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## Legislation

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EN

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

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

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 779/97**

**of 24 April 1997**

**introducing arrangements for the management of fishing effort in the Baltic Sea**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas, under the terms of the 1994 Act of Accession, transitional arrangements governing access to waters are to apply until the Community system of special fishing permits is introduced; whereas these arrangements are laid down in Commission Regulation (EC) No 3237/94 <sup>(4)</sup>;

Whereas these arrangements imply that Community measures will be adopted laying down the conditions of access to waters and resources and for the pursuit of fishing activities and introducing the Community system of special fishing permits; whereas this Regulation establishes such measures;

Whereas data need to be collected on the fishing effort deployed by Community vessels in the fisheries to which the arrangements apply, in order to obtain a clearer understanding of the exploitation of those fisheries;

Whereas it is the responsibility of the flag Member State to introduce arrangements for monitoring fishing effort; whereas it is necessary therefore to ensure the transparency and fairness of the management and control procedures;

Whereas the monitoring of fishing effort in the Baltic Sea will not prejudice the setting by the Council of levels for fishing effort in accordance with the procedure laid down in Article 8 of Council Regulation (EEC) No 3760/92 of

20 December 1992 establishing a Community system for fisheries and aquaculture <sup>(5)</sup>, in particular to take account of the condition of resources in that area,

HAS ADOPTED THIS REGULATION:

*Article 1*

This Regulation establishes the procedure for the introduction of a system for the management of fishing effort in the IBSFC areas (subdivisions 22 to 32) falling under the sovereignty or within the jurisdiction of Member States.

The system shall take effect on 1 January 1998.

*Article 2*

1. Member States shall draw up lists of named fishing vessels flying their respective flags which are authorized to engage in fishing activities in the fisheries defined in the Annex.

2. Member States may at a later date replace the vessels entered on their lists or include other vessels, provided entitlements to fish exist and subject to the pertinent conditions resulting from the application of Article 11 of Regulation (EC) No 3760/92.

*Article 3*

Each Member State shall issue special fishing permits in accordance with Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits <sup>(6)</sup> for vessels flying its flag which engage in fishing activities in the fisheries referred to in the Annex.

<sup>(1)</sup> OJ No C 342, 14. 11. 1996, p. 9.

<sup>(2)</sup> OJ No C 132, 28. 4. 1997.

<sup>(3)</sup> OJ No C 133, 28. 4. 1997.

<sup>(4)</sup> OJ No L 338, 28. 12. 1994, p. 20.

<sup>(5)</sup> OJ No L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

<sup>(6)</sup> OJ No L 171, 6. 7. 1994, p. 7.

*Article 4*

1. Member States shall send the Commission by 30 March 1997 at the latest information concerning the lists of named vessels referred to in Article 2.
2. Member States shall notify the Commission at regular intervals of any changes to the information referred to in paragraph 1.
3. The Commission shall forward the information referred to in paragraphs 1 and 2 to the other Member States.

*Article 5*

Where necessary, the Council, acting in accordance with the procedure laid down in Article 8 (4) of Regulation (EEC) No 3760/92, may set levels for fishing effort taking into account in particular the condition of stocks in the fisheries referred to in the Annex hereto.

*Article 6*

1. Member States shall take steps to ensure a posteriori monitoring of the fishing effort deployed by vessels flying their flag in the fisheries referred to in the Annex.

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

Done at Luxembourg, 24 April 1997.

*For the Council*

*The President*

G. J. WIJERS

2. Before 31 December 1997, the Council shall take a decision on a proposal submitted by the Commission, by 30 June 1997 at the latest, for amendments to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>(1)</sup> and in particular as regards Title IIa on the recording of data on fishing effort in the logbook, the procedures for forwarding the lists of named vessels to the Commission, the collection of data on fishing effort by the Member States and the forwarding of the assembled data on fishing effort to the Commission, in order to ensure compliance with the arrangements for the management of fishing effort referred to in this Regulation.

*Article 7*

1. This Regulation shall apply to vessels of more than 15 metres between perpendiculars or more than 18 metres overall.
2. The fishing effort of vessels below that limit shall be assessed globally for each fishery.

*Article 8*

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

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<sup>(1)</sup> OJ No L 261, 20. 10. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2870/95 (OJ No L 301, 14. 12. 1995, p. 1).

## ANNEX

## Definition of fisheries

Fishery		
Gear	Target species	IBSFC areas
Towed gear	Demersal species	Subdivisions 22-32
Static gear and driftnets	Demersal species	Subdivisions 22-32
All gears	Pelagic species (herring, sprat)	Subdivisions 22-32 of which: 'Management Unit 3' (*)
All gears	Salmon, sea trout and freshwater fish	Subdivisions 22-32

(\*) comprising subdivisions 29, 30 and 31 north of latitude 59° 30' N.

## COMMISSION REGULATION (EC) No 780/97

of 29 April 1997

providing for the grant of compensation to producers' organizations in respect of tuna delivered to the processing industry during the period 1 July to 30 September 1996

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products<sup>(1)</sup>, as last amended by Regulation (EEC) No 3318/94<sup>(2)</sup>, and in particular Article 18 (6) thereof,

Whereas the compensation referred to in Article 18 of Regulation (EEC) No 3759/92 is granted, under certain conditions, to Community tuna producers' organizations in respect of quantities of tuna delivered to the processing industry during the calendar quarter for which prices were recorded, where both the average quarterly selling price recorded on the Community market and the free-at-frontier price plus any applicable countervailing charge are lower than 91 % of the Community producer price for the product in question;

Whereas examination of the situation of the Community market has shown that for yellowfin tuna over 10 kilograms, for the period 1 July to 30 September 1996, the average quarterly selling price and the free-at-frontier price referred to in Article 18 of Regulation (EEC) No 3759/92 were lower than 91 % of the Community producer price in force as laid down in Commission Regulation (EC) No 2818/95 of 30 November 1995 fixing, for the 1996 fishing year, the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604<sup>(3)</sup>;

Whereas the quantities eligible for compensation, within the meaning of Article 18 (1) of Regulation (EEC) No 3759/92, may not under any circumstances exceed, for the quarter concerned, the limits laid down in paragraph 3 of that Article;

Whereas during the quarter concerned the quantities sold and delivered to the processing industry established in Community customs territory were lower for the species in question than the average of the quantities sold and delivered during the same quarter of the three previous fishing years; whereas, since the quantities for the quarter do not exceed the limit set by Article 18 (3) of Regulation

(EEC) No 3759/92, the total quantities of this product eligible for compensation are equal to the quantities sold and delivered in the quarter;

Whereas in view of the quantities declared per producers' organization the compensation granted to each producers' organization in accordance with Article 18 (4) of Regulation (EEC) No 3759/92 is to be graded; whereas the qualities eligible per grade are to be allocated between the producers' organizations concerned in proportion to their respective outputs during the same quarter of the 1993 to 1995 fishing years;

Whereas the grant of compensation for the products in question should therefore be decided for the period 1 July to 30 September 1996;

Whereas the operative event giving entitlement to compensation and the date thereof should be specified for the calculation of payments;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The compensatory allowance referred to in Article 18 of Regulation (EEC) No 3759/92 shall be granted for the period 1 July to 30 September 1996 in respect of the following products:

(ECU/tonne)

Product	Maximum allowance (application of first and second indents of Article 18 (2) of Regulation (EEC) No 3759/92)
Yellowfin tuna + 10 kg	35

*Article 2*

1. The total quantities on which the allowance may be granted for these species are:

— Yellowfin tuna +10 kg: 15 579,195 tonnes.

<sup>(1)</sup> OJ No L 388, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 350, 31. 12. 1994, p. 15.

<sup>(3)</sup> OJ No L 292, 7. 12. 1995, p. 6.

2. The allocation of these total quantities among the producers' organizations concerned is specified in the Annex hereto.

*Article 3*

The operations to be taken into account to determine entitlement to the compensatory allowance shall be sales for which the invoices are dated within the quarter

concerned and which have been used to calculate the average monthly selling price referred to in Article 7 (1) (b) of Commission Regulation (EEC) No 2210/93 (1).

*Article 4*

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

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

Done at Brussels, 29 April 1997.

*For the Commission*

Emma BONINO

*Member of the Commission*

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(1) OJ No L 197, 6. 8. 1993, p. 8.

## ANNEX

Allocation among producers' organizations of the quantities of tuna which may qualify for compensation for the period 1 July to 30 September 1996 in accordance with Article 18 (4) of Regulation (EEC) No 3759/92, with quantities per compensation percentage band

*(tonnes)*

Yellowfin tuna + 10 kg	Quantities eligible for 100 % compensation (Article 18 (4), first indent)	Quantities eligible for 50 % compensation (Article 18 (4), second indent)	Total eligible quantities (Article 18 (4), first and second indents)
OPAGAC	7 168,047	1 118,948	8 286,995
OPTUC	4 031,096	1 142,090	5 173,186
OP 42 (CAN.)	1,582	11,417	12,999
ORTHONGEL	2 106,015	0,000	2 106,015
APASA	0,000	0,000	0,000
MADEIRA	0,000	0,000	0,000
EU-Total	13 306,740	2 272,455	15 579,195

**COMMISSION REGULATION (EC) No 781/97**  
**of 29 April 1997**  
**establishing the standard import values for determining the entry price of**  
**certain fruit and vegetables**

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EC) No 2375/96<sup>(2)</sup>, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EC) No 150/95<sup>(4)</sup>, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 30 April 1997.

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

Done at Brussels, 29 April 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 337, 24. 12. 1994, p. 66.

<sup>(2)</sup> OJ No L 325, 14. 12. 1996, p. 5.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 22, 31. 1. 1995, p. 1.



## ANNEX

## to the Commission Regulation of 29 April 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value	
0702 00 20	052	116,3	
	204	84,2	
	212	96,5	
	999	99,0	
0707 00 15	052	114,0	
	068	123,8	
	999	118,9	
0709 90 75	052	93,4	
	999	93,4	
0805 10 11, 0805 10 15, 0805 10 19	052	65,1	
	204	42,0	
	212	61,7	
	400	57,1	
	448	26,0	
	600	49,7	
	624	84,3	
	625	36,7	
	999	52,8	
	0805 30 20	600	62,9
999		62,9	
0808 10 61, 0808 10 63, 0808 10 69	052	56,7	
	060	48,7	
	388	80,6	
	400	90,1	
	404	102,5	
	508	71,2	
	512	65,6	
	524	69,9	
	528	68,2	
	804	105,5	
	999	75,9	
	0808 20 37	388	67,9
		512	67,6
528		74,5	
999		70,0	

(<sup>1</sup>) Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6). Code '999' stands for 'of other origin'.

**COUNCIL DIRECTIVE 97/22/EC**  
of 22 April 1997

**amending Directive 92/117/EEC concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas, in the light of the experience acquired and bearing in mind the importance accorded to the prevention and control of zoonoses, it is necessary to carry out a substantial review of Directive 92/117/EEC <sup>(4)</sup>;

Whereas, pending the aforementioned review, it is appropriate to provide for a postponement of the provisions concerning new rules for the reporting system for zoonoses, the establishment of methods for collecting samples and carrying out examinations, the implementation and approval of certain national measures, and the plans to be submitted by third countries,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 92/117/EEC is hereby amended as follows:

1. Article 5 shall be amended as follows:

(a) in paragraph 1, '31 March' shall be replaced by '31 May';

(b) in paragraph 2, '1 October' shall be replaced by '1 November';

(c) paragraph 3 shall be deleted;

2. in Article 6 (b), the words 'In the case of salmonella this shall be done before the date laid down in Article 17;' shall be deleted;

3. Article 8 shall be amended as follows:

(a) in paragraph 1, '1 October 1993' shall be replaced by '1 March 1998';

(b) the following subparagraph shall be added to paragraph 2:

'However, pending the review provided for in Article 15a, the obligation to submit plans to the Commission shall be suspended in the case of those Member States which have not yet submitted such plans with regard to salmonella in poultry.'

4. Article 10 shall be amended as follows:

(a) in the first and second subparagraphs of paragraph 1, '1 January 1994' shall be replaced by '1 January 1998';

(b) the third and fourth subparagraphs of paragraph 1 shall be deleted;

(c) paragraph 2 shall be deleted;

5. in Article 14 (2), '31 December 1995' shall be replaced by '31 December 1998';

6. in Article 15 the second subparagraph shall be deleted;

7. The following Article shall be inserted:

*Article 15a*

1. The Commission shall, before 1 November 97, submit a report to the Council concerning the measures to be implemented for the control and prevention of zoonoses. This report shall refer in particular to:

- the new rules for the reporting system for zoonoses,
- the methods for collecting samples and for examinations in approved national laboratories,
- the control of salmonella in poultry laying flocks,
- the control of salmonella in poultry breedingflocks and in compound feedingstuffs for poultry,
- any measures to combat zoonoses other than salmonellosis.

2. The report referred to in paragraph 1 shall be accompanied by proposals concerning zoonoses, especially in the context of the review of this Directive. The Council shall act on the proposals by a qualified majority before 1 June 1998.;

<sup>(1)</sup> OJ No C 13, 18. 1. 1996, p. 23.

<sup>(2)</sup> OJ No C 320, 28. 10. 1996, p. 261.

<sup>(3)</sup> OJ No C 97, 1. 4. 1996, p. 29.

<sup>(4)</sup> OJ No L 62, 15. 3. 1993, p. 38. Directive as amended by the 1994 Act of Accession.

8. The following point shall be inserted in Annex III, Section I:

Va Pending the report provided for in Article 15a, Member States may waive the compulsory destruction provided for in point V.1 (b) and the slaughter requirement laid down in point V.1 (c) if they can ensure that:

- (i) no non-incubated eggs from a flock covered by the first paragraph of V.1 (b) are marketed, except for the purpose of treatment in accordance with Directive 89/437/EEC (\*);
- (ii) no live poultry — including day-old chicks — can move from the flock unless they are going for immediate slaughter in accordance with the abovementioned point (c),

and this until it has been established to the satisfaction of the competent authority that the infection due to *Salmonella enteritidis* or *Salmonella typhimurium* is no longer present.

Member States availing themselves of the option provided for in the first subparagraph shall not be eligible for the Community financial contribution provided for in Article 29 of Decision 90/424/EEC (\*\*).

(\*) OJ No L 212, 22. 7. 1989, p. 87. Directive as last amended by Directive 96/23/EC (OJ No L 125, 23. 5. 1996, p. 10).

(\*\*) OJ No L 224, 18. 8. 1990, p. 19. Decision as last amended by Decision 94/370/EC (OJ No L 168, 2. 7. 1994, p. 31).'

#### Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 September 1997. They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

#### Article 3

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

#### Article 4

This Directive is addressed to the Member States.

Done at Luxembourg, 22 April 1997.

*For the Council*

*The President*

J. VAN AARTSEN

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 21 April 1997

**on harmonized measurement methods to determine the mass concentration of dioxins and furans in atmospheric emissions in accordance with Article 7 (2) of Directive 94/67/EC on the incineration of hazardous waste**

(97/283/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 94/67/EC of 31 December 1994 on the incineration of hazardous waste<sup>(1)</sup>, and in particular Article 7 (2) thereof,

Whereas, in accordance with Article 7 (2) of Directive 94/67/EC, harmonized measurement methods to determine the mass concentration of dioxins and furans in atmospheric emissions must be made available at Community level in accordance with the procedure laid down in Article 16;

Whereas to carry out this task the Commission is assisted by the committee set up by Article 16 of Directive 94/67/EC;

Whereas the measures envisaged in this Decision are in accordance with the opinion delivered by that committee,

HAS ADOPTED THIS DECISION:

*Article 1*

Measurement methods pr EN 1948 (June 1996)  
'Stationary source emissions: determination of the mass

concentration of PCDDs/PCDFs, part 1 — sampling, part 2 — extraction and clean-up, part 3 — identification and quantification' drawn up by the European Committee for Standardization (CEN) to determine the mass concentration of dioxins and furans in atmospheric emissions shall constitute the harmonized measurement methods referred to in Article 7 (2) of Directive 94/67/EC. The abovementioned reference pr EN 1948 (June 1996) will become EN 1948 upon final adoption by the CEN.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 21 April 1997.

*For the Commission*

Ritt BJERREGAARD

*Member of the Commission*

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<sup>(1)</sup> OJ No L 365, 31. 12. 1994, p. 34.