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in

Article 2b (2) of Regulation (EEC) No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 22 November 1985;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2956/85 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November 1985.

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

Done at Brussels, 25 November 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 285, 25. 10. 1985, p. 8.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 25 November 1985 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	125,54
10.01 B II	Durum wheat	175,88 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	110,50 ⁽⁶⁾
10.03	Barley	126,02
10.04	Oats	106,00
10.05 B	Maize, other than hybrid maize for sowing	102,17 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	62,47 ⁽⁴⁾
10.07 C	Grain sorghum	117,11 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	190,34
11.01 B	Rye flour	168,66
11.02 A I a)	Durum wheat groats and meal	287,02
11.02 A I b)	Common wheat groats and meal	204,63

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I '(triticale).

COMMISSION REGULATION (EEC) No 3284/85

of 25 November 1985

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1018/84 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2160/85 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71 ⁽⁶⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁷⁾,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 22 November 1985;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November 1985.

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

Done at Brussels, 25 November 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 203, 1. 8. 1985, p. 11.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 25 November 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 11	1st period 12	2nd period 1	3rd period 2
10.01 B I	Common wheat, and meslin	0	9,48	9,48	9,48
10.01 B II	Durum wheat	0	3,36	3,36	1,12
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0,17
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	13,94
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	13,28	13,28	13,28

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	16,87	16,87	16,87	16,87
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	12,61	12,61	12,61	12,61
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3285/85**of 22 November 1985****concerning an amendment to Regulation (EEC) No 484/85 allocating import quotas fixed for certain products originating in the United States of America**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 349/84 of 6 February 1984 suspending tariff concessions and increasing duties under the Common Customs Tariff with regard to certain products originating in the United States of America, and establishing quantitative restrictions with regard to other products originating in that country⁽¹⁾, as amended by Regulation (EEC) No 483/85⁽²⁾, and in particular Article 3 (2) thereof,

Whereas Commission Regulation (EEC) No 484/85⁽³⁾, broke down the import quotas fixed for certain products originating in the United States of America into two parts of which the first is distributed amongst the Member States and the second constitutes a Community reserve ;

Whereas, in accordance with Article 3 of Regulation (EEC) No 484/85 the reserve must be distributed by 1 December 1985 at the latest ; whereas this does not prejudice the possibility of later adjusting the breakdown among the Member States, mainly to cope with any requirements arising with particular urgency in certain Member States or to ensure that the impact of the measure does not exceed the objective pursued ;

Whereas, at the same time, the allocation of certain quotas should be adjusted in the light of supply requirements, with particular reference to imports effected as at 30 September 1985 ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee,

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 484/85 is hereby amended in accordance with the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 1985.

It shall apply with effect from 1 November 1985.

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

Done at Brussels, 22 November 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 40, 11. 2. 1984, p. 1.

⁽²⁾ OJ No L 59, 27. 2. 1985, p. 18.

⁽³⁾ OJ No L 59, 27. 2. 1985, p. 18.

ANNEX

(in 1 000 ECU)

NIMEXE code	Community quota	Quota distribution per Member State								Reserve
		D	F	I	BNL	UK	IRL	DK	GR	
29.01-71	29 886	1 916	4 896	11 693	10 164	670	3	—	544	—
39.02-09, 11, 12	9 014	1 454	556	1 997	1 027	3 568	150	191	41	—
93.04-20, 30, 41, 49, 60	5 463	875	2 865	607	400	441	9	139	127	—
97.06-10	2 962	664	81	34	160	2 000	5	17	1	—
97.06-33, 34	4 122	2 580	599	559	284	100	—	—	—	—

COMMISSION REGULATION (EEC) No 3286/85**of 25 November 1985****fixing the amounts to be paid to recognized olive oil producer organizations and their associations for the 1985/86 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 231/85⁽²⁾, and in particular Article 20d (4) thereof,

Whereas Article 20 d of Regulation No 136/66/EEC provides that a percentage of the amount of production aid shall be withheld in order to contribute to the financing of the activities of producer organizations and their associations;

Whereas Article 8 (2) of Commission Regulation (EEC) No 3061/84 of 31 October 1984 laying down detailed rules for the application of the system of production aid for olive oil⁽³⁾ provides that, with effect from the 1985/86 marketing year, the amounts to be paid to the producer organizations and their associations shall be fixed before the beginning of each marketing year on the basis of experience acquired and the forecasts of the overall sum to be shared out; whereas, for the 1985/86 marketing year, the amount to be withheld has been fixed by Council Regulation (EEC) No 1502/85⁽⁴⁾ at the same level as that applied in previous years; whereas, in view of the production forecasts and experience acquired, the amounts in question should be kept at the same level;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

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

Done at Brussels, 25 November 1985.

Article 1

For the 1985/86 marketing year and within the limits of the aid retained in each Member State under Article 20d of Regulation No 136/64/EEC:

- (a) the sum referred to in Article 11 (1) (a) of Council Regulation (EEC) No 2261/84⁽¹⁾ shall be 2 ECU per member of the producer organizations of which each association is composed;
- (b) for each check on crop declarations in accordance with the second indent of Article 6 (1) of Regulation (EEC) No 2261/84, producer organizations shall receive the sum of 80 ECU; in cases where the check covers olive-growing areas exceeding 3, 10 or 30 hectares, this sum shall be increased by 50, 100 or 150 ECU respectively;
- (c) the balance of the aid retained referred to in Article 20d of Regulation No 136/66/EEC shall be among the producer organizations on the basis of the aid applications examined by the said organizations.

Without prejudice to Article 11 (3) of Regulation (EEC) No 2261/84, in cases where an association, having discharged all its responsibilities under Community rules, has not used the entire sum raised by the financing arrangement referred to in (a), it must distribute the balance among the producer organizations of which it is composed, on the basis of the membership of such organizations.

Article 2

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

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No 172 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 288 1. 11. 1984, p. 52.

⁽⁴⁾ OJ No L 151, 10. 6. 1985, p. 27.

⁽¹⁾ OJ No L 208, 3. 8. 1984, p. 3.

COMMISSION REGULATION (EEC) No 3287/85
of 25 November 1985

**amending for the second time Regulation (EEC) No 2858/85 on the sale of
pigmeat held by the Belgian intervention agency pursuant to Regulations (EEC)
No 772/85, (EEC) No 978/85 and (EEC) No 1477/85**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 2966/80⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 2858/85⁽³⁾, as last amended by Regulation (EEC) No 3083/85⁽⁴⁾, provides that meat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 is to be sold both by invitation to tender and by sale at a fixed price; whereas the current rules do not allow prospective purchasers to submit a tender or a purchase application for stocks held in specific storage plants; whereas purchasers should be given this option with a view to more rapid sales;

Whereas the tenderer, in the case of sale by invitation to tender, or the applicant, in the case of sale at a fixed price, must state, as is customary for sales of intervention agency in respect of the quality and characteristics of the products sold to him;

Whereas Article 2 of Commission Regulations (EEC) No 2121/85⁽⁵⁾ and (EEC) No 2122/85⁽⁶⁾ on the purchase by the Belgian intervention agency of pigmeat previously held in private storage under the exceptional market support measures provides that the original storer shall bear any losses arising from poor or inappropriate handling, freezing or storing of the meat;

Whereas such quality defects may also arise from the ageing of meat stored for a longer period than originally foreseen;

Whereas, in view of the peculiar nature of such storage, the future purchaser should be relieved of the obligation to waive all claims against the Belgian intervention agency in respect of the hidden quality defects and characteristics of a product sold to him, and the procedure to be followed in such a case needs to be specified;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2858/85 is hereby amended as follows:

1. Article 3 (2) (c) and Article 9 (2) (c) are replaced by the following:

‘(c) a description of the product, the type of health mark used, the quantity in respect of which the tender is submitted and, if desired, the storage plant where the product is stored’;

2. Article 3 (2) (e) and Article 9 (2) (d) are hereby deleted.

3. The following Article 18a is inserted:

Article 18a

1. Where the purchaser notes, and this is confirmed by the competent Belgian authorities, within six weeks from the taking over by the purchaser and within 48 hours after the product has thawed, that the latter is no longer suitable for human consumption, the selling price shall be refunded to the purchaser by the Belgian intervention agency for the consignment or the quantities concerned; the processing and disposal security referred to in Article 13 shall be released as a consequence.

2. Products classified as unsuitable for human consumption shall be collected and destroyed under the supervision of the Belgian veterinary services.

3. The competent Belgian authorities shall establish the cause of the quality defect of the product concerned and shall have recourse, where necessary, against the original storer.

They shall inform the Commission, at least each fortnight on the implementation of this Article, indicating as the case may be, the nature and quantity of the product concerned and the week during which storage commenced’.

Article 2

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

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 274, 15. 10. 1985, p. 22.

⁽⁴⁾ OJ No L 294, 6. 11. 1985, p. 17.

⁽⁵⁾ OJ No L 198, 30. 7. 1985, p. 20.

⁽⁶⁾ OJ No L 198, 30. 7. 1985, p. 25.

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

Done at Brussels, 25 November 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3288/85
of 25 November 1985
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1482/85 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1809/85 ⁽³⁾, as last amended by Regulation (EEC) No 3281/85 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1809/85 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November 1985.

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

Done at Brussels, 25 November 1985.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.
⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.
⁽⁴⁾ OJ No L 314, 23. 11. 1985, p. 20.

ANNEX

to the Commission Regulation of 25 November 1985 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	46,20
	B. Raw sugar	41,42 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 18 November 1985

introducing Community measures for the control of foot-and-mouth disease

(85/511/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas one of the Community's tasks in the veterinary field is to improve the state of health of livestock, thereby increasing the profitability of stockfarming;

Whereas an outbreak of foot-and-mouth disease can quickly take on epizootic proportions, causing mortality and disturbances on a scale liable to reduce sharply the profitability of farming of pigs and ruminants as a whole;

Whereas action must be taken as soon as the presence of the disease is suspected so that immediate and effective control measures can be implemented as soon as its presence is confirmed; whereas such measures must be modulated by the competent authorities to take account of whether or not a country carries out a prophylactic vaccination programme on all or part of its territory; whereas, under certain conditions, the Member States which practise such a policy may authorize animals

having sufficient immunization protection against the foot-and-mouth virus to be exempted from slaughter;

Whereas it is necessary to prevent any spread of the disease as soon as an outbreak occurs, by carefully monitoring movements of animals and the use of products liable to be contaminated, and, where appropriate, by vaccination;

Whereas diagnosis of the disease and identification of the relevant virus must be carried out under the auspices of responsible laboratories the coordination of which must be ensured by a reference laboratory appointed by the Community;

Whereas the vaccine used for emergency vaccination must be verified both for efficacy and safety, with coordination being carried out by a specialized institute appointed by the Community; whereas, furthermore, special coordinated measures must be implemented where virus types or variants are detected against which the vaccines usually used in the Community do not provide sufficient protection; whereas it proves necessary, to this end, to make provision for the Member States which vaccinate to draw up multiannual vaccination plans which will be examined and, where appropriate, be the subject of Community coordination;

Whereas provision must be made for a procedure for close cooperation between the Member States and the Commission;

Whereas the arrangements introduced by this Directive are of an experimental nature and whereas they will have to be reviewed in keeping with developments in the situation,

⁽¹⁾ OJ No C 248, 22. 9. 1982, p. 3.

⁽²⁾ OJ No C 242, 12. 9. 1983, p. 128.

⁽³⁾ OJ No C 77, 21. 3. 1983, p. 5.

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive defines the minimum Community control measures to be applied in the event of outbreaks of foot-and-mouth disease, whatever the type of virus concerned, without prejudice to the Community provisions governing intra-Community trade.

This Directive does not affect Member States' prophylactic vaccination policies.

Article 2

For the purposes of this Directive, the definitions given in Article 2 of Directive 64/432/EEC ⁽¹⁾ shall apply as appropriate.

The following definitions shall also apply:

- (a) 'animal of a susceptible species' means any domestic or wild ruminant or swine present on a holding;
- (b) 'receptive animal' means any animal of a susceptible species which is not vaccinated, or which is vaccinated but whose immunization cover is considered to be inadequate by the competent authority;
- (c) 'infected animal' means any animal of a susceptible species:
 - in which clinical symptoms or post-mortem lesions which may arise from foot-and-mouth disease have been ascertained,
 - or
 - in which the presence of foot-and-mouth disease has been officially ascertained following a laboratory examination;
- (d) 'animal suspected of being infected' means any animal of a susceptible species showing clinical symptoms or post-mortem lesions which are such that the presence of foot-and-mouth disease may reasonably be suspected;
- (e) 'animal suspected of being contaminated' means any animal of a susceptible species which may — according to the epizootiological information collected — have been directly or indirectly exposed to the foot-and-mouth virus.

Article 3

Member States shall ensure that the presence, or suspected presence, of foot-and-mouth disease is compulsorily and immediately notifiable to the competent authority, in accordance with Directive 82/894/EEC ⁽²⁾.

Article 4

1. Member States shall ensure that, where a holding contains one or more animals suspected of being infected

or of being contaminated with foot-and-mouth disease, official means of investigation to confirm or rule out the presence of the disease are set in motion immediately and, in particular, that the official veterinarian takes the necessary samples, or has them taken, for laboratory examination.

As soon as the suspected infection is notified, the competent authority shall have the holding placed under official surveillance and shall in particular order that:

- a census be made of all categories of animals of susceptible species and that, in respect of each of these categories, the number of animals already dead, infected or liable to be infected or contaminated be recorded; the census must be kept up to date to take account of animals born or dying during the period of suspicion; the information in the census must be produced on request and may be checked at each visit;
- all animals of susceptible species on the holding be kept in their living quarters or some other place where they can be isolated;
- no animals of susceptible species enter or leave the holding;
- no animals of other species enter or leave the holding without the authorization of the competent authority;
- all movement from the holding of meat or carcasses of animals of susceptible species or of animal feed, utensils, objects or other substance, such as wool or waste or rejected matter, liable to transmit foot-and-mouth disease be prohibited, unless authorized by the competent authority;
- the movement of milk from the holding be prohibited; in the event of difficulties in storing the milk on the holding, the competent authority may authorize the milk to be moved from the holding under veterinary supervision to a treatment establishment in order that it may be given heat treatment ensuring the destruction of the foot-and-mouth virus;
- the movement of persons to or from the holding be made subject to authorization by the competent authority;
- the entry or exit of vehicles to or from the holding be made subject to authorization by the competent authority which shall lay down the conditions necessary in order to avoid propagation of the foot-and-mouth virus;
- appropriate means of disinfection be used at the entrances and exits of buildings housing animals of susceptible species and of the holding itself;
- an epizootiological inquiry be carried out in accordance with Articles 7 and 8.

2. The competent authority may extend the measures provided for in paragraph 1 to adjoining holdings should their location, their configuration, or contacts with animals from the holding where the disease is suspected give reason to suspect possible contamination.

3. The measures referred to in paragraphs 1 and 2 shall not be withdrawn until the suspicion of foot-and-mouth disease has been officially ruled out.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 378, 31. 12. 1982, p. 58.

Article 5

As soon as it has been confirmed that one or more of the animals defined in Article 2 (c) are on a holding, the competent authority shall introduce the following measures :

1) the official veterinarian takes adequate samples or has them taken for examination by the laboratory referred to in Annex I, where these samples and examinations have not been taken or carried out during the period of suspicion in accordance with the first subparagraph of Article 4 (1);

2) in addition to the measures listed in Article 4 (1), the following measures are taken without delay :

(a) in Member States or regions where vaccination is prohibited :

— all animals of susceptible species on the holding shall be slaughtered on the spot under official supervision in such a way as to avoid all risk of spreading the foot-and-mouth virus ;

— after being slaughtered, the aforementioned animals shall be destroyed under official supervision in such a way that there is no risk of spreading the foot-and-mouth virus ;

— meat of animals of susceptible species coming from the holding and slaughtered during the period between the probable introduction of the disease to the holding and the implementation of official measures shall, wherever possible, be traced and destroyed under official supervision in such a way as to avoid any risk of spreading the foot-and-mouth virus ;

— the carcasses of animals of susceptible species which have died on the holding shall be destroyed under official supervision in such a way as to avoid any risk of spreading the foot-and-mouth virus ;

— any substance referred to in Article 4 (1), second subparagraph, fifth indent shall be destroyed or treated in such a way as to ensure the destruction of any foot-and-mouth virus present ; all treatment must be carried out in accordance with the instructions of the official veterinarian ;

— milk and milk products shall be destroyed in such a way as to avoid any risk of spreading the foot-and-mouth virus ;

— after elimination of the animals of susceptible species and of the substances referred to in Article 4 (1), second subparagraph, fifth indent, the buildings used for housing, their surroundings and the vehicles used for their transport and all equipment likely to be contaminated shall be cleaned and disinfected in accordance with Article 10 ;

— no animals of susceptible species shall be reintroduced to the holding until at least 21 days after completion of the cleaning and disinfection operations carried out in accordance with Article 10 ;

— an epizootiological inquiry shall be carried out in accordance with Articles 7 and 8 ;

(b) in the Member States or regions where a vaccination policy is organized in compliance with the provisions of Article 14 :

(i) — all animals of susceptible species on the holding shall be slaughtered and destroyed under official supervision. When the animals are slaughtered and destroyed, Member States shall take the measures necessary to avoid any risk of the foot-and-mouth virus persisting and being spread and any harmful consequence for the environment ; in particular when slaughtering is not carried out on the spot, the animals shall be transported in specially equipped vehicles to avoid any risk of spreading the foot-and-mouth virus ;

— when the type, sub-type or variant of the foot-and-mouth virus has been identified or when the epidemiological information and data make it possible to ascertain that the vaccines used provide immunization cover valid for the type of virus in question, Member States may :

— restrict the slaughtering and destruction to receptive animals ;

— authorize meat and milk from animals not infected or not suspected of being infected to be given appropriate heat treatment under veterinary supervision ;

(ii) the measures provided for in (i) shall be accompanied by vaccination or re-vaccination of the remaining animals in accordance with Article 13 (1) ;

(iii) the measures provided for under the third, fourth and fifth indents of (a) shall apply by analogy as well as, except in the case of the heat treatment referred to in (i), the measures provided for in the sixth indent of (a).

3) the provisions of paragraph 1 shall not apply in the case of appearance of a secondary source which is linked epidemiologically with a primary source for which samples have already been taken ;

4. the competent authority may extend the measures provided for in paragraph 1 to adjoining holdings should their location, their configuration, or contacts with animals from the holding where the disease has been recorded give reason to suspect possible contamination.

Article 6

1. In the case of holdings which consist of two or more separate production units, the competent authority may derogate from the requirements of Article 5 (2) (a), first and second indents and (2) (b) (i) as regards healthy production units of a holding which is infected, provided that the official veterinarian has confirmed that the structure and size of these units and the operations carried out there are such that they are completely separate as regards housing, keeping and feeding, so that the virus cannot spread from one to another.

The same measures and the possibility of derogating from the requirements of the sixth indent of Article 5 (2) (a) may be extended to holdings producing milk, provided that, in addition, milking in each unit is carried out quite separately.

2. Where recourse is had to paragraph 1, the Member States shall lay down detailed rules for applying it in the light of the health guarantees offered. They shall notify the Commission thereof.

3. It may be decided, in accordance with the procedure laid down in Article 16, that the measures laid down in paragraph 2 shall be amended in order to ensure the coordination thereof with those adopted by the Member States.

Article 7

The epizootiological inquiry shall deal with:

- the length of time during which the foot-and-mouth disease may have existed on the holding before being notified or suspected;
- the possible origin of the foot-and-mouth disease on the holding and the identification of other holdings on which there are animals of susceptible species which may have become infected or contaminated from the same source;
- the movement of persons, vehicles and substances referred to in Article 4 (1), second subparagraph, fifth indent, likely to have carried the foot-and-mouth virus to or from the holdings in question.

Article 8

1. (a) Where the official veterinarian finds, or considers on the basis of confirmed data, that foot-and-mouth disease could have been introduced from other holdings on to the holding referred to in Article 4, or from the latter holding on to other holdings as a result of the movement of persons, animals or vehicles or in any other way, those other holdings shall be placed under official surveillance in accordance with Article 4 and this surveillance shall not be lifted until the suspected presence of

foot-and-mouth disease on the holding referred to in Article 4 has been officially ruled out;

- (b) where the official veterinarian finds, or considers on the basis of confirmed data, that foot-and-mouth disease could have been introduced on to the holding referred to in Article 5 from other holdings as a result of the movement of persons, animals or vehicles or in any other way, those other holdings shall be placed under official surveillance in accordance with Article 4;
- (c) where the official veterinarian finds, or considers on the basis of confirmed data, that foot-and-mouth disease could have been introduced from the holding referred to in Article 5 on to other holdings as a result of the movement of persons, animals or vehicles or in any other way, those other holdings shall become subject to the provisions of Article 4.

2. When a holding holding has been subject to the provisions of paragraph 1, the competent authority shall prohibit removal of animals from the holding other than for transport directly to a slaughterhouse under official supervision for the purpose of emergency slaughter during a 15-day period in the case of holdings referred to in 1 (a) and (b) and a 21-day period in the case of holdings referred to in 1 (c) respectively. Prior to granting such authorization, the official veterinarian must have carried out an examination of the herd and confirmed that none of the animals is suspected of being infected.

3. Where it considers that conditions permit, the competent authority may limit the measures provided for in paragraph 1 (a) and (b) to a part of the holding and the animals contained therein, provided that the animals there have been housed, kept and fed completely separately.

Article 9

1. Member States shall ensure that, once the diagnosis of foot-and-mouth disease has been officially confirmed, the competent authority establishes, around the infected holding, a protection zone based on a minimum radius of 3 km and a surveillance zone based on a minimum radius of 10 km. The establishment of zones must take account of natural boundaries and supervision facilities.

2. (a) The following measures shall be applied in the protection zones:

- a census of all the holdings having animals of susceptible species and the animals shall be taken; these holdings shall be visited periodically;
- the movement of animals of susceptible species on public or private roads, excluding the service roads of holdings, shall be prohibited;

- animals of susceptible species may not be removed during the first 15 days from the holding on which they are kept except to be transported directly under official supervision for the purpose of emergency slaughter to a slaughterhouse located in that zone or, if that zone has no slaughterhouse under veterinary supervision, to a slaughterhouse designated by the competent authority. Such movement may be authorized by the competent authority only after examination by the official veterinarian of all the animals of susceptible species on the holding has ruled out the presence of suspected animals;
 - itinerant service for breeding shall be prohibited;
 - artificial insemination shall be prohibited during the first 15 days except where it is carried out by the farmer with sperm that is on the farm or with sperm delivered directly by an insemination centre;
 - fairs, markets, shows or other gatherings of susceptible animals, including collection and distribution, shall be prohibited;
 - without prejudice to the case provided for in the second sentence of the third indent, the transport of animals of susceptible species shall be prohibited, except for transit by major highways or mainline railways.
- (b) the measures applied in the protection zone shall be maintained for at least 15 days after elimination of all the animals referred to in Article 5 from the holding and the carrying out on that holding of preliminary cleaning and disinfection operations in accordance with Article 10. However, the measures described in paragraph 3 for the surveillance zone shall remain in force in the protection zone for the period provided for in paragraph 3 (b).
3. (a) The following measures shall be applied in the surveillance zone:
- a census shall be taken of all holdings having animals of susceptible species;
 - the movement of animals of susceptible species on public roads shall be prohibited except for the purpose of leading them to pasture;
 - the transport of animals of susceptible species within the surveillance zone shall be subject to the authorization of the competent authority;
 - the animals may not be removed from the surveillance zone during the first 15 days. Between the 15th day and the 30th day the animals may not be removed from the said

zone except to be transported under official supervision directly to a slaughterhouse for the purpose of emergency slaughter. Such transport may be authorized by the competent authority only after the official veterinarian has carried out an examination of all the animals concerned and confirmed that none of the animals is suspected of being infected;

- itinerant service for breeding shall be prohibited;
- fairs, markets, shows and other gatherings of susceptible animals shall be prohibited.

- b) The measures in the surveillance zone shall be kept in force for at least 30 days after the elimination of all the animals referred to in Article 5 from the holding and the carrying out on that holding of preliminary cleaning and disinfection operations in accordance with Article 10.

Article 10

Member States shall ensure that:

- the disinfectants to be used and their concentrations are officially approved by the competent authority;
- the cleaning and disinfection operations are carried out under official supervision, in accordance with the instructions given by the official veterinarian.

Article 11

1. Member States shall ensure that:

- laboratory testing to detect the presence of foot-and-mouth disease are carried out by a national laboratory indicated in the Annex which may be amended or supplemented in accordance with the procedure laid down in Article 17. This laboratory testing should, if necessary and especially on the first appearance of the disease, show the type, sub-type or, where appropriate, the variant of the relevant virus which may be confirmed, if necessary, be a reference laboratory designated by the Community;
- one of the national laboratories indicated in Annex I is responsible for coordinating standards and methods of diagnosis in each Member State;
- the national laboratories referred to in the first indent liaise with a reference laboratory designated by the Community.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall designate, before 1 January 1987, the reference laboratory referred to in paragraph 1 and shall determine its powers and the detailed rules for applying the second indent of paragraph 1.

Article 12

Member States shall ensure that :

- when animals of susceptible species are moved out of the holding on which they are kept, they are identified in such a way as to enable their holding of origin, or the holding from which they have come, and their movements to be traced rapidly. However, for certain categories of animals and without prejudice to Article 13 of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ⁽¹⁾, as last amended by Directive 84/645/EEC ⁽²⁾, the competent authority may, in certain circumstances and having regard to the health situation, authorize other ways of rapidly tracing their holding of origin, or the holding from which they have come, and their movements. The arrangements for identifying the animals or for tracing the holding of origin shall be determined by the competent authority ;
- the owner or keeper of the animals is required to supply the competent authority, on request by that authority, with information concerning animals entering or leaving his holding ;
- all persons engaged in the transport or marketing of animals of susceptible species are able to supply the competent authority with information concerning the movements of animals which they have transported or marketed and to furnish all the details concerning such information.

Article 13

1. When foot-and-mouth is diagnosed on a holding, the measures to control the disease may be supplemented by the vaccination of animals of susceptible species on holdings threatened with contamination in a territorial area specified by the competent authority.
2. In the case referred to in paragraph 1, Member States shall ensure that :
 - (a) without prejudice to the exception provided for in Article 5 (2) (b) (i), second indent, and national arrangements where such arrangements provide for the prophylactic vaccination against foot-and-mouth disease of any or all of the animals of susceptible species on part or all of the territory, the vaccination or re-vaccination of animals of susceptible species on the holdings referred to in Article 4 is prohibited ;
 - (b) serum injection is prohibited ;
 - (c) the type of anti-foot-and-mouth disease vaccine and its method of use comply with the general recommendations decided on in accordance with the procedure in Article 16 ;
 - (d) the vaccine used is authorized by the competent authority on the basis of the verification by national

laboratories the activity of which is coordinated by the institute designated in accordance with Article 14 (3) ;

- (e) any vaccine imported from a third country satisfies the requirements laid down in (c) and is checked as indicated in (d).

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the procedure for coordinating standards and checking vaccines on the territory of the Community.

3. In the event of the appearance of types, sub-types or variants of foot-and-mouth virus against which the vaccines usually used provide no protection or insufficient protection, the Member State concerned shall immediately inform the Commission and the other Member States, stating what emergency measures it considers necessary for the adaptation of vaccine formulae and their use.

4. If, in the light of the national measures referred to above, the adoption of Community measures proves necessary, such measures shall be decided on by the procedure provided for in Article 16.

Article 14

1. Member States which authorize vaccination against foot-and-mouth disease shall draw up a multiannual vaccination plan, which they shall submit to the Commission and the other Member States within the Standing Veterinary Committee.

This plan must specify :

- (i) — the frequency of the vaccination,
 - the conditions and procedure for the production and checking of vaccines to be used in the various possible circumstances of outbreaks of foot-and-mouth disease,
 - the protective 'standard' rating,
 - the cross-immunity controls with variants,
 - the species and categories of animals which are to be subject to the vaccination programme,
 - the procedures for supervision of the distribution, conservation, storage and use of vaccines ;
- (ii) — the types of virus used,
 - the characteristics and composition of each vaccine used.

2. The coordination of the measures adopted by Member States as part of their national anti-foot-and-mouth plans, and provided for in paragraph 1 (i), shall be decided upon according to the procedure provided for in Article 16, with a view to ensuring their effectiveness.

3. Before 1 January 1987 the Council, acting by a qualified majority on a proposal from the Commission, shall designate the laboratory referred to in Article 13 and shall determine its powers together with those of the institute responsible for vaccine and cross-immunity checks.

⁽¹⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 33.

4. Before 1 January 1989 the Commission shall submit to the Council a report accompanied, where appropriate, by proposals on the rules relating to the production and distribution of anti-foot-and-mouth disease vaccines in the Community, together with proposals on the setting up of a Community reserve of anti-foot-and-mouth disease vaccines.

Article 15

If foot-and-mouth disease assumes alarming proportions on the territory of a Member State and, despite the measures taken, particularly in application of Article 13, the epizootic becomes extensive and develops widely outside the limits of the vaccinated zone, a Member State which does not practise prophylactic vaccination on all or part of its territory may carry out such vaccination on all or part of its territory and apply the measures laid down in Article 5 (2) (b). It shall inform the Commission and the other Member States of this action.

Article 16

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred without delay to the Standing Veterinary Committee set up by Decision 68/361/EEC⁽¹⁾ (hereinafter referred to as 'the Committee') by the committee chairman, either on his own initiative or at the request of a Member State.

2. The votes of the Member States shall be weighted as laid down in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit a draft of the measures to be adopted. The committee shall deliver its opinion on these measures within two days. Opinions shall be delivered by a majority of 54 votes.

4. The Commission shall adopt the measures and shall implement them immediately, where they are in accordance with the opinion of the committee. Where they are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal on the measures to be taken. The Council shall adopt the measures by a qualified majority.

If the Council has not adopted any measures within 15 days of the date on which the matter is referred to it, the Commission shall adopt the proposed measures and shall implement them immediately unless the Council has voted against the said measures by a simple majority.

Article 17

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the committee

without delay by its chairman, either on his own initiative or at the request of a Member State.

2. Within the committee the votes of the Member States shall be weighted as laid down in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit a draft of the measures to be adopted. The committee shall deliver its opinion by a date which the chairman may set in the light of the urgency of the matters submitted for examination. Opinions shall be delivered by a majority of 54 votes.

4. The Commission shall adopt the measures and shall implement them immediately, where they are in accordance with the opinion of the committee. Where they are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal on the measures to be taken. The Council shall adopt the measures by a qualified majority.

If the Council has not adopted any measures within three months of the date on which the matter is referred to it, the Commission shall adopt the proposed measures and shall implement them immediately unless the Council has voted against the said measures by a simple majority.

Article 18

On the basis of a report from the Commission on the experience gained in controlling foot-and-mouth disease, accompanied by proposals where appropriate, the Council shall review the situation by 1 January 1990, with a view to further harmonization.

Article 19

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1987 at the latest.

Article 20

This Directive is addressed to the Member States.

Done at Brussels, 18 November 1985.

For the Council

The President

J. FISCHBACH

⁽¹⁾ OJ No 255, 18. 10. 1968, p. 23.

*ANNEX***NATIONAL LABORATORIES DEALING WITH FOOT-AND-MOUTH DISEASE**

BELGIUM AND LUXEMBOURG :	Institut national de recherches vétérinaires, Groeselenberg 99, 1180 Bruxelles.
DENMARK :	Statens veterinære institut for Virusforskning, Lindholm.
ITALY :	Istituto zooprofilattico sperimentale della Lombardia e dell'Emilia Romagna, Brescia. Istituto superiore della Sanità, Roma.
UNITED KINGDOM AND IRELAND :	Animal Virus Research Institute, Pirbright, Woking, Surrey.
FRANCE :	Laboratoire national de pathologie bovine, Lyon.
GREECE :	Ινστιτούτο Αφθώδους Πυρετού, Αγία Παρασκευή Αττικής.
FEDERAL REPUBLIC OF GERMANY :	Bundesforschungsanstalt für Viruskkrankheiten der Tiere, Tübingen.
NETHERLANDS :	Centraal Diergeneeskundig Instituut, Lelystad.
SPAIN :	Laboratorio Central de Sanidad Animal, Madrid.
PORTUGAL :	Laboratório Nacional de Investigação Veterinária, Lisboa.

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I/1985

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