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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 986/2001
of 21 May 2001
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 May 2001.

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

Done at Brussels, 21 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 21 May 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	83,7
	212	79,3
	999	81,5
0707 00 05	052	71,6
	600	142,5
	628	143,2
	999	119,1
0709 90 70	052	89,4
	999	89,4
0805 10 10, 0805 10 30, 0805 10 50	052	51,0
	204	56,9
	212	58,3
	220	60,1
	400	65,0
	600	63,0
	624	55,6
	999	58,6
0808 10 20, 0808 10 50, 0808 10 90	388	75,7
	400	86,0
	404	84,0
	508	72,7
	512	86,2
	524	75,0
	528	79,1
	720	95,2
	804	94,5
	999	83,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 987/2001**of 21 May 2001****amending Regulation (EEC) No 1725/92 laying down detailed implementing rules for the specific measures for supplying the Azores and Madeira with products from the pigmeat sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1725/92 ⁽³⁾, as last amended by Regulation (EC) No 2759/2000 ⁽⁴⁾, fixes a forecast supply balance for Madeira for the products of pigmeat which benefit from an exemption from the duty on direct imports on products from third countries or from an aid for deliveries originating in the rest of the Community.

- (2) In order to continue satisfying demand for pigmeat requirements which has been shown to be higher than determined in the forecast supply balance for Madeira for the 2000/01 marketing year, it is necessary to amend Regulation (EEC) No 1725/92.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 1725/92 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 May 2001.

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

Done at Brussels, 21 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 179, 1.7.1992, p. 95.

⁽⁴⁾ OJ L 318, 16.12.2000, p. 25.

ANNEX

ANNEX I

Forecast supply balance for Madeira regarding products from the pigmeat sector for the period 1 July 2000 to 30 June 2001

CN code	Description of goods	Quantity (tonnes)
ex 0203	Meat of domestic swine, fresh, chilled, or frozen	2 800'

COMMISSION REGULATION (EC) No 988/2001
of 21 May 2001
on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24(1)(b) thereof,

Whereas:

- (1) The abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage.
- (2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated vegetable oil to certain beneficiaries.
- (3) It is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾. It is necessary to specify the time limits and conditions of supply to determine the resultant costs.
- (4) In order to ensure that the supplies are carried out for a given lot, provision should be made for tenderers to be able to mobilise either rapeseed oil or sunflower oil. The

contract for the supply of each such lot is to be awarded to the tenderer submitting the lowest tender,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The supply shall cover the mobilisation of vegetable oil produced in the Community. Mobilisation may not involve a product manufactured and/or packaged under inward processing arrangements.

Tenders shall cover either rapeseed oil or sunflower oil. Tenders shall be rejected unless they specify the type of oil to which they relate.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the 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, 21 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOT A

1. **Action No:** 85/00 (A1); 86/00 (A2)
2. **Beneficiary** ⁽²⁾: EuronAid, PO box 12, 2501 CA Den Haag, Netherlands; tel. (31-70) 33 05 757; fax 36 41 701; telex 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the beneficiary
4. **Country of destination:** Niger
5. **Product to be mobilized:** refined rapeseed oil or refined sunflower oil
6. **Total quantity (tonnes net):** 90
7. **Number of lots:** one in two parts (A1: 54 tonnes; A2: 36 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾: see OJ C 312, 31.10.2000, p. 1 (D.1 or D.2)
9. **Packaging:** see OJ C 267, 13.9.1996, p. 1 (10.4, A, B and C.2)
10. **Labelling or marking** ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (III.A.(3))
 - Language to be used for the markings: French
 - Supplementary markings: —
11. **Method of mobilisation of the product:** mobilisation of refined vegetable oil produced in the Community. The mobilisation may not involve a product manufactured and/or packaged under inward-processing arrangements.
12. **Specified delivery stage** free at destination
13. **Alternative delivery stage:** free at port of shipment
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:**
 - A1: Magasin SOS Sahel International
Quartier Karage, Commune 3, Niamey
 - A2: Concession SOS Sahel International
Zone Industrielle Nord, Route de Tanout, Zinder
 - port or warehouse of transit: Massawa
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 12.8.2001
 - second deadline: 26.8.2001
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: 25.6 to 8.7.2001
 - second deadline: 9 to 22.7.2001
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
 - first deadline: 5.6.2001
 - second deadline: 19.6.2001
20. **Amount of tendering guarantee:** EUR 15 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, Bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel; tlx 25670 AGREC B; fax (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund:** —

Notes:

- (¹) Supplementary information: Torben Vestergaard (tel. (32-2) 299 30 50; fax (32-2) 296 20 05).
 - (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
 - (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
 - (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
 - health certificate.
 - (⁵) Notwithstanding OJ C 114, 29.4.1991, point III.A(3)(c) is replaced by the following: 'the words "European Community"'
 - (⁶) Tenders shall be rejected unless they specify the type of oil to which they relate.
-

COMMISSION REGULATION (EC) No 989/2001
of 21 May 2001
on the supply of white sugar as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24(1)(b) thereof,

Whereas:

- (1) The abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage.
- (2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated white sugar to certain beneficiaries.
- (3) It is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied

pursuant to Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾. It is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the 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, 21 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOT A

1. **Action Nos:** 87/00 (A1); 88/00 (A2)
2. **Beneficiary** ⁽²⁾: EuronAid, PO Box 12, 2501 CA Den Haag, Netherlands; tel. (31-70) 33 05 757; fax 36 41 701; telex 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the beneficiary
4. **Country of destination:** Niger
5. **Product to be mobilised:** white sugar ('A' or 'B' sugar)
6. **Total quantity (tonnes net):** 36
7. **Number of lots:** one in two parts (A1: 18 tonnes: A2: 18 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: see OJ C 312, 31.10.2000, p. 1 (C.1)
9. **Packaging** ⁽⁷⁾: see OJ C 267, 13.9.1996, p. 1 (11.2 A 1.b, 2.b and B.4)
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (V.A(3))
 - Language to be used for the markings: French
 - Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage:** free at destination
13. **Alternative delivery stage:** free at port of shipment
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:**
 - A1: Magasin SOS Sahel International
Quartier Karage, Commune 3, Niamey
 - A2: Concession SOS Sahel International
Zone industrielle Nord, Route de Tanout, Zinder
 - port or warehouse of transit —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 12.8.2001
 - second deadline: 26.8.2001
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: 25.6-8.7.2001
 - second deadline: 9-22.7.2001
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
 - first deadline: 5.6.2001
 - second deadline: 19.6.2001
20. **Amount of tendering guarantee:** EUR 15 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, Bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel; telex 25670 AGREC B; fax (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 16.5.2001, fixed by Commission Regulation (EC) No 906/2001 (OJ L 127, 9.5.2001, p. 28)

Notes:

- (¹) Supplementary information: Torben Vestergaard (tel. (32-2) 299 30 50), fax (32-2) 296 20 05)
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation. The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax (32-2) 296 20 05).
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
 - health certificate.
- (⁶) Notwithstanding OJ C 114 of 29.4.1991, point V.A(3)(c) is replaced by the following: 'the words "European Community"'.

- (⁷) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

COMMISSION REGULATION (EC) No 990/2001
of 21 May 2001
amending Regulation (EC) No 2659/94 on detailed rules for the granting of private storage aid for
Grana Padano, Parmigiano-Reggiano and Provolone cheeses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 6(1) of Commission Regulation (EC) No 2659/94 ⁽³⁾, as last amended by Regulation (EC) No 679/1999 ⁽⁴⁾, lays down the amounts of private storage aid for Grana Padano, Parmigiano-Reggiano and Provolone cheeses. These amounts must be amended to take account of the trend in storage costs.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Article 6(1)(a) of Regulation (EC) No 2659/94 is replaced by the following:

- ‘a) EUR 75 per tonne for the fixed costs;’.

Article 2

This Regulation shall enter into force on the fifth 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, 21 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 284, 1.11.1994, p. 26.

⁽⁴⁾ OJ L 83, 27.3.1999, p. 46.

COMMISSION REGULATION (EC) No 991/2001**of 21 May 2001****amending the Annex to Council Directive 92/14/EEC on the limitation of the operation of aeroplanes covered by Part II, Chapter 2, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988)****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/14/EEC of 2 March 1992 on the limitation of the operation of aeroplanes covered by Part II, Chapter 2, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988) ⁽¹⁾, as last amended by Commission Directive 1999/28/EC ⁽²⁾ and in particular Article 9a thereof,

Whereas:

- (1) Article 3 of Directive 92/14/EEC exempts the aeroplanes listed in the Annex thereto, provided, in particular, that they continue to be used by natural or legal persons established in the country in which those aeroplanes were registered during a specific reference period.
- (2) Article 9a of Directive 92/14/EEC, as amended by Council Directive 98/20/EC ⁽³⁾, provides for a simplified procedure for amendments to the Annex, with a view to ensuring full conformity with the eligibility criteria.
- (3) Since the entry into force of Directive 1999/28/EC, which first amended the Annex to Directive 92/14/EEC on the basis of the simplified procedure, some aeroplanes included in the Annex have been destroyed, whilst others have been removed from the register of the relevant country; the corresponding entries for such aeroplanes should, therefore, be deleted from the Annex.
- (4) Some qualifying aeroplanes will reach 25 years of age in the course of 2001; the appropriate entries should, therefore, be inserted in the Annex.

- (5) It is also desirable to update the Annex in the light of any supervening changes to the registration code, or to the operator, of an aircraft already included.
- (6) The limited nature and scope of the amendments to the Annex as well as the urgency justify a change in the type of legal instrument employed.
- (7) It is necessary for this Regulation to enter into force as a matter of urgency, in order to make available to interested parties, without delay, the exemptions which it provides.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Aviation Safety Regulation Committee ⁽⁴⁾ established by Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation ⁽⁵⁾, as last amended by Commission Regulation (EC) No 2871/2000 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Directive 92/14/EEC is hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of 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, 21 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 76, 23.3.1992, p. 21.

⁽²⁾ OJ L 118, 6.5.1999, p. 53.

⁽³⁾ OJ L 107, 7.4.1998, p. 4.

⁽⁴⁾ Aviation Safety Regulation Committee, written consultation of 15 March 2001.

⁽⁵⁾ OJ L 373, 31.12.1991, p. 4.

⁽⁶⁾ OJ L 333, 29.12.2000, p. 47.

ANNEX

The Annex to Directive 92/14/EEC is amended as follows:

1. The following entries are deleted:

ALGERIA

Serial number	Type	Registration	Operator
20955	B727-2D6	7T-VEH	Air Algérie

EGYPT

Serial number	Type	Registration	Operator
21195	B737-266	SU-AYL	Egypt Air
21227	B737-266	SU-AYO	Egypt Air

TUNISIA

Serial number	Type	Registration	Operator
20545	B727-2H3	TS-JHN	Tunis Air
20948	B727-2H3	TS-JHQ	Tunis Air

2. The following entries are inserted:

ALGERIA

Serial number	Type	Registration	Operator
21212	B737-2D6	7T-VEO	Air Algérie
21286	B737-2D6	7T-VER	Air Algérie

SAUDI ARABIA

Serial number	Type	Registration	Operator
21275	B737-268	HZ-AGH	Saudia
21276	B737-268	HZ-AGI	Saudia
21277	B737-268	HZ-AGJ	Saudia
21280	B737-268	HZ-AGK	Saudia
212281	B737-268	HZ-AGL	Saudia
212283	B737-268	HZ-AGN	Saudia
21360	B737-268	HZ-AGO	Saudia

SYRIA

Serial number	Type	Registration	Operator
21203	B727-294	YK-AGA	Syrianair
21204	B727-294	YK-AGB	Syrianair
21205	B727-294	YK-AGC	Syrianair

YEMEN

Serial number	Type	Registration	Operator
21296	B737-2N8	70-ACU	Yemen Airways

3. The entry entitled 'Uganda' is replaced by the following:

UGANDA

Serial number	Type	Registration	Operator
19821	B707-379C	5X-GLA	Air Alexander

COMMISSION REGULATION (EC) No 992/2001
of 21 May 2001
on the issue of system B export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 298/2000 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 862/2001 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for apples will shortly be exceeded. This overrun will prejudice the

proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for apples exported after 21 May 2001 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for apples submitted pursuant to Article 1 of Regulation (EC) No 862/2001, export declarations for which are accepted after 21 May 2001 and before 14 June 2001 are hereby rejected.

Article 2

This Regulation shall enter into force on 22 May 2001.

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

Done at Brussels, 21 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 122, 3.5.2001, p. 8.

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 4/2000 OF THE EU-ROMANIA ASSOCIATION COUNCIL
of 10 April 2001**

adopting the implementing rules for the application of the provisions on State aid referred to in Articles 64(1)(iii) and (2) pursuant to Article 64(3) of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, and in Article 9(1)(iii) and (2) of Protocol 2 on European Coal and Steel Community (ECSC) products to that Agreement

(2001/390/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, and in particular Article 64(3) thereof,

Having regard to Protocol 2 on European Coal and Steel Community (ECSC) products to the Europe Agreement and in particular Article 9(3) thereof,

Whereas:

- (1) Article 64(3) of the Europe Agreement lays down that the Association Council shall, within three years of the entry into force of the Agreement, adopt by decision the necessary rules for the implementation of paragraphs 1 and 2 of that Article.
- (2) It is recalled that in accordance with Article 64(2) of the Europe Agreement, the concept of 'public aid' as contained in Article 64(1)(iii) of the Europe Agreement is to be assessed on the basis of criteria arising from the application of the rules of Article 87 of the Treaty establishing the European Community, and thus covers any aid granted by the State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods, insofar as it may affect trade between the European Community and Romania (State aid).
- (3) Romania will appoint a national institution or administration to become a monitoring authority with responsibility for State aid matters.

- (4) This monitoring authority will be responsible for the analysis of existing and future individual aid awards and programmes in Romania and will give an opinion as to their compatibility with Article 64(1)(iii) and (2) of the Europe Agreement, and Article 9(1)(iii) and (2) and (4) of Protocol 2 on European Coal and Steel Community (ECSC) products to the Europe Agreement.
- (5) Romania will, when providing for the necessary rules to ensure effective supervision, ensure in particular that the monitoring authority receives in due time all the relevant information from the other government departments at central, regional and local level.
- (6) The Commission of the European Communities will, under the relevant Community programmes, assist the monitoring authority by providing for documentation, training, study tours and other relevant technical assistance,

HAS DECIDED AS FOLLOWS:

Article 1

The implementing rules for the application of the provisions on State aid referred to in Article 64(1)(iii) and (2) pursuant to Article 64(3) of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, and in Article 9(1)(iii) and (2) of Protocol 2 on European Coal and Steel Community (ECSC) products to that Agreement as set out in the Annex to this Decision, are hereby adopted.

Article 2

These Implementing Rules shall enter into force on the first day of the month following the adoption of the rules.

Done at Brussels, 10 April 2001.

For the Association Council
The President
A. LINDH

IMPLEMENTING RULES

for the application of the provisions on State aid referred to in Article 64(1)(iii) and (2) pursuant to Article 64(3) of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, and in Article 9(1)(iii) and (2) of Protocol 2 on European Coal and Steel Community (ECSC) products to that Agreement

SURVEILLANCE OF STATE AID BY MONITORING AUTHORITIES

Article 1

Surveillance of State aid by monitoring authorities

Subject to the procedural rules in force in the European Community ('the Community') and Romania, the granting of State aid shall be surveyed and assessed as to its compatibility with the Europe Agreement by the responsible monitoring authorities in the Community and Romania, respectively. The monitoring authority in the Community shall be the Commission of the European Communities ('the Commission'), and in Romania the Competition Office and Competition Council.

GUIDANCE FOR DEALING WITH CASES

Article 2

Criteria for compatibility

1. The assessment of compatibility of individual aid awards and programmes with the Europe Agreement, as provided for in Article 1 of these Rules, shall be made on the basis of the criteria arising from the application of the rules of Article 87 of the Treaty establishing the European Community, including the present and future secondary legislation, frameworks, guidelines and other relevant administrative acts in force in the Community, as well as the case law of the Court of First Instance and the Court of Justice of the European Communities and any decision taken by the Association Council pursuant to Article 4(3).

Insofar as the aid awards or aid programmes are destined for products covered by Protocol 2 to the Europe Agreement, the first sentence of this paragraph applies fully with the exception that the assessment shall not be made on the basis of the criteria arising from the application of the rules of Article 87 of the Treaty establishing the European Community but on the basis of the criteria arising from the application of the rules on State aid of the Treaty establishing the European Coal and Steel Community.

2. The monitoring authority of Romania shall be informed of any acts relating to the adoption, abolition or modification of the Community criteria of compatibility referred to in para-

graph 1, insofar as these are not published but are specifically brought to the attention of all Member States.

3. Where such changes do not encounter objections from Romania within three months from the date of receiving the official information about them, they shall become criteria of compatibility as provided for in paragraph 1 of this Article. Where such changes encounter objections from Romania and having regard to the approximation of legislation as provided for in the Europe Agreement, consultations shall take place, in accordance with Articles 7 and 8 of these Rules.

4. The same principles shall apply in respect of other significant changes in Community policy on State aids.

Article 3

De minimis aid

Aid programmes or individual aid awards which do not involve export aid and which fall below the threshold applicable in the Community for *de minimis* aid⁽¹⁾ shall be considered as having only a negligible effect on competition and trade between the Parties and shall therefore not be treated under these Rules. This Article does not apply to the industries covered by the Treaty establishing the European Coal and Steel Community, to shipbuilding, to transport nor to aid towards expenditure in connection with agriculture or fisheries.

Article 4

Derogations

1. In accordance with and within the limits of Article 64(4)(a) of the Europe Agreement, Romania shall be regarded as an area identical to those areas of the Community referred to in Article 87(3)(a) of the Treaty establishing the European Community.

2. The monitoring authorities shall jointly evaluate the maximum aid intensities and specific regional coverage of areas in Romania eligible for national regional aid. They shall submit a joint proposal to the Association Committee which shall establish a decision to this effect.

3. The monitoring authorities may, if necessary and at the request of Romania, jointly evaluate problems raised by the implementation of the Community acquis in the field of State aids awarded by Romania as it completes transition to a market economy. The evaluation of such problems shall not relate to the agricultural sector, fisheries, coal and steel, or to sensitive sectors (automobiles, man-made fibres or shipbuilding) for which specific Community arrangements exist. Where appropriate, the monitoring authorities shall submit a joint proposal to the Association Council, which may adopt a decision.

⁽¹⁾ Currently the Community *de minimis* threshold according to the Commission Notice on *de minimis* aid (OJ C 68, 6.3.1996, p. 9) is EUR 100 000 of total aid per firm over a three-year period.

PROCEDURES FOR CONSULTATION AND PROBLEM SOLVING

Article 8

Article 5

Examination of certain aid

1. Where the amount of the aid in question amounts to over EUR 3 million, aid programmes or individual aid awards, whether or not covered by frameworks and guidelines in the Community, may be referred by the relevant monitoring authority to the Sub-Committee dealing with competition policy and State aids for examination. The Sub-Committee may submit a report to the Association Committee which may adopt appropriate decisions or recommendations concerning the compatibility of the aid programme or aid award with the Europe Agreement and these Rules.

2. The principal purpose of such decisions or recommendations shall be to avoid the resorting to commercial defence measures as a consequence of the aid in question.

3. The Association Committee may decide to extend further the possibility of examination as provided for in this Article.

Article 6

Request for information

Whenever the monitoring authority of a Party becomes aware of the fact that an aid programme or individual aid award appears to affect important interests of that Party, it may request information about this from the authority responsible. In any event, both monitoring authorities shall endeavour to keep each other informed of important developments that may be of practical interest for the other.

Article 7

Consultation and comity

1. Whenever the Commission or the monitoring authority of Romania considers that the award of State aid on the territory for which the other authority is responsible substantially affects its important interests, it may request consultation with the other authority, and consequently it may request that the other Party's monitoring authority initiate any appropriate procedures with a view to taking remedial action. This is without prejudice to any action under the respective Parties' relevant legislation and does not hamper the full freedom of ultimate decision of the authority so addressed, within the framework of the Europe Agreement.

2. The monitoring authority so addressed shall give full and sympathetic consideration to such views and factual material as may be presented by the requesting authority and in particular to the alleged harmful effects on the important interests of the requesting Party.

3. Without prejudice to any of their rights and obligations, the monitoring authorities involved in consultations under this Article shall endeavour to find, within three months, a mutually acceptable solution in the light of the respective important interests involved.

Problem solving

1. Where consultations under Article 7 do not lead to a mutually acceptable solution, an exchange of views shall take place within the Sub-Committee dealing with competition policy and State aids established in the framework of the Europe Agreement at the request of one Party within three months following the request.

2. Where this exchange of views does not lead to a mutually acceptable solution, or after the expiration of the period referred to in paragraph 1, the matter may be submitted to the Association Committee which may make appropriate recommendations for the settlement of these cases.

3. These procedures shall be without prejudice to any action under Article 64(6) of the Europe Agreement and Article 9(3) of Protocol 2 on European Coal and Steel Community (ECSC) products to the Europe Agreement. Trade instruments should however only be used as a last resort.

Article 9

Secrecy and confidentiality of information

1. With respect to Article 64(7) of the Europe Agreement, neither monitoring authority is required to provide information to the other authority if disclosure of that information to the requesting authority is prohibited by the law of the authority possessing the information.

2. Each monitoring authority agrees to maintain the confidentiality of any information provided to it in confidence by the other authority.

TRANSPARENCY

Article 10

Inventory

1. Under the relevant Community programmes, the Commission shall assist Romania to draw up and thereafter update an inventory of its aid programmes and individual aid awards, established on the same basis as in the Community, in order to ensure and continuously improve transparency.

2. The Commission shall provide Romania with regular information on the documentation it produces with a similar aim in relation to the Member States of the Community.

Article 11

Mutual information

Both Parties shall ensure transparency in the domain of State aid by providing for appropriate publications and the exchange of information on State aid policy on a regular and reciprocal basis.

MISCELLANEOUS

*Article 12***Administrative assistance (languages)**

The Commission and the monitoring authority of Romania shall provide for practical arrangements for mutual assistance or any other appropriate solution concerning in particular the question of translations.

COUNCIL DECISION
of 14 May 2001
appointing a Belgian member of the Committee of the Regions

(2001/391/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the Council Decision of 26 January 1998 ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions,

Whereas a seat as member of the Committee of the Regions has become vacant following the resignation of Mr Joseph MARAITE, member, notified to the Council on 30 January 2001;

Having regard to the proposal from the Belgian Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Karl-Heinz LAMBERTZ is hereby appointed a member of the Committee of the Regions in place of Mr Joseph MARAITE for the remainder of the latter's term of office, which runs until 25 January 2002.

Done at Brussels, 14 May 2001.

For the Council

The President

A. LINDH

⁽¹⁾ OJ L 28, 4.2.1998, p. 19.

COMMISSION

COMMISSION DECISION

of 4 May 2001

amending for the fourth time Decision 2000/284/EC establishing the list of approved semen collection centres for imports of equine semen from third countries

(notified under document number C(2001) 1172)

(Text with EEA relevance)

(2001/392/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992, laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC ⁽¹⁾, as last amended by Commission Decision 95/176/EC ⁽²⁾, and in particular Article 17(3)(b) thereof,

Whereas:

- (1) Commission Decision 2000/284/EC ⁽³⁾, as last amended by Decision 2000/169/EC ⁽⁴⁾, established the list of approved semen collection centres for imports of equine semen from third countries.
- (2) The competent authorities of Canada and Switzerland officially informed the Commission of the approval in accordance with the provisions of Directive 92/65/EEC of respectively two and one additional equine semen collection centres.
- (3) It is appropriate to amend the list in the light of new information received from the non-member country

concerned, and to highlight the amendments in the Annex for clarity.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2000/284/EC is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 May 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 268, 14.9.1992, p. 54.

⁽²⁾ OJ L 117, 24.5.1995, p. 23.

⁽³⁾ OJ L 94, 14.4.2000, p. 35.

⁽⁴⁾ OJ L 60, 1.3.2001, p. 62.

- 1 Versión — Udgave — Fassung vom — Έκδοση — Version — Version — Versione — Versie — Versão — Tilanne — Version
- 2 Código ISO — ISO-kode — ISO-Code — Κωδικός ISO — ISO-code — Code ISO — Codice ISO — ISO-code — Código ISO — ISO-koodi — ISO-kod
- 3 Tercer país — Tredjeland — Drittland — Τρίτη χώρα — Third country — Pays tiers — Paese terzo — Derde land — País terceiro — Kolmas maa — Tredje land
- 4 Nombre del centro autorizado — Den godkendte tyrestations navn — Name der zugelassenen Besamungsstation — Όνομα του εγκεκριμένου κέντρου — Name of approved centre — Nom du centre agréé — Nome del centro riconosciuto — Naam van het erkende centrum — Nome approvato — Hyväksytyn aseman nimi — Tjurstationens namn
- 5 Dirección del centro autorizado — Den godkendte tyrestations adresse — Anschrift der zugelassenen Besamungsstation — Διεύθυνση του εγκεκριμένου κέντρου — Address of approved centre — Adresse du centre agréé — Indirizzo del centro riconosciuto — Adres van het erkende centrum — Endereço aprovado — Hyväksytyn aseman osoite — Tjurstationens adress
- 6 Autoridad competente en materia de autorización — Godkendelsesmyndighed — Zulassungsbehörde — Εγκρίνουσα αρχή — Approving authority — Autorité d'agrément — Autorità che rilascia il riconoscimento — Autoriteit die de erkenning heeft verleend — Autoridade de aprovação — Hyväksyntäviranomaiset — Godkännandemyndighet
- 7 Número de autorización — Godkendelsesnummer — Registriernummer — Αριθμός έγκρισης — Approval number — Numéro d'agrément — Numero di riconoscimento — Registratienummer — Número de aprovação — Hyväksyntänumero — Godkännandennummer
- 8 Fecha de la autorización — Godkendelsesdato — Zulassungsdatum — Ημερομηνία έγκρισης — Approval date — Date d'agrément — Data di approvazione — Datum van erkenning — Data da aprovação — Hyväksyntäpäivä — Datum för godkännandet

1: 7.3.2001

2	3	4	5	6	7	8
AR	ARGENTINA	Haras El Atalaya	91 Cuartel 17 Arrecifes Buenos Aires	SENASA	I-E14 (Integral-Equino 14)	27.3.1998
AU	AUSTRALIA	Belcam Stud Artificial Breeding Centre	Armstrong Road Biddaddaba, Qld 4275	AQIS	Qld-AB-01	25.3.1998
AU		Alabar Bloodstock Corporation	Koyuga (Near Echuca) Victoria 3622			
AU		Beef Breeding Services, Qld DPI	Grindle Rd, Wacol Qld 4076			
AU		Kinnordy Stud Mr H. Schmorl.	MS 465, Cambooya Qld 4358			

1: 7.3.2001						
2	3	4	5	6	7	8
BG	BULGARIA					
BR	BRAZIL					
BY	BELARUS					
BZH	BOSNIA-HERZEGOVINA					
CA	CANADA	Ferme Canaco	89 Rang St-André St-Bernard de Lacolle Co. St-Jean, QUE J0J 1V0	CFIA	4-EQ-01	23.2.2000
CA		Amstrong Brothers	14709 Hurontario Street Inglewood, ON, L0N 1K0	CFIA	5-EQ-01	02/1997
CA		Zorgwijk Stables Ltd	508 Mt. Pleasant Road, R.R.2 Brantford, ON, N3T 5L5	CFIA	5-EQ-02	6.4.1999
CA		Tara Hills Stud	13700 Mast Road, R.R.4 Port Perry, ON, L9L 1B5	CFIA	5-EQ-03	26.1.2000
CA		Taylorlane Farm	R.R.#2 Orton, ON, L0N 1N0	CFIA	5-EQ-04	13.1.2000
CA		Earl Lennox	R.R.2 Orton, ON, L0N 1N0	CFIA	5-EQ-05	15.3.2000
CA		Rideau Field Farm	756 Heritage Drive, R.R.4 Merrickville, ON	CFIA	5-EQ-06	05/1998
CA		Glengate Farms	PO Box 220, 8343 Walker's Line Campbellville, ON, L0P 1B0	CFIA	5-EQ-07	31.1.1995
CA		Gencor The Genetic Corporation	R.R.#5 Guelph ON, N1H 612	CFIA	5-EQ-08	01/1997
CA		Jou Veterinary Service	2409 Alps Road, R.R. 1 Ayr Ontario	CFIA	5-EQ-07	30.10.2000
CA		AE Breeding Farm Dr. Mike Zajac	9619 McGowan Road Mount Albert Ontario L0G 1M0	CFIA	5-EQ-10	2.3.2000

1: 7.3.2001

2	3	4	5	6	7	8
CA		Equine Reproduction Services	Box 877, Turner Valley Alberta, T0L 2A0	CFIA	7-EQ-01	20.11.2000
CH	SWITZERLAND	Eidgenössisches Gestüt/Haras fédéral/Istituto Federale dell'allevamento equino Avenches	CH-1580 Avenches	Bundesamt für Veterinärwesen	CH-AI-4E	13.2.1997
CH		Besamungsstation Pferde, Gestüt Hanaya	Expohof CH-8165 Schleinikon	Bundesamt für Veterinärwesen	CH-AI-8E	6.5.1999
CL	CHILE					
CU	CUBA					
CY	CYPRUS					
CZ	CZECH REPUBLIC					
DZ	ALGERIA					
EE	ESTONIA					
GL	GREENLAND					
HR	CROATIA					
HU	HUNGARY					
IL	ISRAEL					
IS	ICELAND	Gunnarsholt	Saedingastod Gunnarsholti 851 Hella	Iceland Veterinary Services	H001	20.12.1999
LI	LITHUANIA					
LV	LATVIA					
MA	MOROCCO					
MK	FORMER YUGOSLAV REPUBLIC OF MACEDONIA					
MT	MALTA					

1: 7.3.2001						
2	3	4	5	6	7	8
MU	MAURITIUS					
MX	MEXICO					
NZ	NEW ZEALAND					
PL	POLAND					
PY	PARAGUAY					
RO	ROMANIA					
RU	RUSSIA					
SI	SLOVENIA					
SK	SLOVAK REPUBLIC					
TN	TUNISIA					
UA	UKRAINE					
US	USA	The Old Place	PO Box 90 Mt Holly, AR 71758	APHIS	00AR001-EQS	19.7.2000
US		Specifically Equine Veterinary Service	910 W. Hwy 246 Buellton, CA	APHIS	97CA001-EQS	20.5.1997
US		Kellog Arabian Horse Center	3801 W. Temple Ave Pomona, CA	APHIS	97CA002-EQS	22.5.1997
US		Mariana Farm	Valley Center, CA	APHIS	98CA001-EQS	14.11.1997
US		Advanced Equine Reproduction	1145 Arroyo Mesa Road Solvang, CA	APHIS	98CA002-EQS	12.8.1997
US		Pacific International Genetics	14300 Jackson Road Sloughhouse, CA	APHIS	98CA003-EQS	23.1.1998

1: 7.3.2001						
2	3	4	5	6	7	8
US		Alamo Pintado Equine Clinic	2501 Santa Barbara Ave Los Olivos, CA	APHIS	98CA004-EQS	23.2.1998
US		Anaheim Hills Saddle Club	6352 E. Nohl Ranch Road Anaheim, CA	APHIS	98CA005-EQS	23.3.1998
US		Valley Oak Ranch	10940 26 Mile Road Oakdale, CA	APHIS	99CA006-EQS	2.4.1999
US		Jeff Oswood Stallion Station	21860 Ave 160 Porterville, CA	APHIS	99CA007-EQS	8.4.1999
US		Magness Racing Ventures	4050 Casey Ave Santa Ynez, CA 93460	APHIS	00CA008-EQS	10.12.1999
US		Honor Bright Farms	9049 E. Shaw Ave Clovis, CA 93611	APHIS	00CA009-EQS	16.12.1999
US		Crawford Stallion Services	34520 DePortola Temecula, CA 92592	APHIS	00CA010-EQS	20.1.2000
US		Exclusively Equine Reproduction	28753 Valley Center Road Temecula, CA 92082	APHIS	00CA011-EQS	2.3.2000
US		Candlewood Equine	2 Beaver Pond Lane Bridgewater, CT 06752	APHIS	00CT001-EQS	1.3.2000
US		Peterson & Smith Reproduction Center	15107 S.E. 47 th Ave Summerfield, FL 34491	APHIS	00FL001-EQS	10.1.2000
US		Silver Maple Farm	6621 Daniels Road Naples, FL 34109	APHIS	00FL002-EQS	26.1.2000
US		Burchett Training Center	826 Knox Chapel Road Social Circle, GA	APHIS	98GA002-EQS	23.4.1998
US		Double L Quarter Horse	1881 E. Berry Road Cedar Rapids, IA	APHIS	96IA001-EQS	2.1.1996
US		Jim Dudley Quarter Horses	Rt. 1, Box 137 Latimer, IA	APHIS	98IA002-EQS	26.5.1998

1: 7.3.2001						
2	3	4	5	6	7	8
US		Grandview Farms	123 West 200 South Huntington, IN	APHIS	99IN001-EQS	16.12.1999
US		Ed Mudlick	4333 Straightline Pike Richmond, IN 47374	APHIS	00IN002-EQS	13.3.2000
US		Gumz Farms Quarter Horses	7491 S 100 W North Judson, IN 46366	APHIS	00IN003-EQS	3.7.2000
US		Kentuckiana Farm	PO Box 11743 Lexington, KY	APHIS	97KY001-EQS	16.10.1997
US		Castleton Farm	2469 Iron Works Pike PO Box 11889 Lexington, KY 40511	APHIS	98KY002-EQS	13.8.1998
US		Hamilton Farm	66 Woodland Mead PO Box 2639 South Hamilton, MA 01982	APHIS	98MA001-EQS	30.3.1998
US		Select Breeders Service, Inc.	1088 Nesbitt Road Colora Maryland	APHIS	98MD001-EQS	
US		Imperial Egyptian Stud	2642 Mt. Carmel Road Parkton, MD 21120	APHIS	00MD002-EQS	18.7.2000
US		Harris Paints	27720 Possum Hill Road Federalsburg, MD 21632	APHIS	00MD003-EQS	25.9.2000
US		Midwest Station II	16917 70 th Street NE Elk River, MN 55330	APHIS	00MN001-EQS	16.5.2000
US		Schemel Stables Collection Facility	986 PCR, Co. Road 810 Perryville, MO	APHIS	99MO001-EQS	15.12.1999
US		Equine Reproduction Facility	137 Speaks Road Advance, NC	APHIS	97NC001-EQS	21.8.1997
US		Walnridge Farm, Inc.	Hornerstown-Arneytown Road Cream Ridge, NJ	APHIS	96NJ003-EQS	14.8.1996
US		Cedar Lane Farm	40 Lambertville Headquarters Road Lambertville, NJ	APHIS	96NJ004-EQS	4.9.1996

1: 7.3.2001						
2	3	4	5	6	7	8
US		Peretti's Farm	Route 526, Box 410 Cream Ridge, NJ	APHIS	97NJ005-EQS	17.3.1997
US		Kentuckiana Farm of NJ	18 Archertown Road New Egypt, NJ	APHIS	99NJ006-EQS	30.7.1999
US		Southwind Farm	29 Burd Road, Pennington, NJ 08534	APHIS	00NJ007-EQS	13.7.2000
US		Blue Chip Farm	807 Hogagerburgh Road Wallkill, NY 12859	APHIS	00NY001-EQS	31.8.2000
US		Sunny Gables Farm	282 Rt. 416 Montgomery, NY 12549	APHIS	00NY002-EQS	24.7.2000
US		Autumn Lane Farm	7901 Panhandle Road Newark, OH	APHIS	99OH001-EQS	19.5.1999
US		Paws UP Quarter Horses	Route 1 Box 43-1 Purcell, OK 73080	APHIS	00OK002-EQS	11.4.2000
US		Bryant Ranch	11777 NW Oak Ridge Road Yamhill, OR	APHIS	98OR001-EQS	19.2.1998
US		Honahlee Equine Semen Collection Facility	14005 SW Tooze Road Sherwood, OR 97140	APHIS	99OR001-EQS	26.10.2000
US		Kosmos Horse Breeders	372 Littlestown Road Littlestown, PA 17340	APHIS	97PA001-EQS	19.3.1997
US		Hanover Shoe Farm	Route 194 South PO Box 339 Hanover, PA 17331	APHIS	97PA002-EQS	28.3.1997
US		Nandi Veterinary Associates	3244 West Sieling Road New Freedom, PA	APHIS	97PA003-EQS	22.9.1997
US		Babcock Ranch Semen Collection Center	Rt. 2, Box 357 Gainsville, TX	APHIS	97TX001-EQS	2.6.1997
US		Select Breeders	Rt. 3, Box 196 Aubrey, TX	APHIS	97TX002-EQS	1.2.1997

1: 7.3.2001						
2	3	4	5	6	7	8
US		Floyd Moore Ranch	Route 2, Box 293 Huntsville, TX	APHIS	98TX003-EQS	12.5.1998
US		Carol Rose Quarter Horse Ranch	Rt. 2, Box 136-1 Gainesville, TX	APHIS	99TX005-EQS	15.3.1999
US		Riverside Ranch	4150 FM 113 North Weatherford, TX	APHIS	99TX006-EQS	16.4.1999
US		Bluebonnet Farm	746 FM 529 Bellville, TX 77418	APHIS	00TX007-EQS	25.1.2000
US		Alpha Equine Breeding Center	2301 Boyd Road Granbury, TX 76049	APHIS	00TX008-EQS	28.2.2000
US		Thistlewood Farm	PO Box 52, Kerrville, TX 78029	APHIS	00TX009-EQS	23.3.2000
US		Joe Landers Breeding Facility	4322 Tintop Road Weatherford, TX 76087	APHIS	00TX010-EQS	11.4.2000
US		Willow Tree Farm	10334 Strittmatter, Pilot Point, TX 76258	APHIS	00TX011-EQS	28.4.2000
US		Green Valley Farm	3952 PR 2718, Aubrey, TX 76227	APHIS	00TX012-EQS	28.4.2000
US		Roanoke AI Labs, Inc.	8535 Martin Creek Road Roanoke, VA	APHIS	96VA001-EQS	14.11.1996
US		Commonwealth Equine Reproduction Center	16078 Rockets Mill Road Doswell, VA 23047	APHIS	00VA002-EQS	9.8.2000
US		Tylord Farm	Route 22A Benson, VT	APHIS	97VT001-EQS	25.3.1997
US		Hass Quarter Horses	W9821 Hwy 29 Shawano, WI	APHIS	97WI001-EQS	29.5.1997
UY	URUGUAY					
ZA	SOUTH AFRICA					

COMMISSION DECISION

of 4 May 2001

laying down animal health conditions and veterinary certification for the import of specified pathogen free eggs from non-member countries and drawing up a list of non-member countries from which Member States authorise imports of such eggs

(notified under document number C(2001) 1174)

(Text with EEA relevance)

(2001/393/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs ⁽¹⁾, as last amended by Directive 1999/90/EC ⁽²⁾, and in particular Articles 23, 24(2), 26 and 27a thereof,

Whereas:

(1) Specified pathogen free (SPF) eggs are hatching eggs, which are used for diagnostic procedures in laboratories, for the production and testing of vaccines and for research and pharmaceutical purposes and have to be marked with a stamp.

(2) Council Regulation (EEC) No 2782/75 of 29 October 1975 on the production and marketing of eggs for hatching and of farmyard poultry chicks ⁽³⁾ lays down the requirements for marking of hatching eggs and its implementing Commission Regulation (EEC) No 1868/77 ⁽⁴⁾, lays down detailed rules of application in particular concerning marking of hatching eggs.

(3) SPF eggs are not fit for human consumption.

(4) SPF eggs are not specifically defined as such in Community legislation therefore a specific definition has to be laid down.

(5) The SPF eggs have to be produced in accordance with the valid European Pharmacopoeia ⁽⁵⁾, in which the requirements are defined.

(6) These particular characteristics should prevent the introduction of avian influenza, Newcastle disease and other relevant poultry diseases into the Community on condi-

tion that all the other provisions of this Decision are applied.

(7) Member States wish to import SPF eggs from countries, which are not considered as free from Newcastle disease and avian influenza, but can offer satisfactory animal health guarantees for this specific product.

(8) SPF eggs may only be used in facilities, where they have to be destroyed or otherwise treated after use in such a way that any risk of spread of disease is prevented.

(9) An animal health certificate for this category of eggs and a corresponding list of non-member countries, which are allowed to use this certificate for the exportation of such eggs to the Community has to be drawn up.

(10) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of this Decision the following definition shall apply: 'Specified pathogen free (SPF) eggs' are hatching eggs as laid down in Article 2(2) of Council Directive 90/539/EEC, which are derived from 'chicken flocks free from specified pathogens' as described in the European Pharmacopoeia and which are intended for diagnostic, research or pharmaceutical use only.

Article 2

1. Member States shall authorise the importation of SPF eggs from non-member countries or parts of non-member countries listed in Annex I, provided that they meet the requirements of the corresponding animal health certificate set out in Annex II and that they are accompanied by such a certificate, duly completed and signed.

⁽¹⁾ OJ L 303, 31.10.1990, p. 6.

⁽²⁾ OJ L 300, 23.11.1999, p. 19.

⁽³⁾ OJ L 282, 1.11.1975, p. 100.

⁽⁴⁾ OJ L 209, 17.8.1977, p. 1.

⁽⁵⁾ Third edition, Council of Europe, 1997.

2. Member States shall authorise the importation of SPF eggs only when they are marked with a stamp indicating the ISO code of the country and the approval number of the establishment and when their packaging bears the same information clearly visible and readable indicating that the consignment contains this specific product; furthermore after the import control the consignment must be transported directly to its final destination. Such a marking shall be in conformity with the general requirements for marketing of eggs laid down in Article 6 of Regulation (EEC) No 2782/75 as last amended and its implementing Regulation (EEC) No 1868/77.

Article 3

Unused eggs, all packaging material and any waste parts or waste products of the eggs must be incinerated or otherwise

treated after use in such a way that any risk of spread of disease is prevented.

Article 4

This Decision shall apply for specified pathogen free eggs certified as from 30 April 2001.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 4 May 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

Non-member countries which are allowed to use the certificate laid down in Annex II to this Decision for imports of specified pathogen free (SPF) eggs into the European Union are those countries which are listed in Part I of the Annex to Council Decision 79/542/EEC.

ANNEX II

ANIMAL HEALTH CERTIFICATE**for specified pathogen free (SPF) eggs intended for consignment to the European Community**

After the import control this consignment must be transported directly to its final destination.

1. Consignor (name and address in full)	2. HEALTH CERTIFICATE Nr. ORIGINAL
3. Consignee (name and address in full)	4. Country of origin
5. COMPETENT AUTHORITY: 5.1. Ministry 5.2. Service	6. Place of loading
7. ISSUING COMPETENT AUTHORITY (LOCAL LEVEL)	8. Means of transport ⁽¹⁾
9. Address of breeding establishment of origin	10.1. Member State of destination: 10.2. Final destination (Name and address in full)
11. Approval numbers(s) of the breeding establishment(s) of origin	12. Consignment identification details: (including any container seal numbers)
13. Egg marks (including establishment number and ISO-code of the country of origin)	14. Quantity (in words and figures) 14.1. Number of eggs 14.2. Number of boxes 14.3. Net weight
Notes: (a) A separate certificate must be provided for each consignment of hatching eggs transported in the same railway wagon, lorry, aircraft or ship and consigned to the same destination.	(b) The original of the certificate must accompany the consignment until it reaches the border inspection post. (c) It must be completed on the day of loading and all time limits referred to relate to that date.

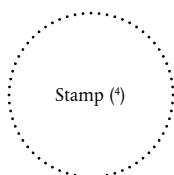
⁽¹⁾ Indicate means of transport and registration marks or registered name, as appropriate.

15. I, the undersigned official veterinarian, hereby certify, in accordance with the provisions of Directive 90/539/EEC:

Health information

1. that the SPF eggs described in this certificate come from chicken flocks which meet the following requirements:
 - (a) they are free from specified pathogens as described in the European Pharmacopoeia ⁽²⁾ and all tests and clinical examinations required for this specific status have given favourable results including negative testing results for avian influenza and Newcastle disease carried out within the last 30 days preceding dispatch;
 - (b) they have been clinically examined at least once a week as described in the European Pharmacopoeia ⁽²⁾ and no clinical signs or suspicion of disease were detected
 - (c) they have been held for more than six weeks in the following establishment(s) officially approved in accordance with requirements which are at least equivalent to those laid down in Annex II to Directive 90/539/EEC: ⁽³⁾
 - for which the approval is not suspended or withdrawn,
 - which is (are) not subject to any animal health restriction;
 - (d) they have during the period mentioned in (c) had no contact with poultry not meeting the requirements laid down in this certificate or with wild birds.
 2. They have been marked as indicated in point 13 of the certificate using coloured ink.
 3. That the eggs have been collected from to (dates).
 4. That the eggs are transported in disposable boxes used for the first time:
 - (a) which contain only eggs coming from the same establishment;
 - (b) which are clearly marked indicating the following:
 - the name of the country of origin,
 - SPF eggs for diagnostic, research or pharmaceutical use only,
 - the number of eggs,
 - the name, address and approval number of production establishment,
 - the Member State of destination;
 - (c) which are closed in accordance with the instructions of the competent authority in such a way as to avoid any possibility of substitution of the contents and which shall be leak proof.
 5. That the containers and vehicles in which the boxes mentioned in point 4 have been cleansed and disinfected before loading in accordance with the instructions of the competent authorities.
16. This certificate is valid for five days.

Done at..... on



.....
(signature of official veterinarian) ⁽⁴⁾

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

⁽²⁾ third edition, Council of Europe, 1997.

⁽³⁾ Approval number(s) of approved establishment(s) of origin.

⁽⁴⁾ Stamp and signature in a colour different to that of the printing.

COMMISSION DECISION
of 21 May 2001
amending for the third time Decision 2001/327/EC concerning restrictions to the movement of
animals of susceptible species with regard to foot-and-mouth disease

(notified under document number C(2001) 1479)

(Text with EEA relevance)

(2001/394/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The foot-and-mouth disease situation in certain parts of the Community is liable to endanger the herds in other parts of the Community in view of the placing on the market and trade in live biungulate animals.
- (2) All Member States have implemented the restrictions to the movement of animals of susceptible species laid down in Commission Decision 2001/327/EC ⁽³⁾ concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease and repealing Commission Decision 2001/263/EC, as last amended by Decision 2001/378/EC ⁽⁴⁾.
- (3) In the light of the disease evolution and the findings of the epidemiological investigations carried out in the affected Member States in close co-operation with the other Member States, it appears appropriate to further prohibit the movement of animals through staging points and to maintain for an additional period of time certain restrictions to the movement of susceptible animals within the Community.
- (4) However it is also possible to further ease certain restrictions established under Decision 2001/327/EC.
- (5) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 29 May 2001 and the measures adapted where necessary.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 115, 25.4.2001, p. 12.

⁽⁴⁾ OJ L 132, 15.5.2001, p. 31.

Article 1

Article 2 of Decision 2001/327/EC is replaced by the following:

'Article 2

Member States other than the United Kingdom shall ensure that:

1. Transport of animals of species susceptible to foot-and-mouth disease is prohibited.

Without prejudice to Council Directives 64/432/EEC, 91/68/EEC and 92/65/EEC, this prohibition shall not apply to movements of animals of species susceptible to foot-and-mouth disease from the holding of dispatch

— directly or through an assembly centre to a slaughterhouse for immediate slaughter;

In the case of intra-Community trade, the assembly centre must be approved.

or

— in the case of animals of susceptible species other than bovine and porcine animals, directly or through one single assembly centre to other holdings within the region or to a maximum of 10 holdings of destination situated outside the region;

In the case of movement outside the region but within the Member State of dispatch through an assembly centre, the movement is subject to authorisation by the competent authorities of the place of departure.

In the case of intra-Community trade, the assembly centre must be approved. The transport whether direct or through an assembly centre is subject to authorisation by the competent authorities of the place of departure and notification to the central veterinary authorities of the Member State of destination.

or

— in the case of bovine and porcine animals, directly or through assembly centres to other holdings;

In the case of intra-Community trade in bovine or porcine animals dispatched from a region in a Member State in which restrictions in accordance with Article 9 of Directive 85/511/EEC have been applied during the 3 months prior to certification, the transport is subject to authorisation by the competent authorities of the place of departure and notification to the central veterinary authorities of the Member State of destination.

or

- for transhumance to designated pastures;

In the case of susceptible animals other than bovine and porcine animals, such movement is subject to authorisation by the competent authorities of the place of departure.

2. The movement of animals authorised in accordance with the derogations in paragraph 1 shall take place under the condition that:

- (a) in the case animals of susceptible species other than bovine and porcine animals destined for intra-Community trade, during transport such animals do not come into contact with animals not of the same holding of dispatch, unless such animals

- either are consigned for slaughter, or
- originate in and come from holdings situated in a region of a Member State in which no restrictions in accordance with Article 9 of Directive 85/511/EEC have been in place on the date of dispatch and during at least 20 days of the residence period where required in paragraph 3.

- (b) vehicles which have been used for the transport of live animals of species susceptible to foot-and-mouth disease are cleaned and disinfected after each operation, and shall furnish proof of such disinfection, and

- (c) transports to other Member States of animals of susceptible species shall only be allowed following 24 hours advance notification dispatched by the local veterinary authority at the place of departure to the local veterinary authorities in the Member State of destination and where required in paragraph 1 to the central veterinary services of the Member State of destination. In the case of animals of susceptible species other than bovine and porcine animals, the local veterinary authority at the place of

departure shall notify the transport to the central veterinary authorities in the Member State of transit.

3. Where required by this Decision, the competent authorities at the place of departure authorise the movement of animals of susceptible species only under one of the following conditions:

- in the case of animals of susceptible species other than bovine and porcine animals, animals are destined for intra-Community trade and have remained on the holding of dispatch for at least 30 days prior to authorisation, or since birth in the holding of origin where the animals are less than 30 days old, and no animal of susceptible species was introduced into that holding during this period,
- in the case of animals of susceptible species other than bovine and porcine animals, animals are destined for movement within the Member State but outside the region of dispatch and have remained on the holding of dispatch for at least 20 days prior to authorisation, or since birth in the holding of origin where the animals are less than 20 days old, and no animal of susceptible species was introduced into that holding during this period,
- animals are destined for movement within a region of a Member State,
- animals are transported directly or through an assembly centre to a slaughterhouse for immediate slaughter.

4. Without prejudice to Article 3(aa) second indent of Council Directive 91/628/EEC, Member States shall ensure that animals of species susceptible to foot-and-mouth disease are not moved through staging points established and approved in accordance with Council Regulation (EC) No 1255/97.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 May 2001.

For the Commission

David BYRNE

Member of the Commission