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II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT

DECISION OF THE EUROPEAN PARLIAMENT

of 13 April 1989

granting discharge to the Commission in respect of the implementation of the budget of the European Communities for the financial year 1987 concerning Sections I — Parliament, II — Council, III — Commission, IV — Court of Justice and V — Court of Auditors

(89/494/EEC/Euratom/ECSC)

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78g thereof,
- having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,
- having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 180b thereof,
- having regard to the budget for the 1987 financial year,
- having regard to the revenue and expenditure account and the balance sheet relating to the 1987 financial year,
- having regard to the report of the Court of Auditors concerning the 1987 financial year accompanied by the replies of the institutions ⁽¹⁾,
- having regard to the report of the Committee on Budgetary Control and the opinions of the Committee on Energy, Research and Technology, the Committee on External Economic Relations, the Committee on Social Affairs and Employment, the Committee on Regional Policy and Regional Planning, the Committee on Transport, the Committee on the Environment, Public Health and Consumer Protection, the Committee on Youth, Culture, Education, Information and Sport and the Committee on Women's Rights (Doc. A 2-23/89),

1. Notes that authorized revenue and expenditure for the 1987 financial year totalled:

	ECU	ECU
— Revenue		36 170 572 115
— Appropriations for commitments:		
— Appropriations authorized in the general budget	37 452 818 172	
— Appropriations remaining from the 1986 financial year or made available as a result of cancellations of commitments in the 1987 financial year	2 345 500 160	
— Appropriations corresponding to revenue from services rendered to third parties	3 160 255	39 801 478 587
— Appropriations for payments		36 170 572 115

⁽¹⁾ OJ No C 316, 12. 12. 1988, p. 1.

2. Grants discharge to the Commission in respect of the implementation of the budget on the basis of the following amounts:

	ECU	ECU
(a) Revenue		
— Own resources	35 497 773 598	
— Financial contributions	210 629 680	
— Other revenue	74 941 522	
		35 783 344 800
(b) Expenditure		
— Payments made from the appropriation for the financial year	34 110 985 289	
— Appropriations carried over to the 1988 financial year	1 358 175 837	35 469 161 126
(c) Balance for the 1987 financial year		+ 521 561 395
Calculated as follows:		
— Revenue for the financial year		35 783 344 800
— Payments from the appropriations for the financial year	34 110 985 289	
— Appropriations carried over to the 1988 financial year	1 358 175 837	— 35 469 161 126
Difference		314 183 674
— Appropriations carried over from 1986 which have lapsed		+ 189 440 147
— Exchange difference in the 1987 financial year		+ 17 937 574
Balance for the 1987 financial year		521 561 395
This balance reflects the accounting situation only and does not include expenditure actually incurred during this year		
(d) Utilization of appropriations for commitments		38 489 462 581
(e) Balance sheet at 31 December 1987:		

ASSETS		LIABILITIES	
Fixed assets	10 405 888 691	Fixed capital	11 531 246 043
Inventories	70 228 982	Current liabilities	4 059 426 506
Currents assets	1 223 473 707	Cash accounts	8 195 728
Cash accounts	3 913 716 259	Accrued expenses	410 532 087
Prepaid expenses	396 092 725		
Total	16 009 400 364	Total	16 009 400 364

3. Records its comments in the resolution which forms part of this Decision;
4. Instructs its President to forward this Decision and the resolution embodying its comments to the Commission, the Council, the Court of Justice, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L Series).

Done at Strasbourg, 13 April 1989.

The Secretary-General
Enrico VINCI

The President
Lord PLUMB

RESOLUTION

embodying the comments on the decision granting a discharge in respect of the implementation of the budget of the European Communities for the 1987 financial year

THE EUROPEAN PARLIAMENT,

- having regard to Article 206b of the Treaty establishing the European Economic Community,
- having regard to Article 85 of the Financial Regulation of 21 December 1977, pursuant to which the Community institutions must take all appropriate steps to act on the comments appearing in the discharge decisions; whereas the same Article also requires the institutions to report, at the request of the European Parliament, on the measures taken in the light of Parliament's comments and, in particular, on the instructions given to those of their departments responsible for the implementation of the budget,
- having regard to the Council recommendation of 13 March 1989,
- having regard to the report of the Committee on Budgetary Control and the other documents mentioned in the discharge decision (Doc. A 2-23/89),

A. whereas the implementation of the budget for the 1987 financial year shows the inadequacy of the system of own resources established at the Fontainebleau Summit and the continuing existence of major deficiencies in the management of Community spending; whereas, however, in 1987 the Commission exercised its right of political initiative to the full with a view to making progress in the reform of the system of financing and endowing itself with new instruments to enable it to implement Community policies correctly;

B. welcoming the fruitful interinstitutional dialogue which has been established in the course of the present Parliament between the Commission, the Court of Auditors and Parliament via the latter's Committee on Budgetary Control; whereas this dialogue has made it possible to identify common objectives, which were embodied, firstly, in the Commission programme for 'making a success of the Single Act', and subsequently in the decisions of the European Council held in Brussels from 11 to 13 February 1988;

C. whereas the growth in the Community budget necessarily requires a more effective deployment of the Community resources than in the past, and consequently a significant improvement in the quality of the management of the Communities' budgetary appropriations and control procedures, to which a high priority will be attached in the day-to-day control of the implementation of the budget;

D. referring to the public hearing in the Committee on Budgetary Control and the conclusions thereof adopted in its

resolution of 13 April 1989 on preventing and combating fraud against the European Community Budget in a post-1992 Europe ⁽¹⁾,

I. Comments on the implementation of the budget and budgetary control

PROBLEMS IN THE IMPLEMENTATION OF THE BUDGET

1. Stresses that the surplus of ECU 521 million, while it has been established in accordance with the law as it stands, does not take account of real expenditure for the 1987 financial year and therefore does not truly reflect the economic reality of the Community's activities and masks the true financial situation; notes that in order to adjust spending to the ceiling on the Community's own resources the Community had to:

- reduce the agricultural year to 10 months in order to adapt it to the appropriations available and defer charging to the Community budget two months of EAGGF Guarantee Section expenditure incurred by the Member States (ECU 4 546,6 million),
- defer until 1988 the reimbursement to the Member States of the ECU 442,7 million corresponding to the cost of collecting own resources and ECU 250,9 million in respect of the advance payments made by the Member States in 1984;

2. Recalls the political undertaking given by the Commission in 1987 not to resort again to expedient or practices which mask the true financial position of the Community, and insists that in the future the basic principles governing the ordering of the Community's financial affairs should be strictly respected;

3. Stresses that the submission of clear and accurate accounts is a basic requirement if Parliament is to exercise to the full its power of discharge, acknowledges, in this connection, the progress made by the Commission in recent years at Parliament's request and requests that the following additional information should be included in the revenue and expenditure account and the budget:

- (a) capital transactions and the management of debts and appropriations (including loans granted on the basis of budgetary appropriations) for the financial year in question;

⁽¹⁾ See Part II, Item 13 (f) of these minutes.

- (b) a detailed estimate of the value of the guarantees given by the Community in respect of loans granted by the European Investment Bank together with their expiry dates;
- (c) a list of the changes in regulations occurring in the financial year in question so as to enable the accounts to be properly interpreted;
- (d) an estimate of the adjustments occurring as a result of the differences between the provisional statements of EAGGF expenditure by the Member States and the revised accounts;
- (e) recoveries of payments on account and their use to finance new expenditure;

4. Considers that in 1987 forecasting was not sufficiently effective, and the quality of the management of the Community budget not sufficiently high to meet the objective set;

5. Deplores the fact that, yet again in 1987, the Commission failed to use the additional appropriations allocated as a result of Parliament's amendments; notes with concern that in the case of a large number of the appropriations agreed as a result of Parliament's amendments, the amount of the unused appropriations at the end of the financial year is greater than the amount of the amendment; considers that this situation calls into question the real effectiveness of Parliament's margin for manoeuvre;

6. Draws the attention of the Commission and the Budgetary Authority to the risks of overbudgeting in areas of the activity where the chances of the appropriations being used up are limited; notes that this practice leads either to the unnecessary mobilization of own resources or to an incorrect allocation of scarce budgetary resources between the various areas of activity; calls on the Commission to make a clear statement, in the course of the budgetary procedure, on the real chances of the appropriations entered by the budgetary authority being implemented;

7. Stresses that a major justification for Community action is that it is more effective than the same action applied at national level; considers that in this respect the cancellation of Community appropriations involves the squandering of resources and of the potential for dealing with the Community's problems; calls on the Commission, in view of the number of such cancellations and the limited nature of the explanations given in Volume I of the revenue and expenditure account, to give detailed information each year on the cancelled appropriation indicating:

- (a) cancelled appropriations from previous financial years, broken down by year of origin;
- (b) cancelled appropriations for the financial year in question;
- (c) the reasons for the cancellation and the projects and programmes affected;

8. Calls on the Commission to pursue the analysis of the reasons for the underutilization of budget appropriations and to adopt the necessary measures to improve the monitoring of the implementation of the budget;

9. Disapproves of the excessive, and at times insufficiently justified, use of transfers of appropriations, which not only run counter to the principle of specificity, but also reveal the inaccuracy of the Commission's forecasting;

10. Considers that the opening by the Commission's departments of a multiplicity of bank accounts may make it difficult or even impossible to achieve sufficient transparency in the management of Community public funds; calls on the Commission to reduce the number, and introduce constant monitoring, of these accounts in order to ensure more transparent and effective management of the Commission's banking arrangements and greater respect for the principle of centrally-held accounts;

Combating irregularities and fraud

11. Notes that there is a need to modify and simplify the regulation so as to ensure that the application of different criteria for interpreting the rules in the different Member States does not lead to unjustified expenditure or a drop in the Community's income;

12. Calls on the Council to urge the Member States to ensure strict compliance with the rules governing the payment of own resources to the Community budget, and those governing Community spending, thus producing greater transparency in the management of Community funds;

13. Confirms all the recommendations for practical measures against fraud made in its resolution of 13 April 1989 on preventing and combating fraud against the European Community budget in a post-1992 Europe;

PROBLEMS OF CONTROL

Control of the funds managed by the EIB as the Commission's agent

14. Notes that the Parliament, as the authority responsible for granting a discharge to the Commission in respect of the implementation of the budget, cannot remain on the sidelines as regards the control of major areas of Community resources, since this would constitute a failure to exercise its responsibilities to the full;

15. Strongly deplores the obstacles encountered by the Court of Auditors in the exercise of its external audit prerogatives in respect of projects managed by the EIB as the Commission's agent; notes that the granting of Community funds implies the need for an external audit;

16. Calls on the Commission to reach an agreement as soon as possible with the Court of Auditors on specific

procedures for auditing the projects managed by the EIB and financed from Community funds; stresses that this agreement should fully guarantee the Court's power of external audit and calls on the Commission to inform it of the contents of the agreement;

Community guarantees

17. Notes that in 1987 the EIB resorted to a Community guarantee, which appeared as a *pro memoria* entry in the budget, amounting to ECU 4 million in relation to a loan granted to a third country; considers that Parliament, as the budgetary and control authority, must not turn a blind eye to the risks involved in the growing volume of loans to third countries with a Community guarantee given the financial and economic crisis affecting some of the recipient countries; calls on the Commission to include loans guaranteed by the budget in the revenue and expenditure account;

Clearance of food aid accounts

18. Calls on the Commission to give top priority to eliminating delays in the clearance of food aid accounts;

Decentralized management

19. Rules out the possibility of further decentralization in the management of Community revenue and expenditure unless the Council allows the Commission wider powers of control, since such a policy would make a farce of the discharge procedure and increase the democratic deficit;

20. Supports the Court of Auditors' efforts to introduce new methods for evaluating the impact of Community measures on the economies of the Member States; calls on the Commission to ensure that, where appropriate, the Court's studies are followed up by other methods of evaluation, such as cost-benefit and cost-effectiveness analyses;

II. Comments on the management of individual sectors

Own resources

21. Notes with grave concern the deficiencies pointed out by the Court of Auditors in the national arrangements for collecting and controlling the Community's own resources and observes that these arrangements have not even achieved the minimum standard laid down by the relevant legislation; calls on the Commission to make greater efforts as regards its monitoring and coordinating responsibilities;

22. Reiterates its view that independent Commission controls in the Member States are indispensable for the correct management of own resources; urges the Council to adopt the Commission proposal providing for such controls;

23. Calls the Commission to apply stricter control criteria to operations involving Community goods in transit, and deplores the continuing failure to differentiate properly between the control of internal and external movements;

24. Points out that the correct management of own resources also requires an improvement in the procedures for investigating and recovering funds improperly received from the Community budget;

25. Calls on the Commission to propose to the Member States that the anti-dumping duties be entered in the accounts separately;

EAGGF Guarantee Section

26. Calls on the Commission to make the necessary steps to ensure that the payment system is more transparent, workable and effective;

27. Deplores, in view of the lack of precision of the monthly statements on the quantity and value of stocks in storage, the practice whereby the Member States have ready access to Community funds via the system of monthly advances; calls on the Commission to request the Member States to provide more precise and detailed data in these statements so as to ensure that actual spending is more correctly entered and budgetary forecasting made more accurate;

28. Deplores the unsatisfactory procedures used by the Commission for the clearance of accounts; calls on the Commission to improve the internal coordination of the Commission services responsible for clearance and market management and coordination with national audit departments and to submit to Parliament overall reports on the clearance of accounts;

29. Calls on the Commission to ensure that the stabilizing measures aimed at achieving a balance in agricultural markets are all strictly complied with;

30. Calls upon the Commission to submit a report containing conclusions and proposals for improving management in this area, together with the necessary timetable and to make all necessary efforts to ensure that any losses are borne by the operators responsible;

31. Notes that for many years both the Commission and the Member States have failed to deal with the major deficiencies in the management and control of agricultural markets which the Court of Auditors and Parliament itself have pointed out year after year; calls upon the Member States to apply a set of minimum rules with a view to ensuring the proper management of stocks;

32. Notes the grave deficiencies pointed out by the Court of Auditors as regards national controls of export refund payments, especially in relation to beef, and calls on the Council to adopt the proposal for a regulation on the control of operations which qualify for export refund in accordance with the observations made by the Court of Auditors in its Annual Report; additionally calls on the Commission to propose an amendment to Article 8 of Regulation (EEC) No 729/70 of the Council (CAP Financial Regulation) to enable the Commission to recover directly from third parties sums improperly paid to them, especially in the area of export refunds;

33. Calls on the Commission to submit a report on sensitive fruit sectors which includes:

- (a) an assessment of the results obtained from the restructuring of the sector and its future prospects of adapting to demand;
- (b) a study of the alternatives of improving the varieties grown or changing to different crops altogether;
- (c) the foreseeable impact of the full integration of Spain and Portugal into the common organization of the market;

Fisheries

34. Draws attention to the firm recommendations made to the Commission by Parliament's Subcommittee on Fisheries in relation to the common fisheries policy;

35. Calls on the Commission to submit to the Council a proposal for setting up an independent Community system of control and to look into the possibilities of carrying out satellite controls;

The structural funds

36. Calls on the Commission to improve the planning structures for EAGGF Guidance Section programmes, the selection of projects within these programmes, monitoring during implementation, on-the-spot control and subsequent evaluation; also calls on the Commission to simplify the rules governing the activities of the Fund;

37. Calls on the Commission to take the necessary practical steps to ensure that, under the new regulation, structural expenditure in all the Member States is subject to real additionality;

38. Calls on the Commission, when granting financing, to stipulate the rights and obligations of the beneficiaries and to carry out the appropriate monitoring;

39. Calls on the Commission, within six months of the adoption of the decision granting the discharge, to submit a communication on the implementation of the specific actions

containing detailed data on the programmes, the financial plans, any irregularities noted, the recoveries effected, the implementation of the programmes and an evaluation of the results achieved;

40. Calls on the Commission to add to the annual report on the Socail Funds for 1987 a supplement containing information on the on-the-spot controls carried out and an indication as to how the resources thus acquired were reinvested;

41. Stresses that the recent implementation of Social Fund appropriations shows a large number of cancellations of commitments, a phenomenon which justifies the fear that shortcomings in the management of this fund have still not been overcome, and therefore calls on the Commission, in the context of the reform of the Structural Funds, to make all the necessary improvements in the management of this fund to ensure that appropriations entered in the budget are implemented;

The restructuring of the Joint Research Centre

42. Will continue to monitor closely the activities of the JRC in the following areas: scientific and financial restructuring, personnel policy and implementation of the multiannual programme; calls on the Commission, therefore, to report to Parliament within six months on the progress being made with restructuring, and at the start of each financial year and in September on the use of appropriations for the JRC's institutes, the position as regards the implementation of the framework programme, and, in the case of indirect research, coordination between management units;

Borrowing and lending

43. Calls on the Commission to furnish the Court of Auditors with precise information on income and expenditure in connection with NCI and Euratom loans so as to enable it to check whether the beneficiaries of these loans obtain the best conditions;

DEVELOPMENT AID AND COOPERATION

44. Deplores the fact that the Commission has been unable to implement the payment appropriations earmarked in the Community budget for this area and that as a result the rate of implementation of cooperation projects and programmes involving the developing countries has been reduced;

45. Stresses that these difficulties of implementation are seriously affecting appropriations earmarked for cooperation with the developing countries of Asia and Latin America (Chapter 93) and the Mediterranean countries (Chapter 96), and calls on the Commission to ensure that it has the necessary means to ensure proper project management;

(¹) OJ No L 94, 28. 4. 1970, p. 13.

Financial and technical aid for the countries of Latin America and Asia

46. Calls on the Commission to take steps as a matter of urgency to simplify the complex internal and external administrative and banking channels through which aid for the Andean countries has to pass so as to speed up Community payments to the direct beneficiaries on the spot;

47. Calls on the Commission to draw up and implement multiannual programmes in collaboration with recipient countries;

48. Notes that in 1988 the Commission at long last decided to include an ex-post assessment of financial and technical cooperation projects involving the countries of Asia and Latin America, and welcomes the fact that this assessment will initially focus on the ability of projects to survive when the aid comes to an end; calls on the Commission to ensure that assessment is gradually and systematically incorporated into the remaining phases of the aid programme (identification, study and implementation);

Financial and technical cooperation with the Mediterranean countries

49. Calls on the Court of Auditors, in the light of the inadequate utilization of budgetary appropriations in this area, to include in its Annual Report an assessment of financial and technical cooperation with the Mediterranean countries;

Food aid

50. Notes that 1987 was a decisive year for the management of food aid, since the regulations, procedures and administrative structures laid down provide for more effective control of food aid and a better guarantee of its quality, and should also reduce the delays in implementing such aid;

51. Stresses that the new regulation represents a major advance in that it provides for effective quality control and sanctions;

52. Stresses its interest in the opportunities for improved control contained in the proposal from the Commission to the Council for a regulation providing for credit facilities for the import of food products by developing countries;

53. Supports the Commission's efforts to integrate food aid into the process of development of the recipient countries by revising the principles governing the creation and utilization of counterpart funds, and considers that the role of the on-the-spot Commission's delegations is essential in ensuring the transparency and proper functioning of such

funds and, in particular, in ensuring that proper and up-to-date accounts are kept and all the projects being financed are properly controlled;

54. Stresses that the aim of securing better decision-making procedures has still not been achieved and reiterates its support for the advisory committee method;

55. Notes that in 1987 the implementation of food aid was characterized by the considerable underutilization of payment appropriations as the result of the entry into force of the new regulation governing the obligation of food aid; calls on the Commission to inform the Parliament, and in particular its Committee on Budgetary Control, of the results achieved by the reform of the system for managing and mobilizing food aid;

Administrative expenditure by the institutions

56. Notes that the fact that the institutions lack a proper buildings policy stems from the absence of a definitive decision on the seat of the institutions, with the result that costs are practically doubled; calls on all the institutions to coordinate their buildings policies within the framework of budgetary discipline;

57. Calls on the Court of Justice to appoint a deputy Financial Controller;

58. Calls on the Commission, in the area of invalidity pensions, to interpret restrictively the rules in order to ensure that the scheme is not used to serve purposes other than those for which it was set up;

59. Calls on all the institutions to adopt the following measures proposed by the Court of Auditors in regard to expenditure on formal and other meetings:

- (a) to draw up guidelines for the secretaries of meetings, specifying their duties in respect of the contents of the expenses forms;
- (b) to ensure that lists are checked and compared on an interinstitutional basis;

The European schools

60. Welcomes the fact that since the last discharge decisions improvements have been introduced as a result of the adoption of a new financial regulation which makes it possible to rationalize budgetary planning; stresses that there is a need for these advances to be followed up by updating all the financing agreements and the staff regulations; insists on the need for the suggestions made by the Court of Auditors in its special report of 1987 regarding the centralization and rationalization of management to be put into effect in order to ensure that the best possible use is made of the Community subsidy.

DECISION OF THE EUROPEAN PARLIAMENT

of 13 April 1989

granting discharge to the Commission in respect of the financial management of the third European Development Fund during the 1987 financial year

(89/495/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty establishing the European Economic Community,
 - having regard to the Convention signed in Yaoundé on 29 July 1969,
 - having regard to the balance sheets and accounts of the third, fourth, fifth and sixth European Development Funds for the 1987 financial year (COM(88) 219 final),
 - having regard to the report of the Court of Auditors concerning the 1987 financial year accompanied by the institutions' replies ⁽¹⁾,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. A 2-19/89),
- A. whereas the Financial Regulation applicable to the third EDF conferred responsibility for granting discharge on the Council in accordance with the provisions of the EEC Treaty then in force; whereas, however, these EEC Treaty provisions were amended successively by the 1970 and 1975 Treaties and general responsibility for granting discharge has been conferred on Parliament; whereas the current non-budgetized status of the EDF, resulting from a failure to comply with a number of Treaty provisions, could in no circumstances justify constraints on Parliament's power to grant discharge;
- B. pointing up the fact that the discharge decision primarily relates to outturn for the financial year in question rather than to cumulate results;
1. Grants discharge to the Commission in respect of the financial management of the third European Development Fund during the 1987 financial year on the basis of the following amount:
 - payments: ECU 2 209 280,65;
 2. Records its observations in the resolution accompanying this Decision ⁽²⁾;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to arrange for their publication in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 13 April 1989.

The Secretary-General

Enrico VINCI

The President

Lord PLUMB

⁽¹⁾ OJ No C 316, 12. 12. 1988, p. 1.⁽²⁾ See page 12 of this Official Journal.

DECISION OF THE EUROPEAN PARLIAMENT

of 13 April 1989

granting discharge to the Commission in respect of the financial management of the fourth European Development Fund during the 1987 financial year

(89/496/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty establishing the European Economic Community,
 - having regard to the first ACP-EEC Lomé Convention ⁽¹⁾,
 - having regard to the balance sheets and accounts of the third, fourth, fifth and sixth European Development Funds for the 1987 financial year (COM(88) 219 final),
 - having regard to the report of the Court of Auditors concerning the 1987 financial year accompanied by the Institutions' replies ⁽²⁾,
 - having regard to the Council recommendation relating to the granting of this discharge,
 - having regard to the Treaty of 22 July 1975 which authorizes the European Parliament to grant discharge in respect of the Community's financial activities,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. A 2-19/89),
1. Grants discharge to the Commission in respect of the financial management of the fourth European Development Fund during the 1987 financial year on the basis of the following amount:
 - payments: ECU 70 199 737,01;
 2. Records its observations in the resolution accompanying this Decision ⁽³⁾;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to arrange for their publication in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 13 April 1989.

The Secretary-General

Enrico VINCI

The President

Lord PLUMB

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 1.⁽²⁾ OJ No C 316, 12. 12. 1988, p. 1.⁽³⁾ See page 12 of this Official Journal.

DECISION OF THE EUROPEAN PARLIAMENT

of 13 April 1989

granting discharge to the Commission in respect of the financial management of the fifth European Development Fund during the 1987 financial year

(89/497/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty establishing the European Economic Community,
 - having regard to the second ACP-EEC Lomé Convention ⁽¹⁾,
 - having regard to the balance sheets and accounts of the third, fourth, fifth and sixth European Development Funds for the 1987 financial year (COM(88) 219 final),
 - having regard to the report of the Court of Auditors concerning the 1987 financial year accompanied by the institutions' replies ⁽²⁾,
 - having regard to the Council recommendation relating to the granting of this discharge,
 - having regard to the Treaty of 22 July 1975 which authorizes the European Parliament to grant discharge in respect of the Community's financial activities,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. A 2-19/89),
1. Grants discharge to the Commission in respect of the financial management of the fifth European Development Fund during the 1987 financial year on the basis of the following amounts:
 - revenue: ECU 753 394 367,36,
 - payments: ECU 412 942 749,33;
 2. Records its observations in the resolution accompanying this Decision ⁽³⁾;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to arrange for their publication in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 13 April 1989.

The Secretary-General
Enrico VINCI

The President
Lord PLUMB

⁽¹⁾ OJ No L 347, 22. 12. 1980, p. 1.

⁽²⁾ OJ No C 316, 12. 12. 1988, p. 1.

⁽³⁾ See page 12 of this Official Journal.

DECISION OF THE EUROPEAN PARLIAMENT

of 13 April 1989

granting discharge to the Commission in respect of the financial management of the sixth European Development Fund during the 1987 financial year

(89/498/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty establishing the European Economic Community,
 - having regard to the third ACP-EEC Lomé Convention ⁽¹⁾,
 - having regard to the balance sheets and accounts of the third, fourth, fifth and sixth European Development Funds for the 1987 financial year (COM(88) 219 final),
 - having regard to the report of the Court of Auditors concerning the 1987 financial year accompanied by the institutions' replies ⁽²⁾,
 - having regard to the Council recommendation relating to the granting of this discharge,
 - having regard to the Treaty of 22 July 1975 which authorizes the European Parliament to grant discharge in respect of the Community's financial activities,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. A 2-19/89),
1. Grants discharge to the Commission in respect of the financial management of the fifth European Development Fund during the 1987 financial year on the basis of the following amounts:
 - revenue: ECU 11 668 742,49,
 - payments: ECU 352 536 660,22;
 2. Records its observations in the resolution accompanying this Decision;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to arrange for their publication in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 13 April 1989.

The Secretary-General

Enrico VINCI

The President

Lord PLUMB

⁽¹⁾ OJ No L 86, 31. 3. 1986, p. 1.⁽²⁾ OJ No C 316, 12. 12. 1988, p. 1.⁽³⁾ See page 12 of this Official Journal.

RESOLUTION

containing the observations accompanying the Decisions granting discharge in respect of the financial management of the third, fourth, fifth and sixth European Development Funds during the 1987 financial year

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty establishing the European Economic Community and in particular Articles 137 and 206b thereof,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. A 2—19/89),
- A. whereas, pursuant to Articles 67, 70 and 73 respectively of the Financial Regulations applicable to the fourth, fifth and sixth European Development Funds, the Commission is required to take all appropriate steps to act on the observations appearing in the discharge decisions;
- B. whereas, pursuant to the abovementioned Articles, the Commission is also required to report, at the request of the European Parliament, on the measures taken in the light of Parliament's observations and, in particular, on the instructions given to those of its departments responsible for the management of the European Development Funds;
- C. deciding to present the observations referred to in the abovementioned Articles 67, 70 and 73 in this resolution, which accompanies each discharge decision relating to the financial management of the European Development Funds for the 1987 financial year;
- D. adopting this resolution on the basis also of the powers which are essential if it is to fulfil its control duties, with a view to remedying the shortcomings established during the discharge procedure and to improving the management of the European Development Funds,

Rate of utilization of the EDFs

1. Notes that the third EDF was wound up in 1987 and that the last remaining balances — some ECU 9,5 — were transferred to the fifth EDF;
2. Notes that, as at 31 December 1987, 90,8% of programmable aid under the fifth EDF had been committed (compared with 84,7% in 1986), while the payments rate stood at 56,2% (compared with 46,1% in 1986);
3. Notes once again the slow rate of implementation of the fifth EDF, this being illustrated *inter alia* by the fact that, seven years after the Fund's entry into force, an indicative-programme commitment rate of as low as 7% was recorded for one recipient country (Belize), and reiterates that failure to comply with the principle of proper timetabling as regards allocation of sums to be committed calls into question the Community's ability to programme aid and observe the relevant schedules;

Financial management and accounting shortcomings

4. Repeats its call for the Commission to set out precisely what special conditions apply to works contracts, particularly as regards the currency of payment and price variation, so as to rule out irregularities of the type found by the Court of Auditors;
5. Expresses its concern at the failure, brought to light by the Court, to conduct sufficiently rigorous checks on certain financial transactions, such as the payment of an advance greater than the commitment entered into on the basis of the estimate and the disbursement of part-payments exceeding those contractually due;
6. Draws the Commission's attention to the importance of fully complying with the principles of legality, regularity and sound financial management in all EDF operations; stresses in this connection the need to submit full supporting documentation in respect of all payments and calls upon the Commission to act in accordance with the Court's suggestions;
7. Calls upon the Commission to revamp certain aspects of its accounting procedures in order to ensure that transactions are more transparent and are carried out more thoroughly and more promptly;
8. Calls upon the Commission to make changes as regards the allocation of responsibilities within the accounting officer's department, with a view to more effective monitoring of EDF implementation;
9. Calls upon the Commission to rationalize the management of the EDF treasury accounts by:
 - (a) reducing the number of bank accounts maintained to a bare minimum;
 - (b) opening a separate bank account for crediting the annual Stabex resources in accordance with Article 55 of the Financial Regulation applicable to the sixth EDF;
10. Takes the view that the Financial Regulation applicable to the next EDF should take into account the specific requirements deriving from the discharge procedure, in particular by:
 - (a) improving the content and presentation of the documentation submitted to the discharge authority;
 - (b) placing at Parliament's disposal the documentation on which the Commission has based all decisions with financial implications;

- (c) keeping Parliament abreast of the outcome of the various budgetary-management measures taken;

Stabilization of export earnings

11. Points out the need to ensure that detailed supporting documentation is provided in respect of payments financed by Stabex transfers; points out that the reports submitted to the Commission by the recipient countries are too sketchy to enable checks to be carried out on how transfers are used; notes that under the third Lomé Convention more effective rules were introduced as regards such checks; calls upon the Commission to insist that the recipient countries meticulously abide by the procedures laid down in the Conventions;

12. Takes the view that the monetary instability of certain countries should not diminish their entitlement to Stabex transfers equivalent to loss of export earnings; calls upon the Commission to introduce assessment methods ensuring, as far as possible, that transfer entitlement is not affected by exclusively monetary developments;

Regional cooperation

13. Reaffirms its backing for regional cooperation between the ACP States and underlines the fact that this can buttress efforts to secure economic integration between these countries, provided that such cooperation proceeds on a sound basis; recommends, with a view to enhancing the effectiveness of this approach, action to ensure that:

- (a) projects are not diffuse and do not proliferate, enabling measures to be targeted on priority areas of concern to all the states in a given region;
- (b) regional organizations are selected more rigorously;
- (c) projects are geared to the level of financial resources, technological know-how and management skills available in the states in question;
- (d) evaluation is an integral component of every stage in the planning process relating to regional-cooperation measures;
- (e) greater importance is attached to profitability, and in particular to market outlets, at the project selection stage;

Microprojects

14. Takes the view that the devolving of decision-taking powers to delegations in the field is essential in order to ensure that microprojects proceed smoothly and, in

particular, to verify that projects meet selection criteria; to facilitate processing and to act on local-authority initiatives more promptly, and, lastly, to carry out monitoring and management follow-up work and evaluate projects; regrets the fact that, according to the Court, delegates have submitted six-monthly implementation reviews on less than half of the programmes financed under the fifth EDF; calls upon the Commission to attach particular importance to regular follow-up in connection with this form of aid;

15. Takes the view that technical assistance is essential if very complex microproject programmes are to succeed; calls upon the Commission to arrange for microprojects to be coordinated with other forms of aid, with a view to cutting the average cost of technical assistance and to enhancing the combined effect of complementary aid measures;

16. Points out that, under current arrangements, no *ad hoc* proposal for the allocation of appropriations is required in order to commit funds for the financing of technical assistance, which rules out checks on the amounts allocated for this purpose under microproject programmes; calls upon the Commission to take the necessary steps to introduce arrangements for entering expenditure on technical assistance separately in the accounts, with a view to verifying the cost thereof in absolute terms and as a proportion of microproject estimates;

17. Draws attention to the ease with which national authorities in recipient countries — Kenya in particular — obtain advances prior to project selection; notes that, according to the Court, a considerable percentage of projects for which anticipatory funding had been provided under the fifth EDF's second annual programme were abandoned after preparatory viability studies; calls upon the Commission to remedy this shortcoming and to arrange for an in-depth evaluation to be carried out, during the appraisal and finalization procedures, before granting the advances agreed;

18. Points out the fact that prior assessment of all economic, financial, social and institutional constraints is a *sine qua non* for an assessment of the prospects of a microproject; calls on the Commission in this connection to ensure that delegates pay particular attention to project viability and focus on the following factors:

- (a) the ability of recipient states to honour their financial commitments;
- (b) the level of recurrent costs to be borne by users;
- (c) use of simple techniques and appropriate technologies;
- (d) ensuring that the effect of a project on local recipient communities would not be contrary to that intended (exacerbated inequalities);

19. Notes that an assessment by a team of consultants of the various aspects of microproject programmes is nearing completion; asks the Commission to inform Parliament of the results of this assessment;

Emergency aid

20. Points out the fact that it is essential for the Commission to continue to manage and provide emergency aid promptly and flexibly, unlike medium and long-term aid to resolve structural problems, and for emergency aid to be supplied on a sufficiently large scale; believes that promptness and flexibility in deciding on implementing arrangements should go hand in hand with action to forecast requirements as accurately as possible, without taking a fastidious approach, since it is speed which counts;

21. Emboldens the Commission to continue the process of making damage assessment more effective by enabling delegations to play a more active role in examining proposals and following up the measures concerned;

22. Emboldens the Commission to continue to insist that emergency-aid managers submit periodic implementation reports and final overviews, thus enabling an assessment to be made of the extent to which objectives have been realized;

23. Highlights the potential risks to disaster victims as a result of delays in implementing emergency-aid measures; is disquieted to note that, on a number of occasions in the past, the six-month time limit laid down in the second Lomé Convention has not been observed; calls upon the Commission to step up efforts to minimize the interval between taking a decision to grant emergency aid and providing it;

24. Expresses concern at the considerable delay in closing accounts representing some 96 % of total emergency-aid

expenditure allocated under the fifth EDF, points out that closure of accounts is an essential procedure, particularly in order to demonstrate that financial management of the measures carried out has been sound and to establish the amount of unexpended appropriations for reallocation to the special appropriation; calls upon the Commission to clear this backlog as soon as possible;

Assessment of development programmes and projects

25. Points out in the light of its budgetary control responsibilities, the need to have at its disposal, whenever it deems this necessary, the findings of independent assessments unconnected with the evaluations which the Commission may have to carry out for management purposes;

26. Believes, more particularly, that its Committee on Development and Cooperation and Committee on Budgetary Control must as far as possible be in a position — through concerted action on the basis of their respective terms of reference — to conduct or commission such assessments;

27. Takes the view that assessments carried out upon project completion or at the end of a main phase are a source of vital information for improving the way in which subsequent aid projects and programmes are fashioned; calls upon the Commission to notify Parliament of the findings of such assessments;

28. Requests the Commission to provide training for recipient-country personnel in assessing aid projects and programmes and in scrutinizing the effectiveness thereof;

29. Asks the Commission to report on the action taken in response to the observations appearing in the discharge decisions.

DECISION OF THE EUROPEAN PARLIAMENT

of 13 April 1989

granting discharge to the Administrative Board of the European Centre for the Development of Vocational Training in respect of the implementation of its appropriations for the 1987 financial year

(89/499/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,
 - having regard to the revenue and expenditure accounts of the European Centre for the Development of Vocational Training for the 1987 financial year and the report of the Court of Auditors on these accounts (Doc. C 2-342/88),
 - having regard to the Council Decision of 13 March 1989,
 - having regard to the report of the Committee on Budgetary Control (Doc. A 2-21/89),
1. Notes the following figures for the accounts of the European Centre for the Development of Vocational Training:

1987 Financial year	ECU
<i>Revenue</i>	6 318 858,76
1. Subsidy from the Commission	6 241 700,90
2. Bank interest	53 974,40
3. Other	23 183,46
<i>Expenditure</i>	
1. Final budget appropriations	6 586 000,00
2. Commitments	6 318 858,76
3. Unused appropriations (1—2)	267 141,24
4. Payments	5 097 331,74
5. Carry-overs from 1986 to 1987	1 974 105,30
6. Payments against appropriations carried over	1 774 605,48
7. Appropriations carried over and cancelled (5—6)	199 499,82
8. Carry-overs from 1987 to 1988	1 221 527,02
9. Cancellations (1—4—8)	267 141,24

2. Regards — in view of its general and unconditional authority, enshrined in the Treaties, to subject all Community budget expenditure to political scrutiny — the Council Decision of 13 March 1989 as a recommendation to grant discharge to the Administrative Board of the Centre; directs the Commission to submit proposals amending the rules governing discharge for the Centre with a view to ensuring that the legal position of the European Parliament as defined under the Treaties is respected;
3. Will tolerate no further delay in submitting a revised version of the Centre's Financial Provisions once the Financial Regulation applicable to the general budget has been adopted;
4. Calls upon the Administration of the Centre to improve transparency, as far as is economically warranted, as regards general staff-related and administrative expenditure and project-specific expenditure on all projects managed by the Centre;

5. Grants discharge to the Administrative Board of the European Centre for the Development of Vocational Training, on the basis of the report of the Court of Auditors, in respect of the accounts for the 1987 financial year;
6. Instructs its President to communicate this Decision to the Administrative Board of the European Centre for the Development of Vocational Training, the Council, the Commission and the Court of Auditors and to arrange for its publication in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 13 April 1989.

The Secretary-General

Enrico VINCI

The President

Lord PLUMB

DECISION OF THE EUROPEAN PARLIAMENT

of 13 April 1989

granting discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its appropriations for the 1987 financial year

(89/500/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,
- having regard to the revenue and expenditure accounts of the European Foundation for the Improvement of Living and Working Conditions for the 1987 financial year and the report of the Court of Auditors on these accounts (Doc. C 2-343/89),
- having regard to the Council Decision of 13 March 1989,
- having regard to the report of the Committee on Budgetary Control (Doc. A 2-21/89),

1. Notes the following figures for the accounts of the European Foundation for the Improvement of Living and Working Conditions:

1987 Financial year	ECU
<i>Revenue</i>	5 407 014,23
1. Subsidy from the Commission	5 264 068,46
2. Bank interest	95 660,74
3. Other	47 285,03
<i>Expenditure</i>	
1. Final budget appropriations	5 575 000,00
2. Commitments	5 431 109,98
3. Unused appropriations (1—2)	143 890,02
4. Payments	3 837 565,07
5. Carry-overs from 1986 to 1987	1 746 509,88
6. Payments against appropriations carried over	1 606 541,68
7. Appropriations carried over and cancelled (5—6)	139 968,20
8. Carry-overs from 1987 to 1988	1 593 544,91
9. Cancellations (1—4—8)	143 890,02

2. Regards — in view of its general and unconditional authority, enshrined in the Treaties, to subject all Community budget expenditure to political scrutiny — the Council Decision of 13 March 1989 as a recommendation to grant discharge to the Administrative Board of the Foundation; directs the Commission to submit proposals amending the rules governing discharge for the Foundation with a view to ensuring that the legal position of the European Parliament as defined under the treaties is respected;
3. Will tolerate no further delay in submitting a revised version of the Foundation's Financial Provisions once the Financial Regulation applicable to the general budget has been adopted;
4. Advises the Administration of the Foundation, in line with the observations of the Court of Auditors in its report on the 1987 accounts, to use updated exchange rates in its accounts and to take the necessary steps to open an ecu account at its bankers;

5. Criticizes the fact that the assessment of the degree to which the Community institutions and potential user groups are familiar with the Foundation and its activities, requested in the decision of 13 April 1988, has not been submitted and expects this assessment to be forwarded immediately;
6. Grants discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions, on the basis of the report of the Court of Auditors, in respect of the accounts for the 1987 financial year;
7. Instructs its President to communicate this Decision to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions, the Council, the Commission and the Court of Auditors and to arrange for its publication in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 13 April 1989.

The Secretary-General

Enrico VINCI

The President

Lord PLUMB

COMMISSION

COMMISSION DECISION

of 18 July 1989

laying down the criteria for approval and supervision of breeders' associations and breeding organizations which establish or maintain herd-books for pure-bred breeding pigs

(89/501/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species ⁽¹⁾, and in particular the fourth indent of Article 6 (1) thereof,

Whereas in all Member States herd-books are maintained or established by breeders' associations, breeding organizations or official services; whereas it is therefore necessary to lay down the criteria for the approval of breeders' associations and breeding organizations;

Whereas breeders' associations or breeding organizations must apply for official approval to the competent authorities of the Member State on whose territory their headquarters are situated;

Whereas, where breeders' associations or breeding organizations meet certain criteria and have defined targets, they must be officially approved by the authorities of the Member State to which they have applied;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Zootechnics,

HAS ADOPTED THIS DECISION:

Article 1

In order to be officially approved, breeders' associations or breeding organizations which maintain or establish

herd-books must submit an application to the authorities of the Member State on whose territory their headquarters are situated.

Article 2

The authorities of the Member State concerned must grant official approval to any breeders' association or breeding organization which maintains or establishes herd-books if it meets the conditions laid down in the Annex.

However, in a Member State in which in respect of a given breed one or more officially-approved breeders' associations or breeding organizations already exist, the authorities of the Member State concerned may refuse to recognize a new breeders' association or breeding organization if it endangers the preservation of the breed or jeopardizes the zootechnical programme of the existing association or organization. In such a case, the Member State shall inform the Commission of approvals granted and refusals to give recognition.

Article 3

The authorities of the Member State concerned shall withdraw official approval from any breeders' association or breeding organization which maintains herd-books if the conditions laid down in the Annex are no longer being fulfilled in a persistent manner by the breeders' association or breeding organization concerned.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 36.

ANNEX

In order to be officially approved, breeders' associations and breeding organizations which maintain or establish a herd-book must:

1. have legal personality in accordance with the legislation in force in the Member State where the application is made;
 2. prove to the competent authorities:
 - (a) that they operate efficiently;
 - (b) that they can carry out the checks necessary for recording pedigrees;
 - (c) that they have a sufficiently large herd to carry out a breed improvement programme, or that they have a sufficiently large herd to preserve the breed where this is considered necessary;
 - (d) that they can make use of the livestock performance data necessary for carrying out their breed improvement or preservation programme;
 3. have a set of rules covering:
 - (a) the definition of the breed's (or breeds') characteristics;
 - (b) the system for identifying animals;
 - (c) the system for recording pedigrees;
 - (d) the definition of their breeding objectives;
 - (e) the systems for making use of livestock performance data, enabling the genetic value of the animals to be assessed;
 - (f) the division of the herd-book, if there are different conditions for entering animals or if there are different procedures for classifying the animals entered in the book;
 4. have articles of association, laying down, in particular, the principle of non-discrimination between members.
-

COMMISSION DECISION

of 18 July 1989

laying down the criteria governing entry in herd-books for pure-bred breeding pigs

(89/502/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species ⁽¹⁾, and in particular the third indent of Article 6 (1) thereof,

Whereas in all Member States herd-books are maintained or established by breeders' associations, breeding organizations or official services;

Whereas it is therefore necessary to lay down the criteria for the entering of pure-bred breeding pigs in herd-books;

Whereas precise conditions relating to lineage and identification must be fulfilled prior to entry in the herd-books;

Whereas allowances should be made for the division of the herd-book into different sections so that certain types of animals will not be excluded;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Zootechnics,

HAS ADOPTED THIS DECISION:

Article 1

To qualify for entry in the main section of the book of its breed a pure-bred breeding pig must:

- be descended from parents and grandparents entered in a herd-book of that same breed,
- be identified after birth according to the rules of that book,
- have a pedigree established in accordance with the rules of that book.

Article 2

The main section of the herd-book may be divided into several sections according to the animals' characteristics. Only pure-bred breeding pigs meeting the criteria laid down in Article 1 may be entered in one of those sections.

Article 3

1. A breeder's association or breeding organization keeping a herd-book may decide that a female, which does not meet the criteria laid down in Article 1, may be entered in a supplementary section of that herd-book. The female must meet the following requirements:

- be identified in accordance with the herd-book rules,
- be judged to conform to the breed standard,
- have minimum characteristics as laid down by the herd-book rules.

2. The requirements mentioned in the second and third indents of paragraph 1 may be differentiated according to whether the female belongs to the breed although it has no known origin or was obtained from a crossing programme approved by the breeders' association or breeding organization.

Article 4

A female whose mother and maternal grandmother are entered in a supplementary section of the herd-book as provided for in Article 3 (1) and whose father and two grandfathers are entered in the main section of the book in accordance with the criteria laid down in Article 1 shall be regarded as a pure-bred female and entered in the main section of the book, as provided for in Article 1.

Article 5

Where a book contains several sections a pure-bred breeding pig from another Member State and having specific characteristics distinguishing it from the population of the same breed in the Member State of destination shall be entered in the section of the book whose characteristics it meets.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 36.

COMMISSION DECISION

of 18 July 1989

laying down the certificate of pure-bred breeding pigs, their semen, ova and embryos

(89/503/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species ⁽¹⁾, and in particular Articles 5 and 6 (1), fifth indent, thereof,

Whereas it is necessary to fix the data which must be mentioned on the certificate; whereas it is necessary for practical reasons to provide for a model certificate and the conditions in which the data can be entered in the document accompanying pure-bred breeding pigs, their semen, ova and embryos;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Zootechnics,

HAS ADOPTED THIS DECISION:

Article 1

1. The following particulars must be mentioned in the certificate of pure-bred breeding pigs:

- issuing body,
- name of herd book,
- entry number in herd book,
- date of issue,
- system of identification,
- identification,
- date of birth,
- breed,
- sex,
- name and address of breeder,
- name and address of owner,
- pedigree:

father	grandfather	grandmother
herd book No	herd book No	herd book No
mother	grandfather	grandmother
herd book No	herd book No	herd book No

2. The results of performance tests and the updated results, with origin, of the assessment of the genetic value, on the animal itself and its parents and grandparents must be mentioned in the certificate.

Article 2

The particulars provided for in Article 1 may be indicated:

1. in the form of a certificate conforming to the specimen in Annex I;
2. in documentation accompanying the pure-bred breeding pig. In this event the competent authorities must certify that the particulars set out in Article 1 are indicated in those documents, by the following formula:

'The undersigned certifies that these documents contain the particulars mentioned in Article 1 of Commission Decision 89/503/EEC.'

Article 3

The following particulars must be mentioned in the certificate of the semen of pure-bred breeding pigs:

- all data as listed in Article 1 concerning the male that provides the semen,
- information allowing identification of the semen, the date of its collection and the names and addresses of the semen collection centre and of the consignee.

Article 4

The particulars provided for in Article 3 may be indicated:

1. in the form of a certificate conforming to the specimen in Annex II;
2. in documentation accompanying the semen of the pure-bred breeding pig. In this event the competent authorities must certify that the particulars set out in Article 3 are indicated in those documents, by the following formula:

'The undersigned certifies that these documents contain the particulars mentioned in Article 3 of Commission Decision 89/503/EEC.'

Article 5

The following particulars must be mentioned in the certificate of the ova of pure-bred breeding pigs:

- all data as listed in Article 1 concerning the sow that provides the ova,
- information allowing identification of the ovum, the date of its collection and the names and addresses of the ovum collection centre and of the consignee.

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 36.

If there is more than one ovum in a single straw, this must be clearly stated and furthermore the ova must all have the same parentage.

Article 6

The particulars provided for in Article 5 may be indicated:

1. in the form of a certificate conforming to the specimen in Annex III;
2. in documentation accompanying the ova of the pure-bred breeding pig. In this event the competent authorities must certify that the particulars set out in Article 5 are indicated in those documents, by the following formula:

'The undersigned certifies that these documents contain the particulars mentioned in Article 5 of Commission Decision 89/503/EEC.'

Article 7

The following particulars must be mentioned in the certificate of the embryos of pure-bred breeding pigs:

- all data as listed in Article 1 concerning the donor sow and fertilizing boar,
- information allowing identification of the embryos, date of insemination or fecundation, date of collection and the names and addresses of the embryo collection centre and of the consignee.

If there is more than one embryo in a single straw this must be clearly stated and furthermore the embryos must all have the same parentage.

Article 8

The particulars provided for in Article 7 may be indicated:

1. in the form of a certificate conforming to the specimen in Annex IV;
2. in documentation accompanying the embryos of the pure-bred breeding pig. In this event the competent authorities must certify that the particulars set out in Article 7 are indicated in those documents, by the following formula:

'The undersigned certifies that these documents contain the particulars mentioned in Article 7 of Commission Decision 89/503/EEC.'

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

SPECIMEN CERTIFICATE

for pure-bred breeding pigs

I. Issuing body:

Name of herd book:

Entry No in herd book:

System of identification (tag, tattoo, brand, earmark, sketch card):

.....

Identification:

Name of animal (optional):

Date of birth: Breed: Sex:

Name and address of breeder:

Name and address of owner:

Father	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No

Pedigree:

Mother	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No

II. The results of performance tests and updated results with origin of assessment of the genetic value, on the animal itself and its parents and grandparents:

.....

.....

.....

.....

.....

Done at, on

.....
(signature) —.....
(name in capital letters and title of signatory)

ANNEX II

SPECIMEN CERTIFICATE

for intra-Community trade in the semen of boars of pure-bred breeding animals of the porcine species

A. Particulars on donor boar:

I. Issuing body:

Name of herd book:

Entry No in herd book:

System of identification (tag, tattoo, brand, earmark, sketch card):

Identification:

Name of animal (optional):

Date of birth: Breed:

Name and address of breeder:

Name and address of owner:

Father	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No

Pedigree:

Mother	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No

II. The results of performance tests and updated results with origin of assessment of the genetic value, on the animal itself and its parents and grandparents:

.....

.....

.....

.....

.....

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

B. Particulars on semen:

Semen identification system (colour, number):

Identification:

I.

Number of doses	Date(s) of collection	Identification of donor boar	Breed

II. Origin of semen:

Name and address of semen collection centre(s):

.....

Destination of semen:

Name and address of consignee:

.....

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

ANNEX III

SPECIMEN CERTIFICATE

for ova of pure-bred breeding pigs

A. Particulars on donor sow:

I. Issuing body:

Name of herd book:

Entry No in herd book:

System of identification (tag, tattoo, brand, earmark, sketch card):

Identification:

Name of animal (optional):

Date of birth: Breed:

Name and address of breeder:

Name and address of owner:

Father	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No

Pedigree:

Mother	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No

II. The results of performance tests and updated results with origin of assessment of the genetic value, on the animal itself and its parents and grandparents:

.....

.....

.....

.....

.....

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

B. *Particulars on ova:*

Ova identification system (colour, number):

Identification:

Number of ova per straw:

I.

Number of ova	Date(s) of collection	Identification of donor sow	Breed

II. *Origin of ova:*

Address of ova collection centre(s):

.....

.....

Destination of ova:

Name and address of consignee:

.....

.....

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

ANNEX IV

SPECIMEN CERTIFICATE

for embryos of pure-bred breeding pigs

A. Particulars on donor boar:

I. Issuing body:

Name of herd book:

Entry No in herd book:

System of identification (tag, tattoo, brand, earmark, sketch card):

Identification:

Name of animal (optional):

Date of birth: Breed:

Name and address of breeder:

Name and address of owner:

Pedigree:

Father	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No
Mother	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No

II. The results of performance tests and updated results with origin of assessment of the genetic value, on the animal itself and its parents and grandparents:

.....

.....

.....

.....

.....

B. Particulars on donor sow:

I. Issuing body:

Name of herd book:

Entry No in herd book:

System of identification (tag, tattoo, brand, earmark, sketch card):

Identification:

Name of animal (optional):

Date of birth: Breed:

Name and address of breeder:

Name and address of owner:

Pedigree:

Father	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No
Mother	Grandfather	Grandmother
Herd book No	Herd book No	Herd book No

II. The results of performance tests and updated results with origin of assessment of the genetic value, on the animal itself and its parents and grandparents:

.....

.....

.....

.....

.....

Done at, on

.....
(signature)

.....
(name in capital letters and title of signatory)

C. Particulars on embryos

Embryo identification system (number, colour):

Identification:

Number of ova per straw:

I.

Number of embryos	Date(s) of insemination or fecundation	Date of collection	Identification of donor sow and donor boar	Breed

II. Origin of embryos:

Address of embryo collection centre(s):

.....

Destination of embryos:

Name and address of consignee:

.....

Done at, on

.....
(signature)

.....
(name in capital letters and title of signatory)

COMMISSION DECISION

of 18 July 1989

laying down the criteria for approval and supervision of breeders' associations, breeding organizations and private undertakings which establish or maintain registers for hybrid breeding pigs

(89/504/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species ⁽¹⁾, and in particular the fourth indent of Article 10 (1) thereof,

Whereas in all Member States registers are maintained or established by breeders' associations, breeding organizations, private organizations or official services; whereas it is therefore necessary to lay down the criteria for approval of breeders' associations, breeding organizations and private undertakings;

Whereas breeders' associations, breeding organizations or private undertakings must apply for official approval to the competent authorities of the Member State on whose territory their headquarters are situated;

Whereas, where breeders' associations, breeding organizations or private undertakings meet certain criteria and have defined targets, they must be officially approved by the authorities of the Member State to which they have applied;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Zootechnics,

Article 1

In order to be officially approved, breeders' associations, breeding organizations and private undertakings which maintain or establish registers must submit an application to the authorities of the Member State on whose territory their headquarters are situated.

Article 2

The authorities of the Member State concerned must grant official approval to any breeders' association, breeding organization or private undertaking which maintains or establishes a register if the latter meets the conditions laid down in the Annex.

Article 3

The authorities of the Member State concerned shall withdraw official approval from any breeders' association, breeding organization or private undertaking which maintains registers if the conditions laid down in the Annex are no longer being fulfilled in a persistent manner by the breeders' association, breeding organization or private undertaking concerned.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 36.

ANNEX

- I. In order to be officially approved, breeders' associations, breeding organizations and private undertakings must:
 1. have legal personality in accordance with the legislation in force in the Member State where the application is made;
 2. prove to the competent authorities:
 - (a) that they operate efficiently;
 - (b) that they can carry out the checks necessary for recording parentage;
 - (c) that they have a sufficiently large herd to carry out a breed improvement programme;
 - (d) that they can make use of the livestock performance data necessary for carrying out their breed improvement;
 3. have a set of rules covering:
 - (a) the system for identifying animals;
 - (b) the system for recording parentage;
 - (c) the definition of their breeding objectives;
 - (d) the systems for making use of livestock performance data enabling the genetic value of the animals to be assessed.
 - II. Furthermore, to be officially approved, the breeders' associations and the breeding organizations must have articles of association laying down in particular the principles of non-discrimination between members.
-

COMMISSION DECISION

of 18 July 1989

laying down the criteria governing entry in registers for hybrid breeding pigs

(89/505/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species ⁽¹⁾, and in particular the third indent of Article 10 (1) thereof,

Whereas in all Member States' registers are maintained or established by breeders' associations, breeding organizations, private undertakings or official services;

Whereas it is therefore necessary to lay down the criteria for the entering of hybrid breeding pigs in registers;

Whereas precise conditions relating to lineage and identification must be fulfilled prior to entry in the register;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Zootechnics,

Article 1

To qualify for entry in the register hybrid breeding pigs must:

- be identified after birth according to the rules of that register,
- have parentage established in accordance with the rules of that register.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 36.

COMMISSION DECISION

of 18 July 1989

laying down the certificate of hybrid breeding pigs, their semen, ova and embryos

(89/506/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species ⁽¹⁾, and in particular Articles 9 and 10 (1), fifth indent, thereof,

Whereas it is necessary to fix the data which must be mentioned on the certificate; whereas it is necessary for practical reasons to provide a model certificate and the conditions in which the data can be entered into the document accompanying hybrid breeding pigs, their semen, ova and embryos;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Zootechnics,

HAS ADOPTED THIS DECISION:

Article 1

The following particulars must be mentioned in the certificate of hybrid breeding pigs:

- issuing body,
- entry number in register,
- date of issue,
- system of identification,
- identification,
- date of birth,
- genetic type, line,
- sex,
- name and address of breeder,
- name and address of owner.

Article 2

1. The particulars provided for in Article 1 may be indicated:

- (a) in the form of a certificate conforming to the specimen in Annex I;

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 36.

- (b) in documentation accompanying the hybrid breeding pig. In this event the competent authorities must certify that the particulars set out in Article 1 are indicated in those documents, by the following formula:

'The undersigned certifies that these documents contain the particulars mentioned in Article 1 of Commission Decision 89/506/EEC.'

- 2. The data on hybrid breeding pigs of the same lineage may be given in a single certificate or in the documentation accompanying a consignment of animals of the same origin and for the same destination. The model certificate shown in Annex I shall be adapted accordingly.

Article 3

The following particulars must be mentioned in the certificate of the semen of hybrid breeding pigs:

- all data as listed in Article 1 concerning the male that provides the semen,
- information allowing identification of the semen, the date of its collection and the names and addresses of the semen collection centre and of the consignee.

Article 4

The particulars provided for in Article 3 may be indicated:

- 1. in the form of a certificate conforming to the specimen in Annex II;
- 2. in documentation accompanying the semen of the hybrid breeding pig. In this event the competent authorities must certify that the particulars set out in Article 3 are indicated in those documents, by the following formula:

'The undersigned certifies that these documents contain the particulars mentioned in Article 3 of Commission Decision 89/506/EEC.'

Article 5

The following particulars must be mentioned in the certificate of the ova of hybrid breeding pigs:

- all data as listed in Article 1 concerning the sow that provides the ovum,
- information allowing identification of the semen, the date of its collection and the names and addresses of the semen collection centre and of the consignee.

If there is more than one ovum in a single straw this must be clearly stated and furthermore the ova must all have the same parentage.

Article 6

The particulars provided for in Article 5 may be indicated:

1. in the form of a certificate conforming to the specimen in Annex III;
2. in documentation accompanying the ova of the hybrid breeding pig. In this event the competent authorities must certify that the particulars set out in Article 5 are indicated in those documents, by the following formula:

'The undersigned certifies that these documents contain the particulars mentioned in Article 5 of Commission Decision 89/506/EEC.'

Article 7

The following particulars must be mentioned in the certificate of the embryos of hybrid breeding pigs:

- all data as listed in Article 1 concerning the donor sow and fertilizing boar,
- information allowing identification of the embryos, date of insemination or fecondation, date of collection and the names and addresses of the embryo collection centre and of the consignee.

If there is more than one embryo in a single straw this must be clearly stated and furthermore the embryos must all have the same parentage.

Article 8

The particulars provided for in Article 7 may be indicated:

1. in the form of a certificate conforming to the specimen in Annex IV;
2. in documentation accompanying the embryos of the hybrid breeding pig. In this event the competent authorities must certify that the particulars set out in Article 7 are indicated in those documents, by the following formula:

'The undersigned certifies that these documents contain the particulars mentioned in Article 7 of Commission Decision 89/506/EEC.'

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

SPECIMEN CERTIFICATE

for hybrid breeding pigs

Issuing body:
Entry No in register:
System of identification (tag, tattoo, brand, earmark, sketch card):
.....
Identification:
Name of animal (optional):
Date of birth: Sex:
Genetic type, line:
Name and address of the consignee ⁽¹⁾:
Name and address of breeder:
Name and address of owner:

Done at, on

.....
(signature)

.....
(name in capital letters and title of signatory)

.....
⁽¹⁾ Where the certificate accompanies a consignment of animals in accordance with Article 2 (2) of Decision 89/506/EEC.

ANNEX II

SPECIMEN CERTIFICATE

for semen of hybrid breeding pigs

A. *Particulars on donor boar:*

Issuing body:

Entry No in register:

System of identification (tag, tattoo, brand, earmark, sketch card):

Identification:

Name of animal (optional):

Date of birth:

Genetic type, line:

Name and address of owner:

Name and address of breeder:

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)B. *Particulars on semen*

Semen identification system (colour, number):

Identification:

I.

Number of doses	Date(s) of collection	Identification of donor boar	Genetic type, line

II. Origin of semen:

Name and address of semen collection centre(s):.....

.....

.....

Destination of semen:

Name and address of consignee:

.....

.....

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

ANNEX III

SPECIMEN CERTIFICATE

for ova of hybrid breeding pigs

A. Particulars on donor sow:

Issuing body:

Entry No in register:

System of identification (tag, tattoo, brand, earmark, sketch card):

Identification:

Name of animal (optional):

Date of birth:

Genetic type, line:

Name and address of owner:

Name and address of breeder:

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

B. Particulars on ova:

Ova identification system (colour, number):

Identification:

Number of ova per straw:

I.

Number of ova	Date(s) of collection	Identification of donor sow	Genetic type, line

II. Origin of ovum/ova:

Address of ova collection centre(s):

.....

.....

Destination of ova:

Name and address of consignee:

.....

.....

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

ANNEX IV

SPECIMEN CERTIFICATE

for embryos of hybrid breeding pigs

A. *Particulars on donor boar:*

Issuing body:

Entry No in register:

System of identification (tag, tattoo, brand, earmark, sketch card):

Identification:

Name of animal (optional):

Date of birth:

Genetic type, line:

Name and address of owner:

Name and address of breeder:

B. *Particulars on donor sow:*

Issuing body:

Entry No in register:

System of identification (tag, tattoo, brand, earmark, sketch card):

Identification:

Name of animal (optional):

Date of birth:

Genetic type, line:

Name and address of owner:

Name and address of breeder:

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

C. *Particulars on embryos:*

Embryo identification system (number, colour):

Identification:

Number of ova per straw:

I.

Number of embryos	Date(s) of insemination or fecundation	Date of collection	Identification of donor sow and donor boar	Genetic type, line

II. *Origin of embryos:*

Address of embryo collection centre(s):

.....

.....

Destination of embryos:

Name and address of consignee:

.....

.....

Done at, on

.....
(signature).....
(name in capital letters and title of signatory)

COMMISSION DECISION

of 18 July 1989

laying down methods for monitoring performance and assessing the genetic value of pure-bred
and hybrid breeding pigs

(89/507/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European
Economic Community,

Article 1

Having regard to Council Directive 88/661/EEC of 19
December 1988 on the zootechnical standards applicable to
breeding animals of the porcine species ⁽¹⁾, and in particular
the first indents of Articles 6 (1) and 10 (1) thereof,

The performance monitoring methods and the methods for
assessing the genetic value of pure-bred and hybrid breeding
pigs shall be those laid down in the Annex.

Article 2

Whereas the methods for monitoring the performance and
assessing the genetic value of breeding pigs already being
applied in the Member States are broadly similar;

This Decision is addressed to the Member States.

Whereas it is therefore necessary to align the detailed rules of
these methods more closely so that the results are
comparable;

Done at Brussels, 18 July 1989.

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Committee on
Zootechnics,

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 36.

ANNEX

The genetic merit of a porcine animal may be calculated using one or a combination of the following methods. All the data accruing from the test results must be accessible to the competent authority. The final results must be accessible.

1. Performance testing*(i) Performance testing on a station*

- (a) The name of the body or of the authority responsible for the station and the name of the competent authority for the calculation and publication of the results are to be given.
- (b) The design of the test is to be stated.
- (c) The following items are to be clearly stated:
 - conditions for acceptance into the station and in particular maximum age of young breeding animals at the start of the test,
 - length of the test period in the station,
 - type of diet and system of feeding.
- (d) The traits recorded (for example liveweight, feed conversion, estimator of the body composition or any other relevant data) shall be stated.
- (e) The method used for estimating genetic merit must be scientifically acceptable according to established zootechnical principles. The genetic merit of a tested breeding animal must be stated as a breeding value or contemporary comparison for each trait.

(ii) Performance testing on a farm

A performance test may be carried out on a farm providing that at the end of the test a breeding value can be calculated following established zootechnical principles.

2. Progeny and/or collaterals testing

- A. The name of the body or of the authority responsible for the testing and the name of the competent authority for the calculation and publication of the results are to be given.
- B. The genetic merit of the breeding animal is to be calculated by assessing the qualities of a suitable number of progeny and/or collaterals in relation to production characteristics:
 - a detailed description of the test method must be given or quoted,
 - the progeny and/or the collaterals may not be selectively treated,
 - three types of progeny and/or collaterals tests are to be recognized:
 - (a) central testing in progeny and/or collaterals testing station;
 - (b) planned progeny and/or collateral testing in a farm. The progeny and/or the collaterals should be distributed amongst herds in such a way that a valid comparison between breeding animals is possible;
 - (c) data collected on identified progeny and/or collateral carcasses.
- C. The progeny and/or collaterals must be chosen in an unbiased manner. All relevant data must be used in assessing the breeding value of the breeding animals. Influences other than the genetic merit must be eliminated by appropriate procedures in the determination of the breeding value.
- D. The traits recorded (for example liveweight gain, feed conversion, carcass quality, reproduction characteristics, fertility, prolificity, viability of the progeny and/or collaterals or any other relevant data) must be stated.
- E. The method used for estimating genetic merit must be scientifically acceptable according to established zootechnical principles.

3. Contemporaries testing for the breeding animals of hybrid lines

The conditions applicable to the progeny and/or the collaterals, defined in paragraphs A, B, C, D and E of point 2, are to apply *mutatis mutandis* to contemporaries of breeding animals of hybrid lines.