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Contents

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Commission

- ★ COMMISSION DECISION of 29 April 2004 amending Decision 2002/757/EC on provisional emergency phytosanitary measures to prevent the introduction into and the spread within the Community of *Phytophthora ramorum* Werres, De Cock & Man in 't Veld sp.nov. (notified under document number C(2004) 1585) (Text with EEA relevance) (2004/426/EC) 1
- ★ COMMISSION DECISION of 29 April 2004 amending Commission Decision 97/221/EC as regards the animal health conditions and veterinary certification for meat products transiting or being temporarily stored in the Community (notified under document number C(2004) 1589) (Text with EEA relevance) (2004/427/CE) 8
- ★ COMMISSION DECISION of 29 April 2004 amending Decision 2003/493/EC as regards the points of entry through which Brazil nuts in shell originating in or consigned from Brazil may only be imported into the Community (notified under document number C(2004) 1591) (Text with EEA relevance) (2004/428/EC) 14
- ★ COMMISSION DECISION of 29 April 2004 amending Decisions 97/830/EC , 2000/49/EC, 2002/79/EC and 2002/80/EC as regards the points of entry through which the products concerned may only be imported into the Community (notified under document number C(2004) 1594) (Text with EEA relevance) (2004/429/EC) 20
- ★ COMMISSION DECISION of 29 April 2004 amending Decision 2003/828/EC on protection and surveillance zones in relation to bluetongue with regard to Cyprus and Malta (notified under document number C(2004) 1601) (Text with EEA relevance) (2004/430/EC) 36
- ★ COMMISSION DECISION of 29 April 2004 approving certain contingency plans for the control of classical swine fever (notified under document number C(2004) 1609) (Text with EEA relevance) (2004/431/EC) 41
- ★ COMMISSION DECISION of 29 April 2004 on the approval of residue monitoring plans submitted by third countries in accordance with Council Directive 96/23/EC (notified under document number C(2004) 1624) (Text with EEA relevance) (2004/432/EC) 44
- ★ COMMISSION DECISION of 29 April 2004 laying down transitional measures for Latvia derogating from Council Directive 1999/74/EC as regards the height of cages for laying hens (notified under document number C(2004) 1628) (Text with EEA relevance) (2004/433/EC) 51

★ COMMISSION DECISION of 29 April 2004 adapting Decision 2003/324/EC as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council by reason of the accession of Estonia (notified under document number C(2004) 1632) (Text with EEA relevance) (2004/434/EC)	54
★ COMMISSION DECISION of 29 April 2004 approving certain contingency plans for the control of foot-and-mouth disease (notified under document number C(2004) 1648) (Text with EEA relevance) (2004/435/EC)	56
★ COMMISSION DECISION of 29 April 2004 amending Commission Decision 94/984/EC as regards the animal health conditions and veterinary certification for fresh poultrymeat transiting or being temporarily stored in the Community (notified under document number C(2004) 1650) (Text with EEA relevance) (2004/436/EC)	59
★ COMMISSION DECISION of 29 April 2004 amending Commission Decision 2000/572/EC as regards the animal health conditions and veterinary certification for meat preparations transiting or being temporarily stored in the Community (notified under document number C(2004) 1672) (Text with EEA relevance) (2004/437/EC)	65
★ COMMISSION DECISION of 29 April 2004 laying down animal and public health and veterinary certifications conditions for introduction in the Community of heat-treated milk, milk-based products and raw milk intended for human consumption (notified under document number C(2004) 1691) (Text with EEA relevance) (2004/438/EC)	72
★ COMMISSION DECISION of 29 April 2004 adopting a transitional measure in favour of certain establishments in the meat sector in Malta (notified under document number C(2004) 1707) (Text with EEA relevance) (2004/439/EC)	93
★ COMMISSION DECISION of 29 April 2004 adopting a transitional measure in favour of certain establishments in the milk sector in Slovakia (notified under document number C(2004) 1716) (Text with EEA relevance) (2004/440/EC)	97

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 April 2004

amending Decision 2002/757/EC on provisional emergency phytosanitary measures to prevent the introduction into and the spread within the Community of *Phytophthora ramorum* Werres, De Cock & Man in 't Veld sp.nov.

(notified under document number C(2004) 1585)

(Text with EEA relevance)

(2004/426/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community¹ and in particular Article 16(3), fourth sentence thereof,

Whereas:

- (1) In 2002, the United Kingdom informed the other Member States and the Commission of outbreaks of *Phytophthora ramorum* Werres, De Cock & Man in 't Veld sp.nov. (hereinafter referred to as: 'the harmful organism') on its territory and of the measures taken to control it.

¹ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2004/31/EC (OJ L 85, 23.3.2004, p. 18.).

- (2) By Commission Decision 2002/757/EC² the Member States were provisionally required to take emergency phytosanitary measures to prevent the introduction into and the spread within the Community of the harmful organism.
- (3) As a result of the official surveys carried out under Decision 2002/757/EC, and based on recent information on the damage caused by the harmful organism, it appears that the list of host plants of the harmful organism, designated in that Decision as “susceptible plants”, should be extended.
- (4) The measures set out in Decision 2002/757/EC should not be applicable to foliage and cut branches but should be limited to plants for planting which are moved from the place of production in the Community; they should moreover also be extended to plants for planting of *Camellia* spp., other than seeds.
- (5) It appears necessary to ensure that the registered producers shall notify every suspected occurrence or confirmed presence of the harmful organism to their responsible official bodies.

² OJ L 252, 20.9.2002, p. 37.

- (6) It further appears necessary to extend the surveys carried out by the Member States as regards evidence of infestation by the harmful organism to include both cultivated and uncultivated/unmanaged plants.
- (7) It is appropriate that the results of such measures be continually assessed, and possible subsequent measures be considered in the light of the results of that assessment. The subsequent measures should also take into account the information to be provided and the scientific opinions to be delivered by the Member States.
- (8) Decision 2002/757/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2002/757/EC is amended as follows:

1. Article 1(2) is replaced by the following:
 - “2. “susceptible plants” means plants, other than fruit and seeds, of *Acer macrophyllum* Pursh, *Aesculus californica* Nutt., *Aesculus hippocastanum* L., *Arbutus menziesii* Pursch., *Arbutus unedo* L., *Arctostaphylos* spp. Adans, *Camellia* spp., *Castanea sativa* Mill., *Fagus sylvatica* L., *Hamamelis virginiana* L., *Heteromeles arbutifolia* (Lindley) M. Roemer, *Kalmia latifolia* L., *Leucothoe fontanesiana* (Steudel) Sleumer, *Lithocarpus densiflorus* (H & A), *Lonicera hispidula* (Dougl.), *Pieris* spp., *Pseudotsuga menziesii* (Mirbel) Franco, *Quercus* spp. L., *Rhamnus californica* (Esch), *Rhododendron* spp. L., other than *Rhododendron simsii* Planch., *Sequoia sempervirens* (D. Don) Endl., *Syringa vulgaris* L., *Taxus* spp., *Trientalis latifolia* (Hook), *Umbellularia californica* (Pursch.), *Vaccinium vitis-idaea* Britt., *Vaccinium ovatum* (Hook & Arn) Nutt. and *Viburnum* spp. L.”.
2. In Article 3(4) “plants of *Rhododendron* spp., other than *Rhododendron simsii* Planch, and *Viburnum* spp., other than fruit and seeds” is replaced by “plants intended for planting of *Viburnum* spp., *Camellia* spp. and *Rhododendron* spp., other than *Rhododendron simsii* Planch, other than seeds”.

3. Article 5 is replaced by the following:

“Article 5

1. Plants intended for planting of *Viburnum* spp., *Camellia* spp. and *Rhododendron* spp., other than *Rhododendron simsii* Planch, other than seeds, originating in the Community may not be moved from their place of production unless they meet the conditions laid down in point 3 of the Annex to this Decision. The producers of these plants shall be registered in accordance with the provisions of Commission Directive 92/90/EEC³.
 2. Member States shall ensure that the registered producers shall notify every suspected occurrence or confirmed presence of the harmful organism on the place of production to their own responsible official bodies.”.
4. Article 6 is amended as follows:
- (a) Paragraph 1 is replaced by the following:

“1. Member States shall conduct official surveys for the harmful organism in their territory, including both cultivated and uncultivated/unmanaged plants , to determine whether there is evidence of infestation by the harmful organism.”;
 - (b) In paragraph 2 “1 November 2003” is replaced by “1 November 2004”.
 - (c) The following new paragraph 3 is added:

“3. Member States may take appropriate measures within their territory to carry out official monitoring of movements of susceptible plants to ascertain whether they comply with the conditions set out in this Decision.”.
5. In Article 8 “31 December 2003” is replaced by “31 December 2004”.
6. The Annex is amended in accordance with the Annex to this Decision.

³ OJ L 344, 26.11.1992, p. 38.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

The Annex to Decision 2002/757/EC is amended as follows:

1. In the first paragraph of point 1a and point 2 “Article 7 or 8 of Directive 2000/29/EC” is replaced by “Article 13(1) of Directive 2000/29/EC”.
2. Point 3 is replaced by the following:
 - “3. Plants intended for planting of *Viburnum* spp., *Camellia* spp. and *Rhododendron* spp., other than *Rhododendron simsii* Planch, other than seeds, originating in the Community may be moved from the place of production only if they are accompanied by a plant passport and:
 - (a) the plants originate in areas in which the harmful organism is known not to occur; or
 - (b) no signs of the harmful organism have been observed on the plants at the place of production since the beginning of the last complete cycle of vegetation on official inspections, including laboratory testing of any suspicious symptoms, carried out at least once at appropriate times when the plants are in active growth; or
 - (c) in cases where signs of the harmful organism have been found on the plants at the place of production, appropriate procedures have been implemented aiming at eradicating the harmful organism, consisting at least of destruction of the infected plants and all susceptible plants within 2 m radius of the infected plants, and
 - (i) for all susceptible plants within 10 m radius of the infected plants, and any remaining plants from the affected lot:
 - the plants have been retained at the place of production, and
 - official additional inspections have been carried out at least twice in the three months after the eradication measures have been taken when the plants are in active growth, and
 - while during this three months-period no treatments that may suppress symptoms of the harmful organism have been carried out, and
 - the plants have been found free from the harmful organism in these official inspections,
 - (ii) for all other susceptible plants at the place of production, the plants have been subject to official intensive re-inspection following the finding and have been found free from the harmful organisms in these inspections.”.

3. The following point 4 is added:

“4. In cases where signs of the harmful organism have been found on any plants at places in the Community other than places of production, Member States shall take appropriate measures to at least contain the harmful organism. This may include the determination of the area concerned in which the measures shall be implemented.”

COMMISSION DECISION**of 29 April 2004****amending Commission Decision 97/221/EC as regards the animal health conditions and veterinary certification for meat products transiting or being temporarily stored in the Community***(notified under document number C(2004) 1589)***(Text with EEA relevance)**
(2004/427/CE)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption¹, in particular Article 8 (5), third indent, and Article 9 (2) (b) and (4) (c),

Whereas:

- (1) Commission Decision 97/221/EC lays down animal health conditions and model veterinary certificates in respect of imports of meat products from third countries².
- (2) Commission Decision 97/222/EC lays down the list of third countries from which the Member States authorise the importation of meat products³
- (3) Council Directive 97/78/EC lays down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁴ and certain provisions for transit are already provided for in Article 11 such as the use of ANIMO messages and of the common veterinary entry document.
- (4) However, it is necessary in order to safeguard the disease situation in the Community to further ensure that consignments of meat products transiting through the Community, comply with the animal health import conditions applicable for authorised countries in regard to the relevant species concerned.

¹ OJ L 18, 23.1.2002, p. 11.

² OJ L 89, 4.4.1997, p. 26. Decision as last amended by Decision 2004/212/EC (OJ L 73, 11.3.2004, p. 11).

³ OJ L 98, 4.4.1997, p. 39. Decision as last amended by **Decision 2004/245/EC (OJ L 77, 13.3.2004, p. 62)**.

⁴ OJ L 24, 30.1.1998, p. 9. Directive as last amended by the Act concerning the conditions of Accession (OJ L 236, 23.9.2003, p. 381.).

- (5) Council Decision 79/542/EEC drawing up a list of third countries or parts of third countries, and laying down animal and public health, and veterinary certification conditions for the importation into the Community of certain live animals and their fresh meat⁵, has recently been amended to include transit conditions and a derogation for transit between Russia with a reference to the specific border inspection posts designated for this latter purpose.
- (6) In the light of experience, it appears that the presentation to the border inspection post, pursuant to Article 7 of Directive 97/78/EC, of the original veterinary documents established in the exporting third country to fulfil the regulatory requirement of the third country of destination, is not sufficient to ensure that the animal health conditions required for the safe introduction into the territory of the Community of the products concerned are effectively satisfied; it is therefore appropriate to establish a specific model of animal health certificate to be used in transit situations for the products concerned.
- (7) It is further appropriate to clarify the implementation of the condition laid down in Article 11 of Directive 97/78/EC, that transit is only allowed from third countries whose products are not prohibited for introduction in the territory of the Community, by making reference to the list of third countries annexed to Decision 97/222/EC.
- (8) However specific conditions for transits via the Community of consignments to and from Russia should be foreseen due to the geographical situation of Kaliningrad and taking into account climatic problems impeding the use of some ports at certain times of the year.
- (9) Commission Decision 2001/881/EC draws up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries⁶ and it is appropriate to specify the border inspection posts designated for the control of such transits taking into account this Decision.
- (10) Commission Decision 2000/584/EC should be amended accordingly.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS DECISION:

⁵ OJ L 146, 14.6.1979, p. 15. Decision as last amended by Decision 2004/212/EC (OJ L 73, 11.3.2004, p. 11).

⁶ OJ L 326, 11.12.2001, p. 44. Decision last amended by Decision 2003/831/EC (OJ L 313, 28.11.2003, p. 61.).

Article 1

Commission Decision 97/221/EC is amended as follows:

1. The following Article 3a is inserted:

“Article 3a

Member States shall ensure that consignments of meat products for human consumption, introduced onto the territory of the Community and which are destined for a third country either by transit immediately or after storage in accordance with Articles 12 (4) or 13 of Directive 97/78/EC, and not intended for importation into the EC shall comply with the following requirements:

- (a) they shall come from the territory of a third country or a part thereof listed in the Annex to Decision 97/222/EC and have undergone the minimum treatment for the import of meat products of the species concerned foreseen therein.
- (b) they shall meet the specific animal health conditions for the species concerned set out in the model animal health certificate drawn up under the Annex I to Decision 97/221/EC.
- (c) they shall be accompanied by an animal health certificate established in accordance with the model laid down in Annex III, signed by an official veterinarian of the competent veterinary services of the third country concerned.
- (d) they are certified as acceptable for transit or storage (as appropriate) on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.”

2. The following Article 3b is inserted:

“Article 3b

1. By way of derogation from Article 3a Member States shall authorise the transit by road or by rail through the Community, between designated Community border inspection posts listed in Annex IV to Decision 2001/881/EC, of consignments coming from and destined to Russia directly or via another third country provided that the following conditions are met:
 - (a) the consignment shall be sealed with a serially numbered seal at the border inspection post of entry to the EC by the veterinary services of the competent authority;

- (b) the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC shall be stamped “ONLY FOR TRANSIT TO RUSSIA VIA THE EC” on each page by the official veterinarian of the competent authority responsible for the BIP;
 - (c) the procedural requirements provided for in Article 11 of Directive 97/78/EC shall be complied with;
 - (d) the consignment is certified as acceptable for transit on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.
- 2. unloading or storage, as defined in Article 12 (4) or Article 13 of Directive 97/78/EC, on EC territory of such consignments shall not be allowed.
 - 3. regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the EC territory matches the number and quantities entering.”
- 3. The Annex is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from 1 May 2004.

Article 1 point 1 and the Annex shall only apply from 1 January 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

The Annex to Decision 97/221/EEC is amended as follow:

1. The Annex is renumbered to Annex I
2. The following Annex II is added:

“ANNEX II (Transit and/or storage)

Model TRANSIT/STORAGE

1. Consignor (name and address in full)	VETERINARY CERTIFICATE for meat product⁽¹⁾, for [transit] / [storage]^{(2) (8)} in the European Community No ⁽³⁾ ORIGINAL																																																
2. Consignee (name and address in full)	3. Origin of the meat product⁽⁴⁾ 3.1 Country : 3.2 Code of territory :																																																
5. Intended [transit] / [storage]⁽⁸⁾ destination of the meat product 5.1 Storage in: EU Member State: Name and address of the establishment ^{(6) (11)} : 5.2 Transit final third country destination ⁽¹¹⁾ : Exit Community BIP name and address ⁽¹¹⁾ :	4. Competent Authority 4.1 Ministry: 4.2 Service: 4.3 Local/Regional level:																																																
7. Means of transport and consignment identification⁽⁷⁾ 7.1 [Lorry] / [Rail-wagon] / [Ship] / [Aircraft] ⁽⁸⁾ 7.2 Registration number(s), ship name or flight number :	6. Place of loading for exportation 7.3 Consignment identification details ⁽⁹⁾ :																																																
8. Identification of the meat product 8.1 Meat from: (animal species). 8.2 Temperature or other treatment applied to the meat product: ⁽⁵⁾ 8.3 Individual identification of the meat product included in this consignment : <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Nature⁽⁹⁾-</th> <th style="width: 40%;">Name and address of the establishment(s)</th> <th style="width: 15%;">Number of packages/pieces</th> <th style="width: 20%;">Net weight(kg).</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr> <td colspan="2" style="text-align: right;">Total</td> <td> </td> <td> </td> </tr> </tbody> </table>		Nature ⁽⁹⁾ -	Name and address of the establishment(s)	Number of packages/pieces	Net weight(kg).																																									Total			
Nature ⁽⁹⁾ -	Name and address of the establishment(s)	Number of packages/pieces	Net weight(kg).																																														
Total																																																	

<p>9. Animal Health attestation</p> <p>I, the undersigned official veterinarian, hereby certify, that the meat product described above :</p> <p>9.1 comes from a country or region authorized for imports into the EC as laid down in Annex I to 97/222/EC at the time of slaughter of the animals from which the meat in the meat product is derived and</p> <p>9.2 complies with the relevant animal health conditions as laid down in the animal health attestation in the model certificate in Annex I to 97/221/EC and</p> <p>9.3 is derived from animals which were slaughtered and processed on or between⁽¹⁰⁾.</p> <p>Official stamp and signature</p> <p>Done at on</p> <p style="text-align: right;">(signature of official veterinarian)⁽¹²⁾</p> <p>(stamp)⁽¹²⁾</p> <p style="text-align: right;">(name in capital letters, qualifications and title)</p>

Notes

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| <p>(1) Meat products as laid down in Article 2 (a) of Directive 77/99/EEC.</p> <p>(2) In accordance with Article 12 (4) or Article 13 of Council Directive 97/78/EC.</p> <p>(3) Issued by the competent authority.</p> <p>(4) Country and description of territory as appearing in the Annex to Commission Decision 97/222/EC (as last amended).</p> <p>(5) Description of the treatment applied as laid down in the Annex to Commission Decision 97/222/EC (as last amended).</p> <p>(6) Address (and approval number if known) of the warehouse in a free zone, free warehouse, customs warehouse or ship Chandler shall be included.</p> <p>(7) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.</p> <p>In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.</p> <p>(8) Keep as appropriate.</p> <p>(9) Complete if appropriate.</p> <p>(10) Date or dates of slaughter. Imports of this meat shall not be allowed when obtained from animals slaughtered either prior to the date of authorisation for exportation to the European Community of the territory mentioned under (4), or during a period where restrictive measures have been adopted by the European Community against imports of this meat from this territory.</p> <p>(11) Complete as appropriate.</p> <p>(12) The colour of the signature shall be different to that of the printing. The same rule applies to the stamp other than those embossed or watermarked.</p> |
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COMMISSION DECISION**of 29 April 2004****amending Decision 2003/493/EC as regards the points of entry through which Brazil nuts in shell originating in or consigned from Brazil may only be imported into the Community***(notified under document number C(2004) 1591)***(Text with EEA relevance)**
(2004/428/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety¹, and in particular Article 53 (1)(b) thereof,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Whereas:

- (1) Commission Decision 2003/493/EC of 4 July 2003 imposing special conditions on the import of Brazil nuts in shell originating in or consigned from Brazil² listed in its Annex II the points of entry through which Brazil nuts in shell originating in or consigned from Brazil may only be imported into the Community.
- (2) The list of points of entry must be adapted by reason of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the Union.
- (3) It is necessary to update the list of points of entry for Germany, United Kingdom, Luxembourg and Sweden through which the products concerned by Decision 2003/493/EC may be imported.

¹ OJ L31, 1.02.2002, p.1 Amended by Regulation (EC) No 1642/2003 (OJ L245, 29.9.2003, p.4)

² OJ L168, 5.7.2003, p.33

- (4) Decision 2003/493/EC should therefore be amended accordingly,
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Decision 2003/493/EC is replaced by the text in the Annex to this Decision.

Article 2

The Decision shall apply from 1 May 2004.

Member States shall take the measures necessary to comply with this Decision. They shall inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

“ANNEX II

List of points of entry through which Brazil nuts in shell originating in or consigned from Brazil may be imported into the Community

Member State	Point of Entry
Belgium	Antwerpen, Zeebrugge, Brussel/Bruxelles, Aalst
Czech Republic	Celní úřad Praha D5
Denmark	All Danish harbours and airports
Germany	HZA Lörrach-ZA Weil am Rhein-Autobahn, HZA Stuttgart- ZA Flughafen, HZA München - ZA München - Flughafen, Bezirksamt Reinickendorf von Berlin, Abteilung Finanzen, Wirtschaft und Kultur, Veterinär- und Lebensmittelaufsichtsamt, Grenzkontrollstelle, HZA Frankfurt (Oder) - ZA Autobahn, HZA Cottbus- ZA Forst-Autobahn, HZA Bremen- ZA Neustädter Hafen, HZA Bremen - ZA Bremerhaven, HZA Hamburg-Hafen-ZA Waltershof, HZA Hamburg-Stadt, HZA Itzehoe-ZA Hamburg-Flughafen, HZA Frankfurt-am-Main- Flughafen, HZA Braunschweig-Abfertigungsstelle, HZA Hannover Hamburger Allee, HZA Koblenz – ZA Hahn-Flughafen, HZA Oldenburg-ZA Wilhelmshaven, HZA Bielefeld - ZA Eckendorfer Straße Bielefeld, HZA Erfurt - ZA Eisenach, HZA Potsdam - ZA Ludwigsfelde, HZA Potsdam - ZA Berlin-Flughafen Schönefeld, HZA Augsburg - ZA Memmingen, HZA Ulm - ZA Ulm (Donautal), HZA Karlsruhe - ZA Karlsruhe, HZA Berlin - ZA Dreilinden, HZA Gießen- ZA Gießen, HZA Gießen - ZA Marburg, HZA Singen – ZA Bahnhof, HZA Lörrach - ZA Weil am Rhein – Schusterinsel, HZA Hamburg-Stadt –ZA Oberelbe, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Billbrook, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Großmarkt, HZA Potsdam – ZA Berlin – Flughafen Schönefeld, HZA Düsseldorf – ZA Düsseldorf Nord
Estonia	Muuga port BIP, Paljassaare port BIP, Paldiski-Lõuna port BIP, Dirhami port BIP, Luhamaa road BIP, Narva road BIP
Greece	Athina, Pireas, Elefsis, Aerodromio ton Athinon, Thessaloniki, Volos, Patra, Iraklion tis Kritis, Aerodromio tis Kritis, Euzoni, Idomeni, Ormenio, Kipi, Kakavia, Niki, Promahonas, Pithio, Igoumenitsa, Kristalopigi
Spain	Algeciras (Puerto), Alicante (Aeropuerto, Puerto), Almeria (Aeropuerto, Puerto), Asturias (Aeropuerto), Barcelona (Aeropuerto, Puerto, Ferrocarril), Bilbao (Aeropuerto, Puerto), Cadiz (Puerto), Cartagena (Puerto), Castellon (Puerto), Ceuta (Puerto), Gijón (Puerto), Huelva (Puerto), Irun (Carretera), La Coruña (Puerto), La Junquera (Carretera) Las Palmas de Gran Canaria (Aeropuerto, Puerto), Madrid (Aeropuerto, Ferrocarril), Malaga (Aeropuerto, Puerto), Marin (Puerto), Melilla (Puerto), Murcia (Ferrocarril), Palma de Mallorca (Aeropuerto, Puerto), Pasajes (Puerto), San Sebastián (Aeropuerto), Santa Cruz de Tenerife (Puerto), Santander (Aeropuerto, Puerto), Santiago de Compostela (Aeropuerto), Sevilla (Aeropuerto, Puerto), Tarragona (Puerto), Tenerife Norte (Aeropuerto), Tenerife Sur (Aeropuerto), Valencia (Aeropuerto, Puerto), Vigo (Aeropuerto, Puerto), Villagarcia (Puerto), Vitoria (Aeropuerto), Zaragoza (Aeropuerto)

France	Marseille (Bouches-du-Rhone), Le Havre (Seine-Maritime), Rungis MIN (Val-de-Marne), Lyon Chassieu CRD (Rhône), Strasbourg CRD (Bas-Rhin), Lille CRD (Nord), Saint-Nazaire Montoir CRD (Loire-Atlantique), Agen (Lot-et-Garonne), Port de la Pointe des Galets à la Réunion
Ireland	Dublin – Port and Airport, Cork - Port and Airport, Shannon -Airport
Italy	Ufficio Sanità Marittima ed Aerea di Ancona Ufficio Sanità Marittima ed Aerea di Bari Ufficio Sanità Marittima ed Aerea di Genova Ufficio Sanità Marittima di Livorno Ufficio Sanità Marittima ed Aerea di Napoli Ufficio Sanità Marittima di Ravenna Ufficio Sanità Marittima di Salerno Ufficio Sanità Marittima ed Aerea di Trieste Dogana di Ferneti-Interporto Monrupino (Trieste) Ufficio di Sanità Marittima di La Spezia Ufficio di Sanità Marittima e Aerea di Venezia Ufficio di Sanità Marittima e Aerea di Reggio Calabria
Cyprus	Limassol Port , Larnaca Airport
Latvia	Grebneva, - road with Russia Terehova – road with Russia Pātarnieki – road with Byelorussia Silene – road with Byelorussia Daugavpils – railway commodity station Rēzekne – railway commodity station Liepāja – sea port Ventspils – sea port Rīga - sea port Rīga - airport Rīga Rīga - Latvian Post
Lithuania	Road: Kybartai, Lavoriškės, Medininkai, Panemunė, Šalčininkai Airport: Vilnius Seaport: Malkų įlankos, Molo, Pilies Railway: Kena, Kybartai, Pagėgiai
Luxembourg	Centre Douanier, Croix de Gasperich, Luxembourg Administration des Douanes et Accises, Bureau Luxembourg-Aéroport, Niederanven

Hungary	<p>Ferihegy – Budapest - airport</p> <p>Záhony - Szabolcs-Szatmár-Bereg - road</p> <p>Eperjeske - Szabolcs-Szatmár-Bereg - railway</p> <p>Nagylak – Csongrád - road</p> <p>Lökösháza – Békés - railway</p> <p>Röszke – Csongrád - road</p> <p>Kelebia - Bács-Kiskun - railway</p> <p>Letenye – Zala - road</p> <p>Gyékényes – Somogy - railway</p> <p>Mohács – Baranya - port</p>
Malta	Malta Freeport, the Malta International Airport and the Grand Harbour.
Netherlands	All harbours and airports and all border stations
Austria	HZA Feldkirch, HZA Graz, Nickelsdorf, Spielfeld, HZA Wien, ZA Wels, ZA Kledering, ZA Flughafen Wien, HZA Salzburg, ZA Klingenbach/Zweigstelle Sopron, ZA Karawankentunnel, ZA Villach
Poland	<p>Bezledy - Warmińsko – Mazurskie - road border point</p> <p>Kuźnica Białostocka - Podlaskie - road border point</p> <p>Bobrowniki - Podlaskie - road border point</p> <p>Koroszczyn - Lubelskie - road border point</p> <p>Dorohusk - Lubelskie - road and railway border point</p> <p>Gdynia - Pomorskie - seaport border point</p> <p>Gdańsk - Pomorskie -seaport border point</p> <p>Medyka-Przemyśl - Podkarpackie - railway border point</p> <p>Medyka - Podkarpackie - road border point</p> <p>Korczowa - Podkarpackie -road border point</p> <p>Jasionka - Podkarpackie - airport border point</p> <p>Szczecin - Zachodnio – Pomorskie - seaport border point</p> <p>Świnoujście - Zachodnio – Pomorskie - seaport border point</p> <p>Kołobrzeg - Zachodnio – Pomorskie - seaport border point</p>
Portugal	Lisboa, Leixões
Slovenia	<p>Obrežje - road border crossing</p> <p>Koper - port border crossing</p> <p>Dobova - railway border crossing</p>
Slovakia	Vyšné Nemecké – road, Čierna nad Tisou – railway
Finland	All Finnish Customs Offices.
Sweden	Göteborg, Stockholm, Helsingborg, Landvetter, Arlanda, Norrköping
United Kingdom	<p>Belfast, Dover, Felixstowe, Gatwick Airport, Goole, Grimsby, Harwich, Heathrow Airport, Hull, Immingham, Ipswich, Leith, Liverpool, London (including Tilbury, Thamesport and Sheerness), Manchester Airport, Manchester Containerbase, Manchester International Freight Terminal, Manchester (including Ellesmere Port), Middlesbrough, Southampton.”</p>

COMMISSION DECISION**of 29 April 2004**

amending Decisions 97/830/EC , 2000/49/EC, 2002/79/EC and 2002/80/EC as regards the points of entry through which the products concerned may only be imported into the Community

(notified under document number C(2004) 1594)

(Text with EEA relevance)
(2004/429/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs¹, and in particular Article 10(1) thereof,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

After consulting the member States,

Whereas:

- (1) Commission Decision 97/830/EC of 11 December 1997 repealing Decision 97/613/EC and imposing special conditions on the import of pistachios and certain products derived from pistachios originating in or consigned from Iran² listed in its Annex 2 the points of entry through which pistachios and certain products derived from pistachios originating in or consigned from Iran may only be imported into the Community.
- (2) Commission Decision 2000/49/EC of 6 December 1999 repealing Decision 1999/356/EC and imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from Egypt³ listed in its Annex II the points of entry through which peanuts and certain products derived from

¹ OJ L175, 19.7.1993, p.1. Last amended by Regulation No 1882 (OJ L284, 31.10.2003, p.1).

² OJ L343, 13.12.1997, p.30. Last amended by Commission Decision 2003/551/EC (OJ L187, 26.7.2003, p.43).

³ OJ L19, 25.1.2000, p.46. Amended by Commission Decision 2003/580/EC (OJ L197, 5.8.2003, p.31).

peanuts originating in or consigned from Egypt may only be imported into the Community.

- (3) Commission Decision 2002/79/EC of 4 February 2002 imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from China⁴ listed in its Annex II the points of entry through which peanuts and certain products derived from peanuts originating in or consigned from China may only be imported into the Community.
- (4) Commission Decision 2002/80/EC of 4 February 2002 imposing special conditions on the import of figs, hazelnuts and pistachios and certain products derived thereof originating in or consigned from Turkey⁵ listed in its Annex II the points of entry through which figs, hazelnuts and pistachios and certain products derived thereof originating in or consigned from Turkey may only be imported into the Community.
- (5) The list of points of entry must be adapted by reason of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the Union.
- (6) It is necessary to update the list of points of entry for Germany, United Kingdom, Luxembourg and Sweden through which the products concerned by Decisions 97/830/EC, 2000/49/EC, 2002/79/EC and 2002/80/EC may be imported.
- (7) Decisions 97/830/EC, 2000/49/EC, 2002/79/EC and 2002/80/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Decision 97/830/EC is replaced by the text in Annex I to this Decision.

Article 2

Annex II to Decision 2000/49/EC is replaced by the text in Annex II to this Decision.

Article 3

Annex II to Decision 2002/79/EC is replaced by the text in Annex III to this Decision.

Article 4

Annex II to Decision 2002/80/EC is replaced by the text in Annex IV to this Decision.

⁴ OJ L34, 5.2.2002, p.21. Last amended by Commission Decision 2003/550/EC (OJ L187, 26.7.2003, p.39).

⁵ OJ L34, 5.2.2002, p.26. Last amended by Commission Decision 2003/552/EC (OJ L187, 26.7.2003, p.47).

Article 5

The Decision shall apply from 1 May 2004.

Member States shall take the measures necessary to comply with this Decision. They shall inform the Commission thereof.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX I

“ANNEX II

List of points of entry through which pistachios and certain products derived from pistachios originating in or consigned from Iran may be imported into the Community

Member State	Point of Entry
Belgium	Antwerpen, Zeebrugge, Brussel/Bruxelles, Aalst
Czech Republic	Celní úřad Praha D5
Denmark	All Danish harbours and airports
Germany	HZA Lörrach-ZA Weil am Rhein-Autobahn, HZA Stuttgart- ZA Flughafen, HZA München - ZA München - Flughafen, Bezirksamt Reinickendorf von Berlin, Abteilung Finanzen, Wirtschaft und Kultur, Veterinär- und Lebensmittelaufsichtsamt, Grenzkontrollstelle, HZA Frankfurt (Oder) - ZA Autobahn, HZA Cottbus- ZA Forst-Autobahn, HZA Bremen- ZA Neustädter Hafen, HZA Bremen - ZA Bremerhaven, HZA Hamburg-Hafen-ZA Waltershof, HZA Hamburg-Stadt, HZA Itzehoe-ZA Hamburg-Flughafen, HZA Frankfurt-am-Main- Flughafen, HZA Braunschweig-Abfertigungsstelle, HZA Hannover Hamburger Allee, HZA Koblenz – ZA Hahn-Flughafen, HZA Oldenburg-ZA Wilhelmshaven, HZA Bielefeld - ZA Eckendorfer Straße Bielefeld, HZA Erfurt - ZA Eisenach, HZA Potsdam - ZA Ludwigsfelde, HZA Potsdam - ZA Berlin-Flughafen Schönefeld, HZA Augsburg - ZA Memmingen, HZA Ulm - ZA Ulm (Donautal), HZA Karlsruhe - ZA Karlsruhe, HZA Berlin - ZA Dreilinden, HZA Gießen- ZA Gießen, HZA Gießen - ZA Marburg, HZA Singen – ZA Bahnhof, HZA Lörrach - ZA Weil am Rhein – Schusterinsel, HZA Hamburg-Stadt –ZA Oberelbe, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Billbrook, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Großmarkt, HZA Potsdam – ZA Berlin – Flughafen Schönefeld, HZA Düsseldorf – ZA Düsseldorf Nord
Estonia	Muuga port BIP, Paljassaare port BIP, Paldiski-Lõuna port BIP, Dirhami port BIP, Luhamaa road BIP, Narva road BIP
Greece	Athina, Pireas, Elefsis, Aerodromio ton Athinon, Thessaloniki, Volos, Patra, Iraklion tis Kritis, Aerodromio tis Kritis, Euzoni, Idomeni, Ormenio, Kipi, Kakavia, Niki, Promahonas, Pithio, Igoumenitsa, Kristalopigi
Spain	Algeciras (Puerto), Alicante (Aeropuerto, Puerto), Almeria (Aeropuerto, Puerto), Asturias (Aeropuerto), Barcelona (Aeropuerto, Puerto, Ferrocarril), Bilbao (Aeropuerto, Puerto), Cadiz (Puerto), Cartagena (Puerto), Castellon (Puerto), Ceuta (Puerto), Gijón (Puerto), Huelva (Puerto), Irun (Carretera), La Coruña (Puerto), La Junquera (Carretera) Las Palmas de Gran Canaria (Aeropuerto, Puerto), Madrid (Aeropuerto, Ferrocarril), Malaga (Aeropuerto, Puerto), Marin (Puerto), Melilla (Puerto), Murcia (Ferrocarril), Palma de Mallorca (Aeropuerto, Puerto), Pasajes (Puerto), San Sebastián (Aeropuerto), Santa Cruz de Tenerife (Puerto), Santander (Aeropuerto, Puerto), Santiago de Compostela (Aeropuerto), Sevilla (Aeropuerto, Puerto), Tarragona (Puerto), Tenerife Norte (Aeropuerto), Tenerife Sur (Aeropuerto), Valencia (Aeropuerto, Puerto), Vigo (Aeropuerto, Puerto), Villagarcia (Puerto), Vitoria (Aeropuerto), Zaragoza (Aeropuerto)

France	Marseille (Bouches-du-Rhone), Le Havre (Seine-Maritime), Rungis MIN (Val-de-Marne), Lyon Chassieu CRD (Rhône), Strasbourg CRD (Bas-Rhin), Lille CRD (Nord), Saint-Nazaire Montoir CRD (Loire-Atlantique), Agen (Lot-et-Garonne), Port de la Pointe des Galets à la Réunion
Ireland	Dublin – Port and Airport, Cork - Port and Airport, Shannon -Airport
Italy	Ufficio Sanità Marittima ed Aerea di Ancona Ufficio Sanità Marittima ed Aerea di Bari Ufficio Sanità Marittima ed Aerea di Genova Ufficio Sanità Marittima di Livorno Ufficio Sanità Marittima ed Aerea di Napoli Ufficio Sanità Marittima di Ravenna Ufficio Sanità Marittima di Salerno Ufficio Sanità Marittima ed Aerea di Trieste Dogana di Ferneti-Interporto Monrupino (Trieste) Ufficio di Sanità Marittima di La Spezia Ufficio di Sanità Marittima e Aerea di Venezia Ufficio di Sanità Marittima e Aerea di Reggio Calabria
Cyprus	Limassol Port , Larnaca Airport
Latvia	Grebneva, - road with Russia Terehova – road with Russia Pātarnieki – road with Byelorussia Silene – road with Byelorussia Daugavpils – railway commodity station Rēzekne – railway commodity station Liepāja – sea port Ventspils – sea port Rīga - sea port Rīga - airport Rīga Rīga - Latvian Post
Lithuania	Road: Kybartai, Lavoriškės, Medininkai, Panemunė, Šalčininkai. Airport: Vilnius. Seaport: Malkų įlankos, Molo, Pilies. Railway: Kena, Kybartai, Pagėgiai
Luxembourg	Centre Douanier, Croix de Gasperich, Luxembourg Administration des Douanes et Accises, Bureau Luxembourg-Aéroport, Niederaanven

Hungary	<p>Ferihegy – Budapest - airport</p> <p>Záhony - Szabolcs-Szatmár-Bereg - road</p> <p>Eperjeske - Szabolcs-Szatmár-Bereg - railway</p> <p>Nagylak – Csongrád - road</p> <p>Lökösháza – Békés - railway</p> <p>Röszke – Csongrád - road</p> <p>Kelebia - Bács-Kiskun - railway</p> <p>Letenye – Zala - road</p> <p>Gyékényes – Somogy - railway</p> <p>Mohács – Baranya - port</p>
Malta	Malta Freeport, the Malta International Airport and the Grand Harbour.
Netherlands	All harbours and airports and all border stations
Austria	HZA Feldkirch, HZA Graz, Nickelsdorf, Spielfeld, HZA Wien, ZA Wels, ZA Kledering, ZA Flughafen Wien, HZA Salzburg, ZA Klingenbach/Zweigstelle Sopron, ZA Karawankentunnel, ZA Villach
Poland	<p>Bezledy - Warmińsko – Mazurskie - road border point</p> <p>Kuźnica Białostocka - Podlaskie - road border point</p> <p>Bobrowniki - Podlaskie - road border point</p> <p>Koroszczyn - Lubelskie - road border point</p> <p>Dorohusk - Lubelskie - road and railway border point</p> <p>Gdynia - Pomorskie - seaport border point</p> <p>Gdańsk - Pomorskie -seaport border point</p> <p>Medyka-Przemyśl - Podkarpackie - railway border point</p> <p>Medyka - Podkarpackie - road border point</p> <p>Korczowa - Podkarpackie -road border point</p> <p>Jasionka - Podkarpackie - airport border point</p> <p>Szczecin - Zachodnio – Pomorskie - seaport border point</p> <p>Świnoujście - Zachodnio – Pomorskie - seaport border point</p> <p>Kołobrzeg - Zachodnio – Pomorskie - seaport border point</p>
Portugal	Lisboa, Leixões
Slovenia	<p>Obrežje - road border crossing</p> <p>Koper - port border crossing</p> <p>Dobova - railway border crossing</p>
Slovakia	Vyšné Nemecké – road, Čierna nad Tisou – railway
Finland	All Finnish Customs Offices.
Sweden	Göteborg, Stockholm, Helsingborg, Landvetter, Arlanda, Norrköping
United Kingdom	<p>Belfast, Dover, Felixstowe, Gatwick Airport, Goole, Grimsby, Harwich, Heathrow Airport, Hull, Immingham, Ipswich, Leith, Liverpool, London (including Tilbury, Thamesport and Sheerness), Manchester Airport, Manchester Containerbase, Manchester International Freight Terminal, Manchester (including Ellesmere Port), Middlesbrough, Southampton.”</p>

ANNEX II

“ANNEX II

List of points of entry through which peanuts and products derived from peanuts originating in or consigned from Egypt may be imported into the Community

Member State	Point of Entry
Belgium	Antwerpen, Zeebrugge, Brussel/Bruxelles, Aalst
Czech Republic	Celní úřad Praha D5
Denmark	All Danish harbours and airports
Germany	HZA Lörrach-ZA Weil am Rhein-Autobahn, HZA Stuttgart- ZA Flughafen, HZA München - ZA München - Flughafen, Bezirksamt Reinickendorf von Berlin, Abteilung Finanzen, Wirtschaft und Kultur, Veterinär- und Lebensmittelaufsichtsamt, Grenzkontrollstelle, HZA Frankfurt (Oder) - ZA Autobahn, HZA Cottbus- ZA Forst-Autobahn, HZA Bremen- ZA Neustädter Hafen, HZA Bremen - ZA Bremerhaven, HZA Hamburg-Hafen-ZA Waltershof, HZA Hamburg-Stadt, HZA Itzehoe-ZA Hamburg-Flughafen, HZA Frankfurt-am-Main- Flughafen, HZA Braunschweig-Abfertigungsstelle, HZA Hannover Hamburger Allee, HZA Koblenz – ZA Hahn-Flughafen, HZA Oldenburg-ZA Wilhelmshaven, HZA Bielefeld - ZA Eckendorfer Straße Bielefeld, HZA Erfurt - ZA Eisenach, HZA Potsdam - ZA Ludwigsfelde, HZA Potsdam - ZA Berlin-Flughafen Schönefeld, HZA Augsburg - ZA Memmingen, HZA Ulm - ZA Ulm (Donautal), HZA Karlsruhe - ZA Karlsruhe, HZA Berlin - ZA Dreilinden, HZA Gießen- ZA Gießen, HZA Gießen - ZA Marburg, HZA Singen – ZA Bahnhof, HZA Lörrach - ZA Weil am Rhein – Schusterinsel, HZA Hamburg-Stadt –ZA Oberelbe, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Billbrook, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Großmarkt, HZA Potsdam – ZA Berlin – Flughafen Schönefeld, HZA Düsseldorf – ZA Düsseldorf Nord
Estonia	Muuga port BIP, Paljassaare port BIP, Paldiski-Lõuna port BIP, Dirhami port BIP, Luhamaa road BIP, Narva road BIP
Greece	Athina, Pireas, Elefsis, Aerodromio ton Athinon, Thessaloniki, Volos, Patra, Iraklion tis Kritis, Aerodromio tis Kritis, Euzoni, Idomeni, Ormenio, Kipi, Kakavia, Niki, Promahonas, Pithio, Igoumenitsa, Kristalopigi
Spain	Algeciras (Puerto), Alicante (Aeropuerto, Puerto), Almeria (Aeropuerto, Puerto), Asturias (Aeropuerto), Barcelona (Aeropuerto, Puerto, Ferrocarril), Bilbao (Aeropuerto, Puerto), Cadiz (Puerto), Cartagena (Puerto), Castellon (Puerto), Ceuta (Puerto), Gijón (Puerto), Huelva (Puerto), Irun (Carretera), La Coruña (Puerto), La Junquera (Carretera) Las Palmas de Gran Canaria (Aeropuerto, Puerto), Madrid (Aeropuerto, Ferrocarril), Malaga (Aeropuerto, Puerto), Marin (Puerto), Melilla (Puerto), Murcia (Ferrocarril), Palma de Mallorca (Aeropuerto, Puerto), Pasajes (Puerto), San Sebastián (Aeropuerto), Santa Cruz de Tenerife (Puerto), Santander (Aeropuerto, Puerto), Santiago de Compostela (Aeropuerto), Sevilla (Aeropuerto, Puerto), Tarragona (Puerto), Tenerife Norte (Aeropuerto), Tenerife Sur (Aeropuerto), Valencia (Aeropuerto, Puerto), Vigo (Aeropuerto, Puerto), Villagarcia (Puerto), Vitoria (Aeropuerto), Zaragoza (Aeropuerto)

France	Marseille (Bouches-du-Rhone), Le Havre (Seine-Maritime), Rungis MIN (Val-de-Marne), Lyon Chassieu CRD (Rhône), Strasbourg CRD (Bas-Rhin), Lille CRD (Nord), Saint-Nazaire Montoir CRD (Loire-Atlantique), Agen (Lot-et-Garonne), Port de la Pointe des Galets à la Réunion
Ireland	Dublin – Port and Airport, Cork - Port and Airport, Shannon -Airport
Italy	Ufficio Sanità Marittima ed Aerea di Ancona Ufficio Sanità Marittima ed Aerea di Bari Ufficio Sanità Marittima ed Aerea di Genova Ufficio Sanità Marittima di Livorno Ufficio Sanità Marittima ed Aerea di Napoli Ufficio Sanità Marittima di Ravenna Ufficio Sanità Marittima di Salerno Ufficio Sanità Marittima ed Aerea di Trieste Dogana di Ferneti-Interporto Monrupino (Trieste) Ufficio di Sanità Marittima di La Spezia Ufficio di Sanità Marittima e Aerea di Venezia Ufficio di Sanità Marittima e Aerea di Reggio Calabria
Cyprus	Limassol Port , Larnaca Airport
Latvia	Grebneva, - road with Russia Terehova – road with Russia Pātarnieki – road with Byelorussia Silene – road with Byelorussia Daugavpils – railway commodity station Rēzekne – railway commodity station Liepāja – sea port Ventspils – sea port Rīga - sea port Rīga - airport Rīga Rīga - Latvian Post
Lithuania	Road: Kybartai, Lavoriškės, Medininkai, Panemunė, Šalčininkai. Airport: Vilnius. Seaport: Malkų įlankos, Molo, Pilies. Railway: Kena, Kybartai, Pagėgiai
Luxembourg	Centre Douanier, Croix de Gasperich, Luxembourg Administration des Douanes et Accises, Bureau Luxembourg-Aéroport, Niederaanven

Hungary	<p>Ferihegy – Budapest - airport</p> <p>Záhony - Szabolcs-Szatmár-Bereg - road</p> <p>Eperjeske - Szabolcs-Szatmár-Bereg - railway</p> <p>Nagylak – Csongrád - road</p> <p>Lökösháza – Békés - railway</p> <p>Röszke – Csongrád - road</p> <p>Kelebia - Bács-Kiskun - railway</p> <p>Letenye – Zala - road</p> <p>Gyékényes – Somogy - railway</p> <p>Mohács – Baranya - port</p>
Malta	Malta Freeport, the Malta International Airport and the Grand Harbour.
Netherlands	All harbours and airports and all border stations
Austria	HZA Feldkirch, HZA Graz, Nickelsdorf, Spielfeld, HZA Wien, ZA Wels, ZA Kledering, ZA Flughafen Wien, HZA Salzburg, ZA Klingenbach/Zweigstelle Sopron, ZA Karawankentunnel, ZA Villach
Poland	<p>Bezledy - Warmińsko – Mazurskie - road border point</p> <p>Kuźnica Białostocka - Podlaskie - road border point</p> <p>Bobrowniki - Podlaskie - road border point</p> <p>Koroszczyn - Lubelskie - road border point</p> <p>Dorohusk - Lubelskie - road and railway border point</p> <p>Gdynia - Pomorskie - seaport border point</p> <p>Gdańsk - Pomorskie -seaport border point</p> <p>Medyka-Przemyśl - Podkarpackie - railway border point</p> <p>Medyka - Podkarpackie - road border point</p> <p>Korczowa - Podkarpackie -road border point</p> <p>Jasionka - Podkarpackie - airport border point</p> <p>Szczecin - Zachodnio – Pomorskie - seaport border point</p> <p>Świnoujście - Zachodnio – Pomorskie - seaport border point</p> <p>Kołobrzeg - Zachodnio – Pomorskie - seaport border point</p>
Portugal	Lisboa, Leixões
Slovenia	<p>Obrežje - road border crossing</p> <p>Koper - port border crossing</p> <p>Dobova - railway border crossing</p>
Slovakia	Vyšné Nemecké – road, Čierna nad Tisou – railway
Finland	All Finnish Customs Offices.
Sweden	Göteborg, Stockholm, Helsingborg, Landvetter, Arlanda, Norrköping
United Kingdom	<p>Belfast, Dover, Felixstowe, Gatwick Airport, Goole, Grimsby, Harwich, Heathrow Airport, Hull, Immingham, Ipswich, Leith, Liverpool, London (including Tilbury, Thamesport and Sheerness), Manchester Airport, Manchester Containerbase, Manchester International Freight Terminal, Manchester (including Ellesmere Port), Middlesbrough, Southampton.”</p>

ANNEX III

“ANNEX II

List of points of entry through which peanuts and certain products derived from peanuts originating in or consigned from China may be imported into the Community

Member State	Point of Entry
Belgium	Antwerpen, Zeebrugge, Brussel/Bruxelles, Aalst
Czech Republic	Celní úřad Praha D5
Denmark	All Danish harbours and airports
Germany	HZA Lörrach-ZA Weil am Rhein-Autobahn, HZA Stuttgart- ZA Flughafen, HZA München - ZA München - Flughafen, Bezirksamt Reinickendorf von Berlin, Abteilung Finanzen, Wirtschaft und Kultur, Veterinär- und Lebensmittelaufsichtsamt, Grenzkontrollstelle, HZA Frankfurt (Oder) - ZA Autobahn, HZA Cottbus- ZA Forst-Autobahn, HZA Bremen- ZA Neustädter Hafen, HZA Bremen - ZA Bremerhaven, HZA Hamburg-Hafen-ZA Waltershof, HZA Hamburg-Stadt, HZA Itzehoe-ZA Hamburg-Flughafen, HZA Frankfurt-am-Main- Flughafen, HZA Braunschweig-Abfertigungsstelle, HZA Hannover Hamburger Allee, HZA Koblenz – ZA Hahn-Flughafen, HZA Oldenburg-ZA Wilhelmshaven, HZA Bielefeld - ZA Eckendorfer Straße Bielefeld, HZA Erfurt - ZA Eisenach, HZA Potsdam - ZA Ludwigsfelde, HZA Potsdam - ZA Berlin-Flughafen Schönefeld, HZA Augsburg - ZA Memmingen, HZA Ulm - ZA Ulm (Donautal), HZA Karlsruhe - ZA Karlsruhe, HZA Berlin - ZA Dreilinden, HZA Gießen- ZA Gießen, HZA Gießen - ZA Marburg, HZA Singen – ZA Bahnhof, HZA Lörrach - ZA Weil am Rhein – Schusterinsel, HZA Hamburg-Stadt –ZA Oberelbe, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Billbrook, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Großmarkt, HZA Potsdam – ZA Berlin – Flughafen Schönefeld, HZA Düsseldorf – ZA Düsseldorf Nord
Estonia	Muuga port BIP, Paljassaare port BIP, Paldiski-Lõuna port BIP, Dirhami port BIP, Luhamaa road BIP, Narva road BIP
Greece	Athina, Pireas, Elefsis, Aerodromio ton Athinon, Thessaloniki, Volos, Patra, Iraklion tis Kritis, Aerodromio tis Kritis, Euzoni, Idomeni, Ormenio, Kipi, Kakavia, Niki, Promahonas, Pithio, Igoumenitsa, Kristalopigi
Spain	Algeciras (Puerto), Alicante (Aeropuerto, Puerto), Almeria (Aeropuerto, Puerto), Asturias (Aeropuerto), Barcelona (Aeropuerto, Puerto, Ferrocarril), Bilbao (Aeropuerto, Puerto), Cadiz (Puerto), Cartagena (Puerto), Castellon (Puerto), Ceuta (Puerto), Gijón (Puerto), Huelva (Puerto), Irun (Carretera), La Coruña (Puerto), La Junquera (Carretera) Las Palmas de Gran Canaria (Aeropuerto, Puerto), Madrid (Aeropuerto, Ferrocarril), Malaga (Aeropuerto, Puerto), Marin (Puerto), Melilla (Puerto), Murcia (Ferrocarril), Palma de Mallorca (Aeropuerto, Puerto), Pasajes (Puerto), San Sebastián (Aeropuerto), Santa Cruz de Tenerife (Puerto), Santander (Aeropuerto, Puerto), Santiago de Compostela (Aeropuerto), Sevilla (Aeropuerto, Puerto), Tarragona (Puerto), Tenerife Norte (Aeropuerto), Tenerife Sur (Aeropuerto), Valencia (Aeropuerto, Puerto), Vigo (Aeropuerto, Puerto), Villagarcia (Puerto), Vitoria (Aeropuerto), Zaragoza (Aeropuerto)

France	Marseille (Bouches-du-Rhone), Le Havre (Seine-Maritime), Rungis MIN (Val-de-Marne), Lyon Chassieu CRD (Rhône), Strasbourg CRD (Bas-Rhin), Lille CRD (Nord), Saint-Nazaire Montoir CRD (Loire-Atlantique), Agen (Lot-et-Garonne), Port de la Pointe des Galets à la Réunion
Ireland	Dublin – Port and Airport, Cork - Port and Airport, Shannon -Airport
Italy	Ufficio Sanità Marittima ed Aerea di Ancona Ufficio Sanità Marittima ed Aerea di Bari Ufficio Sanità Marittima ed Aerea di Genova Ufficio Sanità Marittima di Livorno Ufficio Sanità Marittima ed Aerea di Napoli Ufficio Sanità Marittima di Ravenna Ufficio Sanità Marittima di Salerno Ufficio Sanità Marittima ed Aerea di Trieste Dogana di Ferneti-Interporto Monrupino (Trieste) Ufficio di Sanità Marittima di La Spezia Ufficio di Sanità Marittima e Aerea di Venezia Ufficio di Sanità Marittima e Aerea di Reggio Calabria
Cyprus	Limassol Port , Larnaca Airport
Latvia	Grebneva, - road with Russia Terehova – road with Russia Pātarnieki – road with Byelorussia Silene – road with Byelorussia Daugavpils – railway commodity station Rēzekne – railway commodity station Liepāja – sea port Ventspils – sea port Rīga - sea port Rīga - airport Rīga Rīga - Latvian Post
Lithuania	Road: Kybartai, Lavoriškės, Medininkai, Panemunė, Šalčininkai. Airport: Vilnius. Seaport: Malkų įlankos, Molo, Pilies. Railway: Kena, Kybartai, Pagėgiai
Luxembourg	Centre Douanier, Croix de Gasperich, Luxembourg Administration des Douanes et Accises, Bureau Luxembourg-Aéroport, Niederaanven

Hungary	<p>Ferihegy – Budapest - airport</p> <p>Záhony - Szabolcs-Szatmár-Bereg - road</p> <p>Eperjeske - Szabolcs-Szatmár-Bereg - railway</p> <p>Nagylak – Csongrád - road</p> <p>Lökösháza – Békés - railway</p> <p>Röszke – Csongrád - road</p> <p>Kelebia - Bács-Kiskun - railway</p> <p>Letenye – Zala - road</p> <p>Gyékényes – Somogy - railway</p> <p>Mohács – Baranya - port</p>
Malta	Malta Freeport, the Malta International Airport and the Grand Harbour.
Netherlands	All harbours and airports and all border stations
Austria	HZA Feldkirch, HZA Graz, Nickelsdorf, Spielfeld, HZA Wien, ZA Wels, ZA Kledering, ZA Flughafen Wien, HZA Salzburg, ZA Klingenbach/Zweigstelle Sopron, ZA Karawankentunnel, ZA Villach
Poland	<p>Bezledy - Warmińsko – Mazurskie - road border point</p> <p>Kuźnica Białostocka - Podlaskie - road border point</p> <p>Bobrowniki - Podlaskie - road border point</p> <p>Koroszczyn - Lubelskie - road border point</p> <p>Dorohusk - Lubelskie - road and railway border point</p> <p>Gdynia - Pomorskie - seaport border point</p> <p>Gdańsk - Pomorskie -seaport border point</p> <p>Medyka-Przemyśl - Podkarpackie - railway border point</p> <p>Medyka - Podkarpackie - road border point</p> <p>Korczowa - Podkarpackie -road border point</p> <p>Jasionka - Podkarpackie - airport border point</p> <p>Szczecin - Zachodnio – Pomorskie - seaport border point</p> <p>Świnoujście - Zachodnio – Pomorskie - seaport border point</p> <p>Kołobrzeg - Zachodnio – Pomorskie - seaport border point</p>
Portugal	Lisboa, Leixões
Slovenia	<p>Obrežje - road border crossing</p> <p>Koper - port border crossing</p> <p>Dobova - railway border crossing</p>
Slovakia	Vyšné Nemecké – road, Čierna nad Tisou – railway
Finland	All Finnish Customs Offices.
Sweden	Göteborg, Stockholm, Helsingborg, Landvetter, Arlanda, Norrköping
United Kingdom	<p>Belfast, Dover, Felixstowe, Gatwick Airport, Goole, Grimsby, Harwich, Heathrow Airport, Hull, Immingham, Ipswich, Leith, Liverpool, London (including Tilbury, Thamesport and Sheerness), Manchester Airport, Manchester Containerbase, Manchester International Freight Terminal, Manchester (including Ellesmere Port), Middlesbrough, Southampton.”</p>

ANNEX IV

“ANNEX II

List of points of entry through which figs, hazelnuts and pistachios and certain products derived thereof originating in or consigned from Turkey may be imported into the Community

Member State	Point of Entry
Belgium	Antwerpen, Zeebrugge, Brussel/Bruxelles, Aalst
Czech Republic	Celní úřad Praha D5
Denmark	All Danish harbours and airports
Germany	HZA Lörrach-ZA Weil am Rhein-Autobahn, HZA Stuttgart- ZA Flughafen, HZA München - ZA München - Flughafen, Bezirksamt Reinickendorf von Berlin, Abteilung Finanzen, Wirtschaft und Kultur, Veterinär- und Lebensmittelaufsichtsamt, Grenzkontrollstelle, HZA Frankfurt (Oder) - ZA Autobahn, HZA Cottbus- ZA Forst-Autobahn, HZA Bremen- ZA Neustädter Hafen, HZA Bremen - ZA Bremerhaven, HZA Hamburg-Hafen-ZA Waltershof, HZA Hamburg-Stadt, HZA Itzehoe-ZA Hamburg-Flughafen, HZA Frankfurt-am-Main- Flughafen, HZA Braunschweig-Abfertigungsstelle, HZA Hannover Hamburger Allee, HZA Koblenz – ZA Hahn-Flughafen, HZA Oldenburg-ZA Wilhelmshaven, HZA Bielefeld - ZA Eckendorfer Straße Bielefeld, HZA Erfurt - ZA Eisenach, HZA Potsdam - ZA Ludwigsfelde, HZA Potsdam - ZA Berlin-Flughafen Schönefeld, HZA Augsburg - ZA Memmingen, HZA Ulm - ZA Ulm (Donautal), HZA Karlsruhe - ZA Karlsruhe, HZA Berlin - ZA Dreilinden, HZA Gießen- ZA Gießen, HZA Gießen - ZA Marburg, HZA Singen – ZA Bahnhof, HZA Lörrach - ZA Weil am Rhein – Schusterinsel, HZA Hamburg-Stadt –ZA Oberelbe, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Billbrook, HZA Hamburg-Stadt – ZA Oberelbe – Abfertigungsstelle Großmarkt, HZA Potsdam – ZA Berlin – Flughafen Schönefeld, HZA Düsseldorf – ZA Düsseldorf Nord
Estonia	Muuga port BIP, Paljassaare port BIP, Paldiski-Lõuna port BIP, Dirhami port BIP, Luhamaa road BIP, Narva road BIP
Greece	Athina, Pireas, Elefsis, Aerodromio ton Athinon, Thessaloniki, Volos, Patra, Iraklion tis Kritis, Aerodromio tis Kritis, Euzoni, Idomeni, Ormenio, Kipi, Kakavia, Niki, Promahonas, Pithio, Igoumenitsa, Kristalopigi
Spain	Algeciras (Puerto), Alicante (Aeropuerto, Puerto), Almeria (Aeropuerto, Puerto), Asturias (Aeropuerto), Barcelona (Aeropuerto, Puerto, Ferrocarril), Bilbao (Aeropuerto, Puerto), Cadiz (Puerto), Cartagena (Puerto), Castellon (Puerto), Ceuta (Puerto), Gijón (Puerto), Huelva (Puerto), Irun (Carretera), La Coruña (Puerto), La Junquera (Carretera) Las Palmas de Gran Canaria (Aeropuerto, Puerto), Madrid (Aeropuerto, Ferrocarril), Malaga (Aeropuerto, Puerto), Marin (Puerto), Melilla (Puerto), Murcia (Ferrocarril), Palma de Mallorca (Aeropuerto, Puerto), Pasajes (Puerto), San Sebastián (Aeropuerto), Santa Cruz de Tenerife (Puerto), Santander (Aeropuerto, Puerto), Santiago de Compostela (Aeropuerto), Sevilla (Aeropuerto, Puerto), Tarragona (Puerto), Tenerife Norte (Aeropuerto), Tenerife Sur (Aeropuerto), Valencia (Aeropuerto, Puerto), Vigo (Aeropuerto, Puerto), Villagarcia (Puerto), Vitoria (Aeropuerto), Zaragoza (Aeropuerto)

France	Marseille (Bouches-du-Rhone), Le Havre (Seine-Maritime), Rungis MIN (Val-de-Marne), Lyon Chassieu CRD (Rhône), Strasbourg CRD (Bas-Rhin), Lille CRD (Nord), Saint-Nazaire Montoir CRD (Loire-Atlantique), Agen (Lot-et-Garonne), Port de la Pointe des Galets à la Réunion
Ireland	Dublin – Port and Airport, Cork - Port and Airport, Shannon -Airport
Italy	Ufficio Sanità Marittima ed Aerea di Ancona Ufficio Sanità Marittima ed Aerea di Bari Ufficio Sanità Marittima ed Aerea di Genova Ufficio Sanità Marittima di Livorno Ufficio Sanità Marittima ed Aerea di Napoli Ufficio Sanità Marittima di Ravenna Ufficio Sanità Marittima di Salerno Ufficio Sanità Marittima ed Aerea di Trieste Dogana di Ferneti-Interporto Monrupino (Trieste) Ufficio di Sanità Marittima di La Spezia Ufficio di Sanità Marittima e Aerea di Venezia Ufficio di Sanità Marittima e Aerea di Reggio Calabria
Cyprus	Limassol Port , Larnaca Airport
Latvia	Grebneva, - road with Russia Terehova – road with Russia Pātarnieki – road with Byelorussia Silene – road with Byelorussia Daugavpils – railway commodity station Rēzekne – railway commodity station Liepāja – sea port Ventspils – sea port Rīga - sea port Rīga - airport Rīga Rīga - Latvian Post
Lithuania	Road: Kybartai, Lavoriškės, Medininkai, Panemunė, Šalčininkai. Airport: Vilnius. Seaport: Malkų įlankos, Molo, Pilies. Railway: Kena, Kybartai, Pagėgiai
Luxembourg	Centre Douanier, Croix de Gasperich, Luxembourg Administration des Douanes et Accises, Bureau Luxembourg-Aéroport, Niederaanven

Hungary	<p>Ferihegy – Budapest - airport</p> <p>Záhony - Szabolcs-Szatmár-Bereg - road</p> <p>Eperjeske - Szabolcs-Szatmár-Bereg - railway</p> <p>Nagylak – Csongrád - road</p> <p>Lökösháza – Békés - railway</p> <p>Röszke – Csongrád - road</p> <p>Kelebia - Bács-Kiskun - railway</p> <p>Letenye – Zala - road</p> <p>Gyékényes – Somogy - railway</p> <p>Mohács – Baranya - port</p>
Malta	Malta Freeport, the Malta International Airport and the Grand Harbour.
Netherlands	All harbours and airports and all border stations
Austria	HZA Feldkirch, HZA Graz, Nickelsdorf, Spielfeld, HZA Wien, ZA Wels, ZA Kledering, ZA Flughafen Wien, HZA Salzburg, ZA Klingenbach/Zweigstelle Sopron, ZA Karawankentunnel, ZA Villach
Poland	<p>Bezledy - Warmińsko – Mazurskie - road border point</p> <p>Kuźnica Białostocka - Podlaskie - road border point</p> <p>Bobrowniki - Podlaskie - road border point</p> <p>Koroszczyn - Lubelskie - road border point</p> <p>Dorohusk - Lubelskie - road and railway border point</p> <p>Gdynia - Pomorskie - seaport border point</p> <p>Gdańsk - Pomorskie -seaport border point</p> <p>Medyka-Przemyśl - Podkarpackie - railway border point</p> <p>Medyka - Podkarpackie - road border point</p> <p>Korczowa - Podkarpackie -road border point</p> <p>Jasionka - Podkarpackie - airport border point</p> <p>Szczecin - Zachodnio – Pomorskie - seaport border point</p> <p>Świnoujście - Zachodnio – Pomorskie - seaport border point</p> <p>Kołobrzeg - Zachodnio – Pomorskie - seaport border point</p>
Portugal	Lisboa, Leixões
Slovenia	<p>Obrežje - road border crossing</p> <p>Koper - port border crossing</p> <p>Dobova - railway border crossing</p>
Slovakia	Vyšné Nemecké – road, Čierna nad Tisou – railway
Finland	All Finnish Customs Offices.
Sweden	Göteborg, Stockholm, Helsingborg, Landvetter, Arlanda, Norrköping
United Kingdom	<p>Belfast, Dover, Felixstowe, Gatwick Airport, Goole, Grimsby, Harwich, Heathrow Airport, Hull, Immingham, Ipswich, Leith, Liverpool, London (including Tilbury, Thamesport and Sheerness), Manchester Airport, Manchester Containerbase, Manchester International Freight Terminal, Manchester (including Ellesmere Port), Middlesbrough, Southampton.”</p>

COMMISSION DECISION**of 29 April 2004****amending Decision 2003/828/EC on protection and surveillance zones in relation to bluetongue with regard to Cyprus and Malta***(notified under document number C(2004) 1601)***(Text with EEA relevance)**
(2004/430/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2 (3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 42 thereof,

Having regard to Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue¹, and in particular Article 8(2)(d) thereof,

Whereas:

- (1) Commission Decision 2003/828/EC of 25 November 2003 on protection and surveillance zones in relation to bluetongue² demarcates protection and surveillance zones corresponding to specific epidemiological situations and lays down the conditions for providing exemptions from the ban on the movements of animals in and from those zones.
- (2) As regard Cyprus and Malta, epidemiological data are in the process of being gathered in order to allow a definitive conclusion on the bluetongue status of those new Member States to be made. Pending that conclusion, it is necessary to temporarily classify Cyprus and Malta within the framework of Decision 2003/828/EC.
- (3) To that end, considering that bluetongue is a vector born disease, it is appropriate to consider the status of the territories of the Member States already listed in Annex I to Decision 2003/828/EC which are, from a geographical and epidemiological point of view, the closest to Cyprus and Malta.

¹ OJ L 327, 22.12.2000, p. 74.

² OJ L 311, 27.11.2003, p. 41. Decision as amended by Decision 2004/34/EC (OJ L 7, 13.1.2004, p. 47.).

- (4) Accordingly, the situation of Malta could temporarily be considered as comparable to that prevailing in southern Sicily and the situation in Cyprus to that prevailing in Dodecanese. However, pursuant to Article 42 of the Act of Accession, this transitional status should be reviewed within three years from the date of accession of Cyprus and Malta.
- (5) As a consequence, the transitional rules applying to movements of live animals of susceptible species in and from Cyprus and Malta should be those applying to movements of those animals in and from Dodecanese and southern Sicily.
- (6) Decision 2000/828/EC should therefore be amended accordingly.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2003/828/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply subject to and from the date of the entry into force of the 2003 Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Annex as referred to in Article 1 to this Decision.

“ANNEX I

(Restricted zones: geographic areas where protection and surveillance zones shall be established by the Member states)

Zone A (serotypes 2 and 9, and in a lesser extent 4 and 16)

Areas where Article 3 (2) (a) is applicable

Italy

Sicilia: Ragusa, Enna
Molise: Isernia, Campobasso
Abruzzo: Chieti, all Municipalities belonging to the Local Health Unit of Avezzano-Sulmona
Lazio: Frosinone, Latina
Campania: all Municipalities belonging to the Local Health Unit of Caserta 1
Basilicata: Matera, and Potenza(with the exception of all the Municipalities belonging to the Local Health Unit of Venosa)

Areas where Article 3 (2) (a) is not applicable

Italy

Sicilia: Agrigento, Catania, Caltanissetta, Palermo, Messina, Siracusa e Trapani
Calabria: Catanzaro, Cosenza, Crotona, Reggio Calabria, Vibo Valentia
Basilicata: Potenza (all Municipalities belonging to the Local Health Unit of Venosa)
Puglia: Foggia, Bari, Lecce, Taranto, Brindisi
Campania: Caserta (with the exception of all Municipalities belonging to the Local Health Unit of Caserta 1), Benevento, Avellino, Napoli, Salerno

Malta*

* transitional animal health status for Cyprus and Malta, pending the analysis of epidemiological data; status to be reviewed at the latest by 1 May 2007.

Zone B (serotype 2)

Areas where Article 3 (2) (a) is applicable

Italy

Lazio: Viterbo, Roma, Rieti (Municipalities of Ascrea, Belmonte in Sabina, Cantalupo in Sabina, Casaprota, Casperia, Castel di Tora, Castelnuovo di Farfa, Colle di Tora, Collevectchio, Concerviano, Configni, Contigliano, Cottanello, Fara in Sabina, Forano, Frasso, Abino, Greccio, Longone Sabino, Magliano Sabina, Mompeo, Montasola, Montebueno, Monteleone Sabino, Montenero Sabino, Monte San Giovanni in Sabina, Montopoli di Sabina, Orvinio, Poggio Catino, Poggio Mirteto, Poggio Moiano, Poggio Nativo, Poggio San Lorenzo, Pozzaglia Sabina, Rieti, Roccantica, Rocca Sinibalda, Salisano, Scandriglia, Selci, Stimigliano, Tarano, Toffia, Torricella in Sabina, Torri in Sabina, Vacone).

Toscana: Massa Carrara, Pisa, Grosseto, Livorno

Umbria: Terni

Areas where Article 3 (2) (a) is not applicable

Italy

Abruzzo: L'Aquila with the exception of all Municipalities belonging to the Local Health Unit of Avezzano-Sulmona

Lazio: Rieti (Municipalities of Accumoli, Amatrice, Antrodoco, Borbona, Borgorose, Borgo Velino, Cantalice, Castel Sant'angelo, Cittaducale, Cittareale, Collalto Sabino, Collegiove, Colli sul Velino, Fiamignano, Labro, Leonessa, Marcellini, Micigliano, Morro Reatino, Nespole, Paganico, Pescorocchiano, Petrella Salto, Poggio Bustone, Posta, Rivodutri, Turania, Varco Sabino).

Umbria: Perugia

Marche: Ascoli Piceno, Macerata

Zone C (serotypes 2 and 4)

Areas where Article 3 (2) (a) is applicable

France:

Corse du sud, Haute Corse

Spain:

Islas Baleares

Areas where Article 3 (2) (a) is not applicable

Italy:

Sardinia: Cagliari, Nuoro, Sassari, Oristano.

Zone D

Greece

The entire Greek territory with the exception of prefectorates listed in Zone E.

Zone E

Greece

Dodekanisi, Samos, Chios and Lesvos prefectorates.

Cyprus*

COMMISSION DECISION**of 29 April 2004****approving certain contingency plans for the control of classical swine fever***(notified under document number C(2004) 1609)***(Text with EEA relevance)**
(2004/431/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2 (3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 21 thereof,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever¹, and in particular the second subparagraph of Article 22 (3) and the third subparagraph of Article 29 (3) thereof,

Whereas:

- (1) Commission Decision 1999/246/EC of 30 March 1999 approving certain contingency plans for the control of classical swine fever², approved those contingency plans for Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden and the United Kingdom.
- (2) The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia have submitted contingency plans for the control of classical swine fever to the Commission for approval.
- (3) Those contingency plans fulfil the criteria laid down in Directive 2001/89/EC and, subject to a regular update and an effective implementation, permit the desired objective to be attained.
- (4) The contingency plans submitted by the new Member States should therefore be approved.

¹ OJ L 316, 1.12.2001, p. 5. Directive as last amended by the 2003 Act of Accession.

² OJ L 93, 8.4.1999, p. 24. Decision as amended by Decision 2000/113/EC (OJ L 33, 8.2.2000, p. 23.).

- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS DECISION:

Article 1

The contingency plans for the control of classical swine fever submitted by the new Member States listed in the Annex are approved.

Article 2

This Decision shall apply subject to and from the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

List of new Member States as referred to in Article 1

Code	Country
CY	Cyprus
CZ	Czech Republic
EE	Estonia
HU	Hungary
LV	Latvia
LT	Lithuania
MT	Malta
PL	Poland
SI	Slovenia
SK	Slovakia

COMMISSION DECISION**of 29 April 2004****on the approval of residue monitoring plans submitted by third countries in accordance with Council Directive 96/23/EC***(notified under document number C(2004) 1624)***(Text with EEA relevance)**

(2004/432/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC¹, and in particular the fourth subparagraph of Article 29(1) thereof,

Whereas:

- (1) Under Directive 96/23/EC inclusion and retention on the lists of third countries, provided for in Community legislation, from which Member States are authorised to import animals and primary products of animal origin (“the products”) covered by that Directive are subject to submission by the third countries concerned of a plan setting out the guarantees which they offer as regards the monitoring of the groups of residues and substances referred to in that Directive. That Directive also lays down certain requirements concerning time limits for submission of plans.
- (2) Commission Decision 2000/159/EC of 8 February 2000 on the provisional approval of residue plans of third countries according to Council Directive 96/23/EC², lists provisionally the third countries which have submitted a residue monitoring plan, setting out the guarantees offered by them in compliance with the requirements of that Directive.
- (3) Due to the evaluations of those plans presented by the third countries listed provisionally in the Annex to Decision 2000/159/EC, the list of third countries complying with Directive 96/23/EC (“the list”) should no longer be considered as provisional.

¹ OJ L 125, 23.5.1996, p. 10. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

² OJ L 51, 24.2.2000, p. 30. Decision as last amended by Decision 2003/702/EC (OJ L 254, 8.10.2003, p. 29).

- (4) Certain third countries have presented residue monitoring plans to the Commission for animals and products not listed in Decision 2000/159/EC. The evaluation of those plans and the additional information requested by the Commission provide sufficient guarantees on the residue monitoring in those countries for the concerned animals and products. Those animals and products should therefore be included in the list for those third countries.
- (5) Certain third countries have not presented residue monitoring plans or have presented insufficient guarantees in the area of residue monitoring for animals and products originally listed in Decision 2000/159/EC. Those animals and products should therefore no longer be included in the list of those third countries.
- (6) In the interests of clarity of Community legislation Decision 2000/159/EC should be repealed and replaced by this Decision.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The residue monitoring plans submitted by the third countries listed in the Annex to this Decision are approved for the animals and primary animal products marked with an “X” in the table set out in that Annex.

Article 2

Decision 2000/159/EC is repealed.

Article 3

This Decision shall apply from 1 May 2004.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Code ISO2	Country	Bovine	Ovine/caprine	Swine	Equine	Poultry	Aqua-culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
AD	Andorra ¹	X	X		X								
AE	United Arab Emirates						X						
AF	Afghanistan		X ²										
AL	Albania		X				X						
AN	Netherlands Antilles							X ³					
AR	Argentina	X	X	X ²	X	X	X	X	X	X	X	X	X
AU	Australia	X	X	X	X	X	X	X	X	X	X	X	X
BD	Bangladesh		X ²				X						
BG	Bulgaria	X	X	X	X ⁴	X	X	X	X		X	X	X
BH	Bahrain		X ²										
BR	Brazil	X	X ²	X	X	X	X	X				X	X
BW	Botswana	X										X	
BY	Belarus				X ⁴								
BZ	Belize						X						X
CA	Canada	X	X	X	X	X	X	X	X		X	X	X

¹ Initial residue monitoring plan approved by veterinary sub-group EC/Andorra (in accordance with Decision No 2/1999 of EC/Andorra Joint Committee of 22 December 1999 – (OJ L 31, 5.2.2000, p. 84)).

² Only casings.

³ Third countries using only raw material from other approved third countries for food production.

⁴ Exports of live horses for slaughter (food producing animals only).

Code ISO2	Country	Bovine	Ovine/caprine	Swine	Equine	Poultry	Aqua-culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
CH	Switzerland	X	X	X	X	X	X	X	X				X ³
CL	Chile	X	X ⁵	X	X ²	X	X				X		X
CN	China		X ²	X ²									
CO	Colombia						X	X					
CR	Costa Rica	X ²	X ²	X ²			X						
CS	Serbia and Montenegro ⁶	X	X	X	X ⁴								X
CU	Cuba						X						X
EC	Ecuador						X						
EG	Egypt		X ²										
ER	Eritrea						X						
FK	Falklands Islands		X										
FO	Faeroe Islands						X						
GL	Greenland		X		X ⁴						X	X	
GT	Guatemala						X						X
HK	Hong Kong					X ³	X ³						
HN	Honduras		X ²				X						
HR	Croatia	X	X	X	X ⁴	X	X	X	X	X	X	X	X
ID	Indonesia						X						
IL	Israel					X	X	X	X			X	X

⁵ Only sheep.

⁶ Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999

Code ISO2	Country	Bovine	Ovine/caprine	Swine	Equine	Poultry	Aqua-culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
IN	India	X ²	X ²				X	X	X				X
IR	Iran		X ²				X						
IS	Iceland	X	X	X	X		X	X				X ³	
JM	Jamaica						X						X
JP	Japan		X ²				X						
KE	Kenya												X
KR	South Korea						X						
KW	Kuwait		X ²										
LB	Lebanon		X ²										
LK	Sri Lanka						X						
MA	Morocco		X ²		X ⁴		X						
MD	Moldova												X
MG	Madagascar						X						
MK	Former Yugoslav Republic of Macedonia ⁷	X	X		X ⁴			X					
MN	Mongolia		X ²										
MX	Mexico	X	X ²		X	X	X	X	X	X			X
MY	Malaysia					X ⁸	X						

⁷ Appropriate denomination still under discussion at UN.

⁸ Peninsular (western) Malaysia only.

Code ISO2	Country	Bovine	Ovine/caprine	Swine	Equine	Poultry	Aqua-culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
MZ	Mozambique						X						
NA	Namibia	X	X				X				X	X	
NC	New Caledonia	X					X				X	X	
NI	Nicaragua	X ²	X ²				X						X
NO	Norway ⁹	X	X	X		X	X	X	X		X	X	X
NZ	New Zealand	X	X		X		X	X			X	X	X
OM	Oman	X ²	X ²				X						
PA	Panama	X	X ²				X						
PE	Peru		X ²			X	X						
PH	Philippines						X						
PK	Pakistan	X ²	X ²										
PY	Paraguay	X	X ²										X
RO	Romania	X	X	X	X	X	X	X	X	X	X	X	X
RU	Russia	X	X	X	X ⁴	X		X	X			X ¹⁰	X
SC	Seychelles						X						
SG	Singapore					X ³	X ³						
SM	San Marino ¹¹	X		X									X

⁹ Monitoring plan approved in accordance with Decision of EFTA Surveillance Authority No 223/96/COL of 4 December 1996 (OJ L 78, 20.3.1997, p. 38).

¹⁰ Only for reindeer from the Murmansk region..

¹¹ Monitoring plan approved in accordance with Decision No 1/94 of the EC-San Marino Cooperation Committee of 28 June 1994 (OJ L 238, 13.9.1994, p. 25).

Code ISO2	Country	Bovine	Ovine/caprine	Swine	Equine	Poultry	Aqua-culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
SR	Suriname						X						
SV	El Salvador												X
SY	Syria		X ²										
SZ	Swaziland	X											
TH	Thailand					X	X						X
TM	Turkmenistan		X ²										
TN	Tunisia		X ²		X ⁴	X	X				X	X	
TR	Turkey		X ²				X						X
TW	Taiwan						X						X
TZ	Tanzania												X
UA	Ukraine				X ⁴								X
US	United States	X	X	X	X	X	X	X	X	X	X	X	
UY	Uruguay	X	X		X		X	X		X	X	X	X
UZ	Uzbekistan		X ²										
VE	Venezuela						X						
VN	Viet Nam						X						X
YT	Mayotte						X						
ZA	South Africa	X	X	X		X		X			X	X	X
ZM	Zambia												X
ZW	Zimbabwe	X					X					X	

COMMISSION DECISION**of 29 April 2004****laying down transitional measures for Latvia derogating from Council Directive 1999/74/EC as regards the height of cages for laying hens***(notified under document number C(2004) 1628)***(Text with EEA relevance)**
(2004/433/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2 (3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 42 thereof

Whereas:

- (1) From 1 May 2004 the keeping of laying hens in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (“the New Member States”) has to comply with the minimum standards for the protection of laying hens set out in Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens.¹
- (2) Article 5(1)(4) of Directive 1999/74/EC specifies the minimum height required for unenriched cages. For five new Member States specific derogations from that requirement have already been laid down in the 2003 Act of Accession for certain establishments listed in the Appendices thereto.
- (3) Derogations from that requirement should also be granted for Latvia in order to facilitate the transition to welfare standards for the keeping of laying hens resulting from the application of the Directive 1999/74/EC.
- (4) In order to avoid distortions of competition interfering with the smooth running of the organisation of the market in animal products, it is appropriate to exclude eggs produced in cages benefiting from the derogation from intra-Community trade.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

¹ OJ L 203, 3.8.1999, p. 53.

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 5(1)(4) of Directive 1999/74/EC, the establishments in Latvia listed in the Annex to this Decision may until 1 May 2007 maintain in service existing cages for laying hens provided that they are at least 35 cm high over at least 65% of the cage area and not less than 29 cm at any point.

Article 2

Eggs from cages benefiting from the derogation under Article 1 shall not be placed on the market in another Member State.

Article 3

This Decision shall apply subject to and as from the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Establishments in Latvia with unenriched cages for laying hens subject to transitional arrangements by way of derogation from Article 5(1)(4) of Directive 1999/74/EC

No	Name and address of the establishment	Production capacity (eggs/year) (1000)
1	A/s Balticovo Iecava LV 3913	235.000
2	SAI Sidgunda 2 Sidgunda LV 2153	9.100

COMMISSION DECISION**of 29 April 2004**

adapting Decision 2003/324/EC as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council by reason of the accession of Estonia

(notified under document number C(2004) 1632)

(Text with EEA relevance)
(2004/434/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(1) thereof,

Whereas:

- (1) For certain acts which remain valid beyond 1 May 2004 and require adaptation by reason of accession, the necessary adaptations were not provided for in the 2003 Act of Accession, or were provided for but need further adaptations. All these adaptations need to be adopted before accession so as to be applicable as from accession.
- (2) Pursuant to Article 57(2) of the Act of Accession, such adaptations are to be adopted by the Commission in all cases where the Commission adopted the original act.
- (3) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption¹ provides for a prohibition on the feeding of animals with processed animal protein derived from animals of the same species. That Regulation also provides that derogations may be granted in relation to fur animals.
- (4) Commission Decision 2003/324/EC² lists the Member States authorised to make use of that derogation, the species which may be fed with processed animal protein derived from animals of the same species, and the rules under which the feeding may take place.

¹ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 808/2003 (OJ L 117, 13.5.2003, p. 1).

² OJ L 117, 13.05.2003, p. 37.

- (5) Estonia has submitted a request for a derogation on the intra-species recycling ban for fur animals and has submitted satisfactory information on the safety measures under which the feeding may take place.
- (6) Decision 2003/324/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2003/324/EC is amended as follows:

- (1) In Article 1, the introductory phrase is replaced by the following:

‘Pursuant to Article 22(2) of Regulation (EC) No 1774/2002, a derogation is granted to Estonia and Finland with regard to the feeding of the following fur animals with processed animal protein derived from the bodies or parts of bodies of animals of the same species:’

- (2) Article 5 is replaced by the following:

‘Article 5

Estonia and Finland shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.’

- (3) Article 7 is replaced by the following:

‘Article 7

This Decision is addressed to the Republic of Estonia and the Republic of Finland.’

Article 2

This Decision shall apply subject to and as from the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

COMMISSION DECISION**of 29 April 2004****approving certain contingency plans for the control of foot-and-mouth disease***(notified under document number C(2004) 1648)***(Text with EEA relevance)**
(2004/435/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2 (3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 21 thereof,

Having regard to Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC¹, and in particular Article 72 (7) thereof,

Whereas:

- (1) Commission Decision 93/455/EEC of 23 July 1993 approving certain contingency plans for the control of foot-and-mouth disease², approved those plans for the current Member States.
- (2) The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia have submitted contingency plans for foot-and-mouth disease for approval.
- (3) Those plans fulfil the criteria and requirements laid down in Directive 2003/85/EC and, subject to a regular update and an effective implementation, permit the desired objective to be attained.
- (4) Accordingly, the contingency plans submitted by the new Member States should therefore be approved.

¹ OJ L 306, 22.11.2003, p. 1.

² OJ L 213, 24.8.1993, p. 20. Decision as last amended by Decision 2001/96/EC (OJ L 35, 6.2.2001, p. 52.).

- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS DECISION:

Article 1

The contingency plans for the control of foot-and-mouth disease submitted by the new Member States listed in the Annex are approved.

Article 2

This Decision shall apply subject to and as from the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

List of new Member States as referred to in Article 1

Code	Country
CY	Cyprus
CZ	Czech Republic
EE	Estonia
HU	Hungary
LV	Latvia
LT	Lithuania
MT	Malta
PL	Poland
SI	Slovenia
SK	Slovakia

COMMISSION DECISION**of 29 April 2004****amending Commission Decision 94/984/EC as regards the animal health conditions and veterinary certification for fresh poultrymeat transiting or being temporarily stored in the Community***(notified under document number C(2004) 1650)***(Text with EEA relevance)**
(2004/436/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption¹, in particular Article 8 (5), third indent, and Article 9 (2) (b) and (4) (c),

Whereas:

- (1) Council Directive 91/494/EEC on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat² lays down the general animal health conditions for imports into the Community from third countries.
- (2) Commission Decision 94/984/EC lays down animal health conditions and veterinary certificates for the importation of fresh poultrymeat from certain third countries³
- (3) Council Directive 97/78/EC lays down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁴ and certain provisions for transit are already provided for in Article 11 such as the use of ANIMO messages and of the common veterinary entry document.
- (4) However, it is necessary in order to safeguard the disease situation in the Community to further ensure that consignments of fresh poultry meat transiting through the Community, comply with the animal health import conditions applicable for authorised countries in regard to the relevant species concerned.

¹ OJ L 18, 23.1.2002, p. 11.

² OJ L 268, 24.9.1991, p. 35. Directive as last amended by Directive 1999/89/EC (OJ L 300, 23.11.1999, p. 17.).

³ OJ L 378, 31.12.1994, p. 11. Decision as last amended by Decision 2004/118/EC (OJ L 36, 7.2.2004, p. 34.).

⁴ OJ L 24, 30.1.1998, p. 9. Directive as last amended by the Act concerning the conditions of Accession (OJ L 236, 23.9.2003, p. 381.).

- (5) Council Decision 79/542/EEC drawing up a list of third countries or parts of third countries, and laying down animal and public health, and veterinary certification conditions for the importation into the Community of certain live animals and their fresh meat⁵, has recently been amended to include transit conditions and a derogation for transit between Russia with a reference to the specific border inspection posts designated for this latter purpose.
- (6) In the light of experience, it appears that the presentation to the border inspection post, pursuant to Article 7 of Directive 97/78/EC, of the original veterinary documents established in the exporting third country to fulfil the regulatory requirement of the third country of destination, is not sufficient to ensure that the animal health conditions required for the safe introduction into the territory of the Community of the products concerned are effectively satisfied; it is therefore appropriate to establish a specific model of animal health certificate to be used in transit situations for the products concerned.
- (7) It is further appropriate to clarify the implementation of the condition laid down in Article 11 of Directive 97/78/EC, that transit is only allowed from third countries whose products are not prohibited for introduction in the territory of the Community, by making reference to the list of third countries annexed to Decision 94/984/EC.
- (8) However specific conditions for transits via the Community of consignments to and from Russia should be foreseen due to the geographical situation of Kaliningrad and taking into account climatic problems impeding the use of some ports at certain times of the year.
- (9) Commission Decision 2001/881/EC draws up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries⁶ and it is appropriate to specify the border inspection posts designated for the control of such transits taking into account this Decision.
- (10) Commission Decision 94/984/EC should be amended accordingly.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

⁵ OJ L 146, 14.6.1979, p. 15. Decision as last amended by Commission Decision 2004/xxx/EC (OJ L nn, dd.mm.2004, p. nn) [C(2004) 1308].

⁶ OJ L 326, 11.12.2001, p. 44. Decision as last amended by Commission Decision 2004/273/EC (OJ L 86, 24.3.2004, p. 21.).

Article 1

Commission Decision 94/984/EC is amended as follows:

1. The following Article 1a is inserted:

“Article 1a

Member States shall ensure that consignments of poultry meat for human consumption, introduced onto the territory of the Community and which are destined for a third country either by transit immediately or after storage in accordance with Articles 12 (4) or 13 of Directive 97/78/EC, and not intended for importation into the EC shall comply with the following requirements:

- (a) they shall come from the territory of a third country or a part thereof listed in Annex I of this Decision for the import of fresh poultry meat.
- (b) they shall meet the specific animal health conditions set out in the animal health attestation part of the model certificate, part A or B, drawn up under Annex II part 2.
- (c) they shall be accompanied by an animal health certificate established in accordance with the model C laid down in Annex II part 2, signed by an official veterinarian of the competent veterinary services of the third country concerned.
- (d) they are certified as acceptable for transit or storage (as appropriate) on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.”

2. The following Article 1b is inserted:

“Article 1b

1. By way of derogation from Article 1a Member States shall authorise the transit by road or by rail through the Community, between designated Community border inspection posts listed in the Annex to Decision 2001/881/EC, of consignments coming from and destined to Russia directly or via another third country provided that the following conditions are met:
 - (a) the consignment shall be sealed with a serially numbered seal at the border inspection post of entry to the EC by the veterinary services of the competent authority;
 - (b) the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC shall be stamped “ONLY FOR TRANSIT TO RUSSIA VIA THE EC” on each page by the official veterinarian of the competent authority responsible for the BIP;

- (c) the procedural requirements provided for in Article 11 of Directive 97/78/EC shall be complied with;
 - (d) the consignment is certified as acceptable for transit on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.
- 2. unloading or storage, as defined in Article 12 (4) or Article 13 of Directive 97/78/EC, on EC territory of such consignments shall not be allowed.
- 3. regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the EC territory matches the number and quantities entering.”
- 3. The Annexes are amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from 1 May 2004.

Article 1 point 1 and the Annex shall only apply from 1 January 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Annex II part 2 to Decision 94/984/EC is amended as follows:

The following Model C certificate is added:

“MODEL C (Transit and/or storage)”

Model TRANSIT/STORAGE

1. Consignor (name and address in full)	VETERINARY CERTIFICATE for fresh poultry meat ⁽¹⁾, for [transit] [storage] ^{(2) (7)} in the European Community No ⁽³⁾ ORIGINAL																																																																																							
2. Consignee (name and address in full)	3. Origin of the meat ⁽⁴⁾ 3.1 Country name and ISO code : 3.2 Code of territory :																																																																																							
5. Intended [transit]/[storage] ⁽⁷⁾ destination of the meat 5.1 Storage in: EU Member State: Name and address of the establishment ^{(5) (10)} : 5.2 Transit final third country destination ⁽¹⁰⁾ : Exit Community BIP name and address ⁽¹⁰⁾ :	4. Competent Authority 4.1 Ministry: 4.2 Service: 4.3 Local/Regional level: 6. Place of loading for exportation																																																																																							
7. Means of transport and consignment identification ⁽⁶⁾ 7.1 [Lorry][Rail-wagon][Ship][Aircraft] ⁽⁷⁾ 7.2 Registration number(s), ship name or flight number :	7.3 Consignment identification details ⁽⁸⁾ :																																																																																							
8. Identification of the meat 8.1 Meat from: (animal species). 8.2 Temperature conditions of the poultry meat included in this consignment : chilled/frozen ⁽⁵⁾ 8.3 Individual identification of the poultry meat included in this consignment :																																																																																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Nature of cuts⁽⁸⁾</th> <th colspan="3">Number of the establishment(s)</th> <th rowspan="2">Cold store</th> <th rowspan="2">Number of packages/pieces</th> <th rowspan="2">Net weight(kg).</th> </tr> <tr> <th>Slaughterhouse</th> <th>Cutting/Manufacturing</th> <th></th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr> <td colspan="4" style="text-align: right;">Total</td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		Nature of cuts ⁽⁸⁾	Number of the establishment(s)			Cold store	Number of packages/pieces	Net weight(kg).	Slaughterhouse	Cutting/Manufacturing																																																																								Total						
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<p>9. Animal Health attestation</p> <p>I, the undersigned official veterinarian, hereby certify, that the freshpoultry meat described above :</p> <p>9.1 comes from a country or region authorized for imports into the EC as laid down in Annex I to Decision 94/984/EC at the time of slaughter and</p> <p>9.2 complies with the relevant animal health conditions as laid down in the animal health attestation in the model certificate A/B ⁽⁷⁾ in Annex II part 2 to Decision 94/984/EC and</p> <p>9.3 is derived from poultry which were slaughtered and processed on or between ⁽⁹⁾.</p> <p>10. Official stamp and signature</p> <p>Done at on</p> <p>(signature of official veterinarian) ⁽¹¹⁾</p> <p>(stamp) ⁽¹¹⁾</p> <p>(name in capital letters, qualifications and title)</p>

Notes

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| <p>(1) Fresh poultry meat means any parts of domestic fowl, turkeys, guinea fowl, geese and ducks which are fit for human consumption and which have not undergone any treatment other than cold treatment to ensure its preservation: vacuum-wrapped meat or meat wrapped in a controlled atmosphere must also be accompanied by a certificate according to this model.</p> <p>(2) In accordance with Article 12 (4) or Article 13 of Council Directive 97/78/EC.</p> <p>(3) Issued by the competent authority.</p> <p>(4) Country and description of territory as appearing the Annex to Commission Decision 94/984/EC (as last amended).</p> <p>(5) Address (and approval number if known) of the warehouse in a free zone, free warehouse, customs warehouse or ship chandler shall be included.</p> <p>(6) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.</p> <p>In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.</p> <p>(7) Keep as appropriate.</p> <p>(8) Complete if appropriate.</p> <p>(9) Date or dates of slaughter. Imports of this meat shall not be allowed when obtained from animals slaughtered either prior to the date of authorisation for exportation to the European Community of the territory mentioned under (4), or during a period where restrictive measures have been adopted by the European Community against imports of this meat from this territory.</p> <p>(10) Complete as appropriate.</p> <p>(11) The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.</p> |
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COMMISSION DECISION**of 29 April 2004****amending Commission Decision 2000/572/EC as regards the animal health conditions and veterinary certification for meat preparations transiting or being temporarily stored in the Community***(notified under document number C(2004) 1672)***(Text with EEA relevance)**
(2004/437/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption¹, in particular Article 8 (5), third indent, and Article 9 (2) (b) and (4) (c),

Whereas:

- (1) Council Directive 94/65/EC lays down the the requirements for the production and placing on the market of minced meat and meat preparations² including conditions for imports into the Community.
- (2) Commission Decision 2000/572/EC lays down animal and public health conditions and veterinary certification for imports of meat preparations from third countries³.
- (3) Commission Decision 94/984/EC lays down animal health conditions and veterinary certificates for the importation of fresh poultry meat from certain third countries⁴.
- (4) Commission Decision 2000/585/EC lays down animal and public health conditions and veterinary certifications for import of wild and farmed game meat and rabbit meat from third countries⁵.

¹ OJ L 18, 23.1.2003, p. 11.

² OJ L 368 , 31.12.1994 p. 10. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1.).

³ OJ L 240, 23.9.2000, p. 19. Decision as last amended by Decision 2004/212/EC (OJ L 73, 11.3.2004, p. 11.).

⁴ OJ L 378, 31.12.1994, p. 11. Decision as last amended by Decision 2004/118/EC (OJ L 36, 7.2.2004, p. 34.).

⁵ OJ L 251, 6.10.2000, p. 1. Decision as last amended by Decision 2004/245/EC (OJ L 77, 13.3.2004, p. 62.).

- (5) Council Directive 97/78/EC lays down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁶ and certain provisions for transit are already provided for in Article 11 such as the use of ANIMO messages and of the common veterinary entry document.
- (6) However, it is necessary in order to safeguard the disease situation in the Community to further ensure that consignments of meat preparations transiting through the Community, comply with the animal health import conditions applicable for authorised countries in regard to the relevant species concerned.
- (7) Council Decision 79/542/EEC drawing up a list of third countries or parts of third countries, and laying down animal and public health, and veterinary certification conditions for the importation into the Community of certain live animals and their fresh meat⁷, has recently been amended to include transit conditions and a derogation for transit between Russia with a reference to the specific border inspection posts designated for this latter purpose.
- (8) In the light of experience, it appears that the presentation to the border inspection post, pursuant to Article 7 of Directive 97/78/EC, of the original veterinary documents established in the exporting third country to fulfil the regulatory requirement of the third country of destination, is not sufficient to ensure that the animal health conditions required for the safe introduction into the territory of the Community of the products concerned are effectively satisfied; it is therefore appropriate to establish a specific model of animal health certificate to be used in transit situations for the products concerned.
- (9) It is further appropriate to clarify the implementation of the condition laid down in Article 11 of Directive 97/78/EC, that transit is only allowed from third countries which products are not prohibited for introduction in the territory of the Community, by making reference to the list of third countries annexed to Decisions 79/542/EEC, 94/984/EC and 2000/585/EC respectively.
- (10) However specific conditions for transits via the Community of consignments to and from Russia should be foreseen due to the geographical situation of Kaliningrad and taking into account climatic problems impeding the use of some ports at certain times of the year.
- (11) Commission Decision 2001/881/EC draws up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries⁸ and it is appropriate to specify the border inspection posts designated for the control of such transits taking into account this Decision.

⁶ OJ L 24, 30.1.1998, p. 9. Directive as last amended by the Act concerning the conditions of Accession (OJ L 236, 23.9.2003, p. 381.).

⁷ OJ L 146, 14.6.1979, p. 15. Decision as last amended by Commission Decision 2004/nnn/EC (OJ L nnn. dd.mm.2004, p. nn) [C (2004) 1308].

⁸ OJ L 326, 11.12.2001, p. 44. Decision as last amended by Commission Decision 2004/273/EC (OJ L 86, 24.3.2004, p. 21.).

- (12) Commission Decision 2000/572/EC should be amended accordingly.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 2000/572/EC is amended as follows:

1. The following Article 4a is inserted:

“Article 4a

Member States shall ensure that consignments of meat preparations for human consumption, introduced onto the territory of the Community and which are destined for a third country either by transit immediately or after storage in accordance with Articles 12 (4) or 13 of Directive 97/78/EC, and not intended for importation into the EC shall comply with the following requirements:

- (a) they shall come from the territory of a third country or a part thereof listed in Annex II part 1 of Decision 79/542/EEC for the import of fresh meat of those species or listed in Annex I to Decision 94/984/EC for the import of fresh poultry meat or listed in Annex I to Decision 2000/585/EC for the import of rabbit and game meat.
- (b) they shall meet the specific animal health conditions for the species concerned set out in one of the corresponding model animal health certificate drawn up in Annex II part 2 of Decision 79/542/EEC for the import of fresh meat of that species in Annex I part 1 to Decision 94/984/EC for the import of poultry meat, or in Annex III to Decision 2000/585/EC for the import of rabbit and game meat.
- (c) they shall be accompanied by an animal health certificate established in accordance with the model laid down in Annex III, signed by an official veterinarian of the competent veterinary services of the third country concerned.
- (d) they are certified as acceptable for transit or storage (as appropriate) on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.”

2. The following Article 4b is inserted:

“Article 4b

1. By way of derogation from Article 4a Member States shall authorise the transit by road or by rail through the Community, between designated Community border inspection posts listed in the Annex of Decision 2001/881/EC, of consignments coming from and destined to Russia directly or via another third country provided that the following conditions are met:
 - (a) the consignment shall be sealed with a serially numbered seal at the border inspection post of entry to the EC by the veterinary services of the competent authority;
 - (b) the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC shall be stamped “ONLY FOR TRANSIT TO RUSSIA VIA THE EC” on each page by the official veterinarian of the competent authority responsible for the BIP;
 - (c) the procedural requirements provided for in Article 11 of Directive 97/78/EC shall be complied with;
 - (d) the consignment is certified as acceptable for transit on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.
 2. unloading or storage, as defined in Article 12 (4) or Article 13 of Directive 97/78/EC, on EC territory of such consignments shall not be allowed.
 3. regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the EC territory matches the number and quantities entering.”
3. A new Annex III is added in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from 1 May 2004.

Article 1 point 1 and the Annex shall only apply from 1 January 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

“ANNEX III (Transit and/or storage)

Model TRANSIT/STORAGE

1. Consignor (name and address in full)	VETERINARY CERTIFICATE for meat preparations⁽¹⁾, for [transit] [storage]^{(2) (7)} in the European Community No ⁽³⁾ ORIGINAL																				
2. Consignee (name and address in full)	3. Origin of the meat preparation⁽⁴⁾ 3.1 ISO code and name of Country : 3.2 Code of territory :																				
5. Intended [transit]/[storage]⁽⁷⁾ destination of the meat preparation 5.1 Storage in: EU Member State: Name and address of the establishment ^{(5) (10)} : 5.2 Final third country destination after [transit]/[storage] ⁽¹⁰⁾ : Exit Community BIP name and address ⁽¹⁰⁾ :	4. Competent Authority 4.1 Ministry: 4.2 Service: 4.3 Local/Regional level:																				
7. Means of transport and consignment identification⁽⁶⁾ 7.1 [Lorry]/[Rail-wagon]/[Ship]/[Aircraft] ⁽⁷⁾ 7.2 Registration number(s), ship name or flight number :	6. Place of loading for exportation 7.3 Consignment identification details ⁽⁸⁾ :																				
8. Identification of the meat preparation 8.1 Meat from: (animal species). 8.2 Temperature conditions of the meat preparations included in this consignment : chilled/frozen ⁽⁵⁾ 8.3 Individual identification of the meat preparations included in this consignment : <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Nature of the preparations⁽⁸⁾</th> <th style="width: 30%;">Address of the establishment(s) Meat preparation</th> <th style="width: 15%;">Cold store</th> <th style="width: 20%;">Number of packages/pieces</th> <th style="width: 10%;">Net weight(kg)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td colspan="3" style="text-align: right;">Total</td> <td> </td> <td> </td> </tr> </tbody> </table>		Nature of the preparations ⁽⁸⁾	Address of the establishment(s) Meat preparation	Cold store	Number of packages/pieces	Net weight(kg)											Total				
Nature of the preparations ⁽⁸⁾	Address of the establishment(s) Meat preparation	Cold store	Number of packages/pieces	Net weight(kg)																	
Total																					

9. Animal Health attestation

I, the undersigned official veterinarian, hereby certify, that the meat preparations described above :

- 9.1 comes from a country or region authorized for imports of fresh meat of the species concerned into the EC as laid down in [Annex II part 1 to Decision 79/542/EEC and/or [Annex I part 1 to Decision 94/984/EC]⁽⁷⁾ and/or [Annex 1 to Decision 2000/585/EC]⁽⁷⁾ at the time of slaughter,
- 9.2 complies with the relevant animal health conditions as laid down in the animal health attestation in the model certificate(s) [BOV]/[POR]/[OVI]/[EQU]/[RUF]/[RUW]/[SUF]/[SUW]/[EQW]⁽⁷⁾ [in Annex II part 2 to Decision 79/542/EEC] and/or [Annex I part 2 model [A]⁽⁷⁾ or [B]⁽⁷⁾ to Decision 94/984/EC]⁽⁷⁾ and/or [Annex III model [C]/[D]/[E]/[H]/[I]⁽⁷⁾ to Decision 2000/585/EC]⁽⁷⁾ and
- 9.3 is derived from animals which were slaughtered and processed on or between⁽⁹⁾.

10. Official stamp and signature

Done at on

(signature of official veterinarian)⁽¹¹⁾

(stamp)⁽¹¹⁾

(name in capital letters, qualifications and title)

Notes

- (1) Meat preparations within the meaning of Article 5 (1) of Directive 94/65/EC.
- (2) In accordance with Article 12 (4) or Article 13 of Council Directive 97/78/EC.
- (3) Issued by the competent authority.
- (4) Country and description of territory. Meat in the meat preparation must come from a country or region authorised for imports of the species concerned into the EC as laid down in Annex I to Decision 2000/585/EC and/or Annex I part 1 to Decision 94/984/EC and/or Annex II part 1 to Decision 79/542/EEC (as last amended).
- (5) Address (and approval number if known) of the warehouse in a free zone, free warehouse, customs warehouse or ship chandler shall be included.
- (6) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.
In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.
- (7) Keep as appropriate.
- (8) Complete if appropriate.
- (9) Date or dates of slaughter. Imports of meat preparations shall not be allowed when the meat in the meat preparation has been obtained from animals slaughtered either prior to the date of authorisation for exportation to the European Community of the territory mentioned under (4), or during a period where restrictive measures have been adopted by the European Community against imports of meat of the species concerned from this territory.
- (10) Complete as appropriate.
- (11) The colour of the signature shall be different to that of the printing. The same rule applies to the stamps other than those embossed or watermarked

COMMISSION DECISION**of 29 April 2004****laying down animal and public health and veterinary certifications conditions for introduction in the Community of heat-treated milk, milk-based products and raw milk intended for human consumption***(notified under document number C(2004) 1691)***(Text with EEA relevance)**

(2004/438/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat treated milk and milk based products¹, and in particular Article 23 (2) (b) and (3) (a), (c) and (d) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption², and in particular Article 8 (1) and (4) and Article 9 (4) (a) and (c) thereof,

Whereas:

- (1) Council Directive 92/46/EEC of 16 June 1992 lays down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products, including for imports.
- (2) Council Directive 2002/99/EC lays down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption.
- (3) Commission Decision 95/340/EC draws up a provisional list of third countries from which Member States authorize imports of milk and milk-based products³.

¹ OJ L 268, 14.9.1992 p. 1. Directive as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

² OJ L 18, 23.1.2002, p. 11.

³ OJ L 200, 24.8.1995 p. 38. Decision as last amended by Commission Decision 2003/58/EC (OJ L 023, 28.1.2003, p. 26).

- (4) Commission Decision 95/342/EC lays down the treatment to be applied to milk and milk-based products for human consumption from third countries or parts of third countries where there is a risk of foot-and-mouth disease⁴; its provisions should be updated to take account of the treatment against the foot-and-mouth virus provided for in Council Directive 2003/85/EC laying down Community measures for the control of foot-and-mouth disease⁵.
- (5) Commission Decision 95/343/EC lays down animal health conditions and veterinary certificates for the importation from certain third countries of heat-treated milk, milk-based products and raw milk for human consumption⁶.
- (6) In the interest of clarity and rationality Decisions 95/340/EC, 95/342/EC and 95/343/EC should be repealed and replaced by this Decision.
- (7) Provision should however be made to make it possible to use the format of the certificates laid down in Decisions 95/343/EC for an interim period of time.
- (8) Council Directive 97/78/EC lays down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁷ and certain provisions for transit are already provided for in Article 11 such as the use of ANIMO messages and of the common veterinary entry document.
- (9) However, it is necessary in order to safeguard the disease situation in the Community to further ensure that consignments of milk transiting through the Community, comply with the animal health import conditions applicable for authorised countries.
- (10) Council Decision 79/542/EEC drawing up a list of third countries or parts of third countries, and laying down animal and public health, and veterinary certification conditions for the importation into the Community of certain live animals and their fresh meat⁸, has recently been amended to include general transit conditions and a derogation for transit between Russia with a reference to the specific border inspection posts designated for this latter purpose.
- (11) In the light of experience, it appears that the presentation to the border inspection post, pursuant to Article 7 of Directive 97/78/EC, of the original veterinary documents established in the exporting third country to fulfil the regulatory requirement of the third country of destination, is not sufficient to ensure that the animal health conditions required for the safe introduction into the territory of the Community of the products concerned are effectively satisfied; it is therefore appropriate to establish a specific model of animal health certificate to be used in transit situations for the products concerned.

⁴ OJ L 200, 24.8.1995 p. 50.

⁵ OJ L 306, 22.11.2003 p. 1.

⁶ OJ L 200, 24.8.1995 p. 52. Decision as last amended by Commission Decision 97/115/EC (OJ L 42, 13.2.1997 p. 16).

⁷ OJ L 24, 30.1.1998, p. 9. Directive as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (OJ L 236, 23.9.2003, p. 33).

⁸ OJ L 146, 14.6.1979, p. 15. Decision as last amended by Commission Decision 2004/xxx/EC [C(2004)1308] (OJ L nn, dd.mm.2004, p. nn).

- (12) It is further appropriate to clarify the implementation of the condition laid down in Article 11 of Directive 97/78/EC, that transit is only allowed from third countries whose products are not prohibited for introduction in the territory of the Community, by making reference to the list of third countries annexed to this Decision.
- (13) However specific conditions for transits via the Community of consignments to and from Russia should be foreseen due to the geographical situation of Kaliningrad and taking into account climatic problems impeding the use of some ports at certain times of the year.
- (14) Commission Decision 2001/881/EC draws up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries⁹ and it is appropriate to specify the border inspection posts designated for the control of such transits taking into account this Decision.
- (15) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Imports into the Community of milk and milk-based products shall only be allowed if the milk and milk-based products comply with Articles 2, 3, and 5.

Transit and storage of milk and milk-based products shall only be allowed if the milk and milk-based products comply with Article 4 and 5.

Article 2

1. Member States shall authorize imports of raw milk and raw milk-based products from third countries so authorised in column A of the list in Annex I.
2. Member States shall authorize imports of milk and milk-based products that have undergone:
 - a single heat treatment with a heating effect at least equal to that achieved by a pasteurization process of at least 72 °C for at least 15 seconds and
 - sufficient to ensure a negative reaction to a phosphatase test,from third countries so authorised in column B of the list in Annex I where there is no threat of foot-and-mouth disease.

⁹ OJ L 326, 11.12.2001, p. 44. Decision as last amended by Commission Decision 2003/831/EC (OJ L 313, 28.11.2004, p. 61).

3. Member States shall authorize imports of milk and milk-based products, that have undergone:

either

- (a) a sterilization process, to achieve an F_0 value equal to or greater than three, or
- (b) an ultra high temperature (UHT) treatment at 132 °C for at least one second, or
- (c) a high temperature short time pasteurisation treatment at 72 °C for at least 15 seconds or equivalent pasteurisation effect achieving a negative reaction to a phosphatase test (HTST) applied twice to milk with a pH equal to or above 7,0, or
- (d) a HTST treatment of milk with a pH below 7,0, or
- (e) a HTST treatment combined with another physical treatment by:
 - (i) either lowering the pH below 6 for one hour, or
 - (ii) additional heating to 72 °C or more, combined with dessication,

from third countries so authorised in column C of the list in Annex I where there is a threat of foot-and-mouth disease. The milk-based products must either undergo one of the above treatments or be produced from milk treated in accordance with the treatments laid down above.

Article 3

1. Consignments of milk and milk-based products from third countries authorized in accordance with Article 2 shall be accompanied by, and comply with conditions laid down in, a health certificate drawn up in accordance with the relevant model drawn up in Part 2 of Annex II to this Decision, as follows:
- “Milk-RM” for raw milk intended to be accepted at a collection centre, standardization centre, treatment establishment or processing establishment;
 - “Milk-RMP” for raw milk products;
 - “Milk-HTB” for heat-treated milk, heat-treated milk-based products and milk-based products made from heat-treated milk, coming from third countries or parts of third countries in which there is no threat of foot-and-mouth disease;
 - “Milk-HTC” for heat-treated milk, heat-treated milk-based products and milk-based products made from heat-treated milk coming from third countries or parts of third countries in which there is a threat of foot-and-mouth disease, however those countries already authorised for such imports (where there is no threat of foot and mouth) may use this model;
2. The health certificates shall be completed in accordance with the notes set out in Part 1 of Annex II.

Article 4

1. Consignments of milk and milk-based products, introduced into the territory of the Community and which are destined for a third country either by transit immediately or after storage in accordance with Articles 12 (4) or 13 of Directive 97/78/EC, and not intended for importation into the EC shall comply with the following requirements:
 - (a) they shall come from the territory of a third country or a part thereof authorized in Annex I to this Decision, according to the treatment required for the product concerned as laid down in Article 2;
 - (b) they shall meet the specific animal health conditions set out in section 9 of the corresponding model health certificate drawn up under Part 2 of Annex II to this Decision;
 - (c) they shall be accompanied by an animal health certificate established in accordance with the model laid down in Part 3 of Annex II to this Decision, signed by an official veterinarian of the competent veterinary services of the third country concerned;
 - (d) they are certified as acceptable for transit or storage (as appropriate) on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.
2.
 - (a) By way of derogation from paragraph 1 above and Article 5 Member States shall authorise the transit by road or by rail through the Community, between designated Community border inspection posts listed in the Annex to Decision 2001/881/EC, of consignments coming from and destined to Russia directly or via another third country provided that the following conditions are met:
 - (i) the consignment shall be sealed with a serially numbered seal at the border inspection post of entry to the EC by the veterinary services of the competent authority;
 - (ii) the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC shall be stamped "ONLY FOR TRANSIT TO RUSSIA VIA THE EC" on each page by the official veterinarian of the competent authority responsible for the border inspection post;
 - (iii) the procedural requirements provided for in Article 11 of Directive 97/78/EC shall be complied with;
 - (iv) the consignment is certified as acceptable for transit on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.
 - (b) unloading or storage on EC territory of such consignments, as defined in Article 12 (4) or Article 13 respectively of Directive 97/78/EC, shall not be allowed.

- (c) regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the EC territory matches the number and quantities entering.

Article 5

Milk and milk-based products from authorized third countries or parts of third countries where an outbreak of foot-and-mouth disease has occurred within the last 12 months or which have carried out vaccination against foot-and-mouth disease in the last 12 months shall, before they are introduced into Community territory, undergo one of the treatments listed in Article 2 (3).

Article 6

Decisions 95/340/EC, 95/342/EC and 95/343/EC are repealed.

Article 7

The certificates drawn up in the format under Decision 95/343/EC may be used until 6 months after the date laid down in paragraph 1 of Article 8 at the latest.

Article 8

1. This Decision shall apply from 1 May 2004.
2. Article 4 paragraph 1 and Part 3 of Annex II shall only apply from 1 January 2005.
3. References made by Community legislation to the list of third countries appearing in the Annex to Decision 95/340/EC shall be construed as references to the list of third countries appearing in Annex I to this Decision.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX I

“+”: country is authorised
“0” country is not authorised

ISO code of third country	Third country	Column A	Column B	Column C
AD	Andorra	+	+	+
AL	Albania	0	0	+
AN	Netherlands Antilles	0	0	+
AR	Argentina	0	0	+
AU	Australia	0	+	+
BG	Bulgaria	0	+	+
BR	Brazil	0	0	+
BW	Botswana	0	0	+
BY	Belarus	0	0	+
BZ	Belize	0	0	+
BH	Bosnia-Herzegovina	0	0	+
CA	Canada	+	+	+
CH	Switzerland	+	+	+
CL	Chile	+	+	+
CN	People's Republic of China	0	0	+
CO	Columbia	0	0	+
CR	Costa Rica	0	0	+
CU	Cuba	0	0	+
DZ	Algeria	0	0	+
ET	Ethiopia	0	0	+
GL	Greenland	0	+	+
GT	Guatemala	0	0	+
HK	Hong Kong	0	0	+

HN	Honduras	0	0	+
HR	Croatia	0	+	+
IL	Israel	0	0	+
IN	India	0	0	+
IS	Iceland	+	+	+
KE	Kenya	0	0	+
MA	Morocco	0	0	+
MG	Madagascar	0	0	+
MK ^(*)	Former Yugoslav Republic of Macedonia	0	+	+
MR	Mauritania	0	0	+
MU	Mauritius	0	0	+
MX	Mexico	0	0	+
NA	Namibia	0	0	+
NI	Nicaragua	0	0	+
NZ	New Zealand	+	+	+
PA	Panama	0	0	+
PY	Paraguay	0	0	+
RO	Romania	0	+	+
RU	Russia	0	0	+
SG	Singapore	0	0	+
SV	El Salvador	0	0	+
SZ	Swaziland	0	0	+
TH	Thailand	0	0	+
TN	Tunisia	0	0	+
TR	Turkey	0	0	+
UA	Ukraine	0	0	+
US	United States of America	+	+	+

UY	Uruguay	0	0	+
ZA	South Africa	0	0	+
ZW	Zimbabwe	0	0	+

(*) Former Yugoslav Republic of Macedonia; provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations

ANNEX II

Part 1

Models of health certificates

- “Milk-RM” : for raw milk from third countries or parts of third countries included in Annex I column A intended to be accepted at a collection centre, standardization centre, treatment establishment or processing establishment.
- “Milk-RMP” : for raw milk products from third countries or parts of third countries included in Annex I column A.
- “Milk-HTB” : for heat-treated milk, heat-treated milk-based products or milk-based products made from heat-treated milk from third countries or parts of third countries included in Annex I column B.
- “Milk-HTC” : for heat-treated milk, heat-treated milk-based products or milk-based products made from heat-treated milk from third countries or parts of third countries included in Annex I column C.
- “Milk-T/S” : for milk and milk-based products, for transit / storage in the European Community.

Notes

<p>(a) Health certificates shall be produced by the exporting country, based on the models appearing in this Annex II, according to the layout of the model that corresponds to the milk and milk-based products concerned. They shall contain, in the numbered order that appears in the model, the attestations that are required for any third country and, as the case may be, those supplementary guarantees that are required for the exporting third country or part thereof.</p> <p>(b) The original of each certificate shall consist of a single page, both sides, or, where more text is required, it shall be in such a form that all pages needed are part of an integrated whole and indivisible.</p> <p>(c) It shall be drawn up in at least one of the official languages of the EU Member State in which the inspection at the border post shall be carried out and of the EU Member State of destination. However, these Member States may allow other languages, if necessary, accompanied by an official translation.</p> <p>(d) If for reasons of identification of the items of the consignment (schedule in point 8 of the model of certificate), additional pages are attached to the certificate, these pages shall also be considered as forming part of the original of the certificate by the application of the signature and stamp of the certifying official, in each of the pages.</p>	<p>(e) When the certificate, including additional schedules referred to in d), comprises more than one page, each page shall be numbered - (<i>page number</i>) of (<i>total number of pages</i>) - on its bottom and shall bear the code number of the certificate that has been designated by the competent authority on its top.</p> <p>(f) The original of the certificate must be completed and signed by a representative of the competent authority responsible for verifying and certifying that the raw milk, heat-treated milk or milk-based products meet the requirements of Directive 92/46/EEC.</p> <p>(g) the competent authorities of the exporting country shall ensure that the principles of certification equivalent to those laid down in Council Directive 96/93/EC are followed.</p> <p>(h) The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.</p> <p>(i) The original of the certificate must accompany the consignment at the EU border inspection post.</p>
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Part 2

Model Milk-RM

1. Consignor (name and address in full)	<div style="text-align: center;">HEALTH CERTIFICATE</div> <div style="text-align: center;"> for raw milk from third countries or parts of third countries authorised in Column A of Annex I to Commission Decision [2004/xxx/EC*] intended to be accepted at a collection centre, standardization centre, treatment establishment or processing establishment in the European Community and then to be used for human consumption </div> <div style="display: flex; justify-content: space-between;"> No⁽¹⁾ ORIGINAL </div>
2. Consignee (name and address in full)	3. Origin of the raw milk⁽²⁾ 3.1 ISO code and name of Country (and region, where applicable) ⁽³⁾ : 3.2 Code of territory : 3.3 Name and official approval or registration number of [production holding(s)] / [collection centre] / [standardization centre] ⁽⁴⁾ approved for exportation to the Community :
5. Intended destination of the raw milk 5.1 EU Member State : 5.2 [Collection centre] / [standardization centre] / [treatment establishment] / [processing establishment] ⁽⁴⁾ of destination :	4. Competent Authority 4.1 Ministry: 4.2 Service: 4.3 Local/Regional level: 6. Place of loading for exportation
7. Means of transport and consignment identification⁽⁵⁾ 7.1 [Lorry] / [Rail-wagon] / [Ship] / [Aircraft] ⁽⁴⁾ 7.2 Registration number(s), ship name or flight number :	7.3 Consignment identification details ⁽⁶⁾ :
8. Identification of the raw milk 8.1 Raw milk from: (animal species). 8.2 Code number (as appropriate) 8.3 Packaging : 8.4 Number of packaging units : 8.5 Net weight :	
9. Animal Health attestation I, the undersigned official veterinarian, hereby certify : 9.1 that the raw milk described above has been obtained from animals : (a) under the control of the official veterinary service, (b) which were in a country or region that has been free of foot-and-mouth disease and of rinderpest for at least 12 months, and where vaccination against foot-and-mouth disease has not been carried out for at least 12 months, (c) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest, and, (d) subject to regular veterinary inspectors inspections to ensure that they satisfy the animal health conditions laid down in Annex A, Chapter I of Directive 92/46/EEC ; 9.2 that I am familiar with the animal health requirements of Directive 92/46/EEC.	

* Referece to the present Decision.

10.	<p>Official stamp and signature</p> <p>Done at on</p> <p style="text-align: right;">(signature of official veterinarian)⁽⁷⁾</p> <p>(stamp)⁽⁷⁾</p> <p style="text-align: right;">(name in capital letters, qualifications and title)</p>
11.	<p>Public Health attestation</p> <p>I, the undersigned official inspector, hereby certify :</p> <p>11.1 that the raw milk described above:</p> <ul style="list-style-type: none"> (a) does not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, contain residues of anti-microbial substances in excess of the limits laid down in Annexes I and III to Council Regulation (EEC) No 2377/90, as amended (b) does not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, contain pesticide residues in excess of the maximum levels laid down in Annex II to Council Directive 86/363/EEC, as amended (c) does not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, contain contaminants in excess of the maximum tolerances laid down in the Community list provided for in Article 2 (3) of Council Regulation (EEC) No 315/93 (d) comes from registered and checked holdings meeting the conditions of hygiene laid down in Chapter II of Annex A to Directive 92/46/EEC (e) was obtained, collected, cooled, stored and transported in accordance with the specific hygiene conditions laid down in Chapter III of Annex A to Directive 92/46/EEC (f) was transported, where applicable, in tanks as described in Article 16 (2) of Directive 92/46/EEC (g) meets the plate and somatic cell count standards laid down in Chapter IV of Annex A to Directive 92/46/EEC (h) was collected and standardized, where necessary, in accordance with the hygiene conditions laid down in Chapters I, III and IV of Annex B to Directive 92/46/EEC ; <p>11.2 that I am aware of the provisions contained in Directive 92/46/EEC, Annexes I and III to Regulation (EEC) No 2377/90, Annex II to Directive 86/363/EEC and Regulation (EEC) No 315/93.</p>
12.	<p>Official stamp and signature</p> <p>Done at on</p> <p style="text-align: right;">(signature of official inspector)⁽⁷⁾</p> <p>(stamp)⁽⁷⁾</p> <p style="text-align: right;">(name in capital letters, qualifications and title)</p>

Notes

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| <ul style="list-style-type: none"> (1) Issued by the competent authority. (2) Country and ISO code of the territory as appearing in Annex I to Commission Decision [2004/xxx/EC*] (as last amended). (3) To be specified if the authorization to import into the Community is restricted to certain regions of the third country concerned. (4) Complete as appropriate. (5) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.
In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3. (6) Complete if appropriate. (7) The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark. |
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Model Milk-RMP

1. Consignor (name and address in full)	<p align="center">HEALTH CERTIFICATE for raw milk products for human consumption from third countries or parts of third countries authorised in Column A of Annex I to Commission Decision [2004/xxx/EC*] intended for consignment to the European Community</p> <p align="right">No⁽¹⁾ ORIGINAL</p>	
2. Consignee (name and address in full)	3. Origin of the raw milk products⁽²⁾ 3.1 ISO code and name of Country (and region, where applicable) ⁽³⁾ : 3.2 Code of territory : 3.3 Name and official approval or registration number of [production holding(s)] / [collection centre] / [standardization centre] ⁽⁴⁾ approved for exportation to the Community :	
5. Intended destination of the raw milk products 5.1 EU Member State : 5.2 Place of destination :	4. Competent Authority 4.1 Ministry:..... 4.2 Service:..... 4.3 Local/Regional level:..... 6. Place of loading for exportation	
7. Means of transport and consignment identification⁽⁵⁾ 7.1 [Lorry] / [Rail-wagon] / [Ship] / [Aircraft] ⁽⁴⁾ 7.2 Registration number(s), ship name or flight number :	7.3 Consignment identification details ⁽⁶⁾ :	
8. Identification of the raw milk products 8.1 Raw milk from: (animal species). 8.2 Code number (as appropriate) 8.3 Packaging : 8.4 Number of packaging units : 8.5 Net weight :		
9. Animal Health attestation I, the undersigned official veterinarian, hereby certify : 9.1 that the raw milk product described above has been manufactured from raw milk obtained from animals : (a) under the control of the official veterinary service, (b) which were in a country or region that has been free of foot-and-mouth disease and of rinderpest for at least 12 months, and where vaccination against foot-and-mouth disease has not been carried out for at least 12 months, (c) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest, and, (d) subject to regular veterinary inspectors inspections to ensure that they satisfy the animal health conditions laid down in Annex A, Chapter I of Directive 92/46/EEC ; 9.2 that I am familiar with the animal health requirements of Directive 92/46/EEC.		
10. Official stamp and signature Done at on <p align="right">(signature of official veterinarian)⁽⁷⁾</p> <p>(stamp)⁽⁷⁾</p> <p align="right">(name in capital letters, qualifications and title)</p>		

11.	Public Health attestation	<p>I, the undersigned official inspector, hereby certify :</p>
11.1		<p>that the raw milk product described above:</p> <p>(a) was manufactured from raw milk :</p> <ul style="list-style-type: none"> (i) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing residues of anti-microbial substances in excess of the limits laid down in Annexes I and III to Regulation (EEC) No 2377/90, as amended, (ii) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing pesticide residues in excess of the maximum levels laid down in Annex II to Directive 86/363/EEC, as amended, (iii) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing contaminants in excess of the maximum tolerances laid down in the Community list provided for in Article 2 (3) of Regulation (EEC) No 315/93, (iv) which comes from registered and checked holdings meeting the hygiene conditions laid down in Chapter II of Annex A to Directive 92/46/EEC, (v) which was obtained, collected, cooled, stored and transported in accordance with the specific hygiene conditions laid down in Chapter III of Annex A to Directive 92/46/EEC, (vi) which meets the plate and somatic cell count standards laid down in Directive 92/46/EEC, Annex A, Chapter IV, paragraph A, point 3 as regards cow's milk, paragraph B, point 2 as regards buffalo milk, and paragraph C, point 2 as regards goat's and sheep's milk, and (vii) which, where necessary, was collected and standardized in accordance with the hygiene conditions laid down in Chapters I, III and IV of Annex B to Directive 92/46/EEC; <p>(b) comes from a processing establishment offering equivalent guarantees to those laid down in Chapter II of Directive 92/46/EEC shown on the list of establishments authorized to export to the European Community and which is subject to supervision by the competent authority in accordance with the provisions of Chapter VI of Annex C to Directive 92/46/EEC;</p> <p>(c) has not undergone any heat treatment during its manufacture from raw milk;</p> <p>(d) meets the relevant microbiological criteria laid down in Chapter II of Annex C to Directive 92/46/EEC;</p> <p>(e) has been wrapped and packaged in accordance with Chapter III of Annex C to Directive 92/46/EEC, and ;</p> <p>(f) was stored and transported in accordance with the requirements of Chapter V of Annex C to Directive 92/46/EEC;</p>
11.2		<p>that I am aware of the provisions contained in Directive 92/46/EEC, Annexes I and III to Regulation (EEC) No 2377/90, Annex II to Directive 86/363/EEC and Regulation (EEC) No 315/93.</p>
<p>12. Official stamp and signature</p> <p>Done at on</p> <p style="text-align: center;">(signature of official inspector)⁽⁷⁾</p> <p>(stamp)⁽⁷⁾</p> <p style="text-align: center;">(name in capital letters, qualifications and title)</p>		

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| (1) | Issued by the competent authority. |
| (2) | Country and ISO code of the territory as appearing in Annex I to Commission Decision [2004/xxx/EC*] (as last amended). |
| (3) | Keep as appropriate. |
| (4) | To be specified if the authorization to import into the Community is restricted to certain regions of the third country concerned. |
| (5) | The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.
In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3. |
| (6) | Complete if appropriate. |
| (7) | The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.. |

1. Consignor (name and address in full)		HEALTH CERTIFICATE for heat-treated milk, milk-based products made from heat-treated milk or heat-treated milk-based products for human consumption from third countries or parts of third countries authorised in Column B of Annex I of Commission Decision [2004/xxx/EC*] intended for consignment to the European Community No ⁽¹⁾ ORIGINAL	
2. Consignee (name and address in full)		3. Origin of the milk and milk-based products⁽²⁾ 3.1 ISO code and name of Country : 3.2 Code of territory : 3.3 Name(s) and official approval number(s) of treatment and/or processing establishment(s) approved for export to the Community :	
5. Intended destination of the milk and milk-based products 5.1 EU Member State : 5.2 Place of destination :		4. Competent Authority 4.1 Ministry: 4.2 Service: 4.3 Local/Regional level:	
7. Means of transport and consignment identification⁽³⁾ 7.1 [Lorry] / [Rail-wagon] / [Ship] / [Aircraft] ⁽⁴⁾ 7.2 Registration number(s), ship name or flight number :		6. Place of loading for exportation 7.3 Consignment identification details⁽⁵⁾:	
8. Identification of the milk and milk-based products 8.1 Milk from: (animal species). 8.2 Code number (as appropriate) 8.3 Packaging : 8.4 Number of packaging units : 8.5 Net weight :			
9. Animal Health attestation I, the undersigned official veterinarian, hereby certify : 9.1 that the [heat-treated milk] / [milk-based product] ⁽⁴⁾ made from [heat-treated milk] / [heat-treated milk-based product] ⁽⁴⁾ described above has been obtained from animals : (a) under the control of the official veterinary service, (b) which were in a country or region that has been free of foot-and-mouth disease and of rinderpest for at least 12 months, and where vaccination against foot-and-mouth disease has not been carried out for at least 12 months, (c) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest, and, (d) subject to regular veterinary inspectors inspections to ensure that they satisfy the animal health conditions laid down in Annex A, Chapter I of Directive 92/46/EEC, with the exception of those in paragraph 1 (a) (i) and (b) (i) ; 9.2 that I am familiar with the animal health requirements of Directive 92/46/EEC.			
10. Official stamp and signature Done at on <div style="text-align: right;"> (signature of official veterinarian)⁽⁶⁾ (stamp)⁽⁶⁾ (name in capital letters, qualifications and title) </div>			

11.	<p>Public Health attestation</p> <p>I, the undersigned official inspector, hereby certify :</p>
11.1	<p>that the [heat-treated milk] / [milk-based product]⁽⁴⁾ made from [heat-treated milk] / [heat-treated milk-based product]⁽⁴⁾ described above :</p> <ul style="list-style-type: none"> (a) was manufactured from raw milk : <ul style="list-style-type: none"> (i) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing residues of anti-microbial substances in excess of the limits laid down in Annexes I and III to Regulation (EEC) No 2377/90, as amended, (ii) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing pesticide residues in excess of the maximum levels laid down in Annex II to Directive 86/363/EEC, as amended, (iii) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing contaminants in excess of the maximum tolerances laid down in the Community list provided for in Article 2(3) of Regulation (EEC) No 315/93, (iv) which comes from registered and checked holdings meeting the hygiene conditions laid down in Chapter II of Annex A to Directive 92/46/EEC, (v) which was obtained, collected, cooled, stored and transported in accordance with the specific hygiene conditions laid down in Chapter III of Annex A to Directive 92/46/EEC, (vi) which meets the plate and somatic cell count standards laid down in Chapter IV of Annex A to Directive 92/46/EEC, and (vii) which was collected and standardized, where necessary, in accordance with the hygiene conditions laid down in Chapters I, III and IV of Annex B to Directive 92/46/EEC (b) comes from a treatment establishment and/or processing establishment offering equivalent guarantees to those laid down in Chapter II of Directive 92/46/EEC shown on the list of establishments authorized to export to the European Community and which is subject to supervision by the competent authority in accordance with the provisions of Chapter VI of Annex C to Directive 92/46/EEC; (c) has undergone heat treatment during manufacture in accordance with the specific requirements of Chapter I of Annex C to Directive 92/46/EEC; (d) meets the relevant microbiological criteria laid down in Chapter II of Annex C to Directive 92/46/EEC; (e) has been wrapped and packaged in accordance with Chapter III of Annex C to Directive 92/46/EEC; (f) was stored and transported in accordance with the requirements of Chapter V of Annex C to Directive 92/46/EEC, and ; (g) was transported, where appropriate, in tanks as described in Article 16 (2) of Directive 92/46/EEC;
11.2	<p>that I am aware of the provisions contained in Directive 92/46/EEC, Annexes I and III to Regulation (EEC) No 2377/90, Annex II to Directive 86/363/EEC and Regulation (EEC) No 315/93.</p>
<p>12. Official stamp and signature</p> <p>Done at on</p> <p style="text-align: right; margin-right: 100px;">(signature of official inspector)⁽⁶⁾</p> <p>(stamp)⁽⁶⁾</p> <p style="text-align: right; margin-right: 100px;">(name in capital letters, qualifications and title)</p>	

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| (1) | Issued by the competent authority. |
| (2) | Country and ISO code of the territory as appearing in Annex I to Commission Decision [2004/xxx/EC*] (as last amended). |
| (3) | <p>The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.</p> <p>In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.</p> |
| (4) | Keep as appropriate. |
| (5) | Complete if appropriate. |
| (6) | The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark. |

Model Milk-HTC

1. Consignor (name and address in full) 	<p style="text-align: center;">HEALTH CERTIFICATE</p> <p style="text-align: center;">for heat-treated milk, milk-based products made from heat-treated milk or heat-treated milk-based products for human consumption from third countries or parts of third countries authorised in Column C of Annex I to Commission Decision [2004/xxx/EC*] intended for consignment to the European Community</p> <div style="display: flex; justify-content: space-between;"> No⁽¹⁾ ORIGINAL </div>	
2. Consignee (name and address in full) 	3. Origin of the [heat-treated milk] / [milk-based product] from [heat-treated milk] / [heat-treated milk-based product] ^{(2) (3)} 3.1 ISO code and name of Country (and region, where applicable) ⁽⁴⁾ : 3.2 Code of territory :	
5. Intended destination of the [heat-treated milk] / [milk-based product] from [heat-treated milk] / [heat-treated milk-based product] ⁽³⁾ 5.1 EU Member State : 5.2 Place of destination : 	3.3 Name(s) and official approval number(s) of treatment and/or processing establishment(s) approved for export to the Community : 4. Competent Authority 4.1 Ministry: 4.2 Service: 4.3 Local/Regional level: 6. Place of loading for exportation 	
7. Means of transport and consignment identification⁽⁵⁾ 7.1 [Lorry] / [Rail-wagon] / [Ship] / [Aircraft] ⁽³⁾ 7.2 Registration number(s), ship name or flight number : 	7.3 Consignment identification details ⁽⁶⁾ : 	
8. Identification of the [heat-treated milk] / [milk-based product] from [heat-treated milk] / [heat-treated milk-based product] ⁽³⁾ 8.1 Milk from: (<i>animal species</i>). 8.2 Description of [heat-treated milk] / [milk-based product] ⁽³⁾ made from [heat-treated milk] / [heat-treated milk-based product] ⁽³⁾ : 8.3 Code number (as appropriate) : 8.4 Packaging : 8.5 Number of packaging units : 8.6 Net weight :		
9. Animal Health attestation I, the undersigned official veterinarian, hereby certify : 9.1 that the [heat-treated milk] / [milk-based product] ⁽³⁾ made from [heat-treated milk] / [heat-treated milk-based product] ⁽³⁾ described above has been obtained from animals : (a) under the control of the official veterinary service, (b) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest, and, (c) subject to regular veterinary inspectors inspections to ensure that they satisfy the animal health conditions laid down in Annex A, Chapter I of Directive 92/46/EEC ; 9.2 that I am familiar with the animal health requirements of Directive 92/46/EEC.		

10.	Official stamp and signature	<p>Done at on</p> <p style="text-align: center;">(signature of official veterinarian)⁽⁷⁾</p> <p>(stamp)⁽⁷⁾</p> <p style="text-align: center;">(name in capital letters, qualifications and title)</p>
11.	Public Health attestation	<p>I, the undersigned official inspector, hereby certify :</p> <p>11.1 that the [heat-treated milk] / [milk-based product]⁽³⁾ made from [heat-treated milk] / [heat-treated milk-based product]⁽³⁾ described above:</p> <p>(a) was manufactured from raw milk :</p> <ul style="list-style-type: none"> (i) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing residues of anti-microbial substances in excess of the limits laid down in Annexes I and III to Regulation (EEC) No 2377/90, as amended, (ii) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing pesticide residues in excess of the maximum levels laid down in Annex II to Directive 86/363/EEC, as amended, (iii) not, according to the findings of monitoring plans at least equivalent to those provided for in Directive 92/46/EEC, containing contaminants in excess of the maximum tolerances laid down in the Community list provided for in Article 2 (3) of Regulation (EEC) No 315/93, (iv) which comes from registered and checked holdings meeting the hygiene conditions laid down in Chapter II of Annex A to Directive 92/46/EEC, (v) which was obtained, collected, cooled, stored and transported in accordance with the specific hygiene conditions laid down in Chapter III of Annex A to Directive 92/46/EEC, (vi) which meets the plate and somatic cell count standards laid down in Chapter IV of Annex A to Directive 92/46/EEC, and (vii) which was collected and standardized, where necessary, in accordance with the hygiene conditions laid down in Chapters I, III and IV of Annex B to Directive 92/46/EEC; <p>(b) comes from a treatment establishment and/or processing establishment offering equivalent guarantees to those laid down in Chapter II of Directive 92/46/EEC shown on the list of establishments authorized to export to the European Community and which is subject to supervision by the competent authority in accordance with the provisions of Chapter VI of Annex C to Directive 92/46/EEC;</p> <p>(c) has undergone, prior to import into the territory of the Community :</p> <div style="margin-left: 20px;"> <p>⁽³⁾ either [(i) a sterilization process, to achieve an F0 value equal to or greater than three],</p> <p>⁽³⁾ or [(ii) an ultra high temperature (UHT) treatment at 132 °C for at least one second],</p> <p>⁽³⁾ or [(iii) a high temperature short time pasteurisation treatment at 72 °C for at least 15 seconds or equivalent pasteurisation effect achieving a negative reaction to a phosphatase test (HTST) applied twice to milk with a pH equal to or above 7,0],</p> <p>⁽³⁾ or [(iv) a HTST treatment of milk with a pH below 7,0],</p> <p>⁽³⁾ or [(v) a HTST treatment combined with another physical treatment by :</p> <p>⁽³⁾ either [(v) (1) either lowering the pH below 6 for one hour],</p> <p>⁽³⁾ or [(v) (2) additional heating to 72 °C or more, combined with dissacation]] ;</p> </div> <p>(d) meets the relevant microbiological criteria laid down in Chapter II of Annex C to Directive 92/46/EEC ;</p> <p>(e) has been wrapped and packaged in accordance with Chapter III of Annex C to Directive 92/46/EEC ;</p> <p>(f) was stored and transported in accordance with the requirements of Chapter V of Annex C to Directive 92/46/EEC ;</p> <p>(g) was transported, where appropriate, in tanks as described in Article 16 (2) of Directive 92/46/EEC ;</p> <p>11.2 that I am aware of the provisions contained in Directive 92/46/EEC, Annexes I and III to Regulation (EEC) No 2377/90, Annex II to Directive 86/363/EEC and Regulation (EEC) No 315/93.</p>
12.	Official stamp and signature	<p>Done at on</p> <p style="text-align: center;">(signature of official inspector)⁽⁷⁾</p> <p>(stamp)⁽⁷⁾</p> <p style="text-align: center;">(name in capital letters, qualifications and title)</p>

Notes

- (1) Issued by the competent authority.
- (2) Country and ISO code of the territory as appearing in Annex I to Commission Decision [2004/xxx/EC*] (as last amended).
- (3) Keep as appropriate.
- (4) To be specified if the authorization to import into the Community is restricted to certain regions of the third country concerned.
- (5) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.
In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.
- (6) Complete if appropriate.
- (7) The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

Part 3

Model Milk-T/S

1. Consignor (name and address in full)	ANIMAL HEALTH CERTIFICATE for milk and milk-based products⁽¹⁾, for [transit] / [storage]⁽²⁾⁽³⁾ in the European Community No ⁽⁴⁾ ORIGINAL
2. Consignee (name and address in full)	3. Origin of the milk and milk-based products⁽⁵⁾ 3.1 ISO code and name of Country : 3.2 Code of territory : 3.3 Name and official approval or registration number of [production holding(s)] / [collection centre] / [standardization centre] ⁽³⁾ :
5. Intended [transit] / [storage]⁽³⁾ destination of the milk and milk-based products 5.1 Storage in : EU Member State : Name and address of the establishment ⁽⁶⁾⁽⁷⁾ : 5.2 Final third country of destination after [transit] / [storage] ⁽³⁾⁽⁷⁾ : Exit Community BIP name and address ⁽⁷⁾ :	4. Competent Authority 4.1 Ministry: 4.2 Service: 4.3 Local/Regional level:
7. Means of transport and consignment identification⁽⁸⁾ 7.1 [Lorry] / [Rail-wagon] / [Ship] / [Aircraft] ⁽³⁾ 7.2 Registration number(s), ship name or flight number :	6. Place of loading for exportation
7.3 Consignment identification details⁽⁹⁾:	
8. Identification of the milk and milk-based products 8.1 Milk from: (animal species). 8.2 Code number (as appropriate) 8.3 Packaging : 8.4 Number of packaging units : 8.5 Net weight :	
9. Animal Health attestation I, the undersigned official inspector, hereby certify, that the milk described above : 9.1 comes from a country or region authorized for imports into the EC of milk and milk-based products as laid down in Annex I to Commission Decision [2004/xxx/EC*] ; 9.2 complies with the relevant animal health conditions for the products concerned as laid down in the animal health attestation in section 9 of the model certificates [Milk-RM] / [Milk-RMP] / [Milk-HTB] / [Milk-HTC] ⁽³⁾ in Part 2 of Annex II to Commission Decision [2004/xxx/EC*] ; 9.3 where model certificate Milk-HTC is used, the milk has undergone the following treatment , as laid down in section 10.1 (c) of that certificate, and ; 9.3 was produced on or between (10)	
10. Official stamp and signature Done at on <div style="text-align: right;">(signature of official veterinarian)⁽¹¹⁾</div> <div style="text-align: right;">(stamp)⁽¹¹⁾</div> <div style="text-align: right;">(name in capital letters, qualifications and title)</div>	

Notes

- (1) Milk and milk-based products means, heat-treated milk, milk-based products and raw milk for human consumption.
- (2) In accordance with Article 12 (4) or Article 13 of Council Directive 97/78/EC.
- (3) Keep as appropriate.
- (4) Issued by the competent authority.
- (5) Country and ISO code of the territory as appearing in Annex I to Commission Decision [2004/xxx/EC*] (as last amended).
- (6) Address (and approval number if known) of the warehouse in a free zone, free warehouse, customs warehouse or ship Chandler shall be included.
- (7) Complete as appropriate.
- (8) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.
In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.
- (9) Complete if appropriate.
- (10) Date or dates of production. Imports of the milk and milk-based products shall not be allowed when obtained either prior to the date of authorisation for exportation to the European Community from the territory mentioned under (3), or during a period where restrictive measures have been adopted by the European Community against imports of the milk and milk-based products from this territory.
- (11) The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

COMMISSION DECISION**of 29 April 2004****adopting a transitional measure in favour of certain establishments in the meat sector in Malta***(notified under document number C(2004) 1707)***(Text with EEA relevance)**

(2004/439/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia¹, and in particular Article 2(3) thereof,Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia², and in particular Article 42 thereof,

Whereas:

- (1) In Malta seven high capacity meat establishments have difficulties in complying on 1 May 2004 with the relevant structural requirements laid down in Annex I to Council Directive 64/433/EEC of 26 June 1964 on health conditions for the production and marketing of fresh meat, in Annexes A and B to Council Directive 77/99/EEC of 21 December 1976 on health problems affecting the production and marketing of meat products and certain other products of animal origin and in Annex I to Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations.
- (2) Accordingly those seven establishments need time to finalize their upgrading process in order to be in full compliance with the relevant structural requirements laid down in the Directives 64/433/EEC, 77/99/EEC and 94/65/EC.
- (3) These seven establishments, which are currently in an advanced state of upgrading, have given reliable guarantees that they have the necessary funds to correct their remaining shortcomings within a reasonable time and have received a favourable

¹ OJ L 236, 23.9.2003, p. 17

² OJ L 236, 23.9.2003, p. 33

opinion from the Maltese Food and Veterinary Regulation Division of the Ministry for Rural Affairs and the Environment, as regards the finalisation of their upgrading process.

- (4) For Malta, the detailed information regarding the shortcomings for each establishment is available.
- (5) In order to facilitate the transition from the existing regime in Malta to that resulting from the application of the Community veterinary legislation, it is justified therefore at the request of Malta, to grant a transitional period for those seven establishments as an exceptional transitional measure.
- (6) Due to the exceptional nature of this transitional derogation which was not foreseen during the enlargement negotiations, no further requests by Malta for transitional measures concerning structural requirements of establishments producing animal products should be granted after the adoption of this decision.
- (7) Taking account of the advanced stage of upgrading and the exceptional nature of the transitional measure, the transitional period should be limited to 31 December 2004 and should not be prolonged after that date.
- (8) It is appropriate to subject the establishments in transition covered by this Decision to the same rules which are applicable as regards the products originating from the establishments to which a transitional period for structural requirements has been granted in accordance with the procedure provided for in the relevant Annexes to the Act of Accession.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS DECISION:

Article 1

1. The structural requirements laid down in Annex I to Directive 64/433/EEC, in Annexes A and B to Directive 77/99/EEC and in Annex I to Directive 94/65/EC shall not apply to the establishments in Malta listed in the Annex to this Decision, subject to the conditions laid down in paragraph 2, until the date indicated for each establishment.
2. The following rules shall apply to products originating in the establishments referred to in paragraph 1:
 - as long as the establishments listed in the Annex to this Decision benefit from the provisions of paragraph 1, products originating from those establishments shall only be placed on the domestic market or used for further processing in the same establishment, irrespective of the date of marketing. This rule shall also apply to products originating from integrated meat establishments where a part of the establishment is subject to the provisions of paragraph 1,
 - they shall bear the special health mark.

Article 2

This Decision shall apply subject to and as from the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Meat establishments in transition

	Veterinary approval number	Name and address of establishment	Sector: Meat			Date of compliance
			Activity of the establishments			
			Fresh meat, Slaughter, Cutting	Meat products	Minced meat, Meat preparation	
1.	MP003	Chef Choice, Triq il-Latmija, Zabbar	X	X	X	31.12.2004
2.	MP004	Prime Ltd, Mgieret Road, Marsa	X	X	X	31.12.2004
3.	MP005	Dewfresh Products, Pastoral House, Prince Albert Street, Alberttown, Marsa	X	X	X	31.12.2004
4.	MP006	Jolly Ltd, A52, Industrial Estate, Marsa	X	X	X	31.12.2004
5.	MP007	E & M Meats Cospicua Road, Zejtun	X	X	X	31.12.2004
6.	MP008	Mosta Bacon, 115, Hope Street, Mosta	X	X	X	31.12.2004
7.	MP010	Tenderfresh, A25A, G. Garibaldi Street, Marsa	X	X	X	31.12.2004

COMMISSION DECISION**of 29 April 2004****adopting a transitional measure in favour of certain establishments in the milk sector in Slovakia***(notified under document number C(2004) 1716)***(Text with EEA relevance)****(2004/440/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia¹, and in particular Article 2(3) thereof,Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia², and in particular Article 42 thereof,

Whereas:

- (1) In Slovakia one high capacity milk processing establishment has difficulties in complying on 1 May 2004 with the relevant structural requirements laid down in Annex B to Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products³.
- (2) Accordingly this establishment needs time to finalize its upgrading process in order to be in full compliance with the relevant structural requirements laid down in Directive 92/46/EEC.
- (3) This establishment which is currently in an advanced state of upgrading, has given reliable guarantees that it has the necessary funds to correct their remaining shortcomings within a reasonable time and has received a favourable opinion from the Slovak Food and Veterinary Service, as regards the finalisation of its upgrading process.
- (4) For Slovakia, the detailed information regarding the shortcomings for each establishment is available.

¹ OJ L 236, 23.9.2003, p. 17

² OJ L 236, 23.9.2003, p. 33

³ OJ L 268, 14.9.1992, p. 1. Directive as amended by Regulation (EC) No 807/2003

- (5) In order to facilitate the transition from the existing regime in Slovakia to that resulting from the application of the Community veterinary legislation, it is justified therefore at the request of Slovakia, to grant a transitional period for this establishment as an exceptional measure.
- (6) Due to the exceptional nature of this transitional derogation which was not foreseen during the enlargement negotiations, no further requests by Slovakia for transitional measures concerning structural requirements of establishments producing milk and milk products should be granted after the adoption of this decision.
- (7) Taking account of the advanced stage of upgrading and the exceptional nature of the transitional measure, the transitional period should be limited to a maximum period of 12 months and should not be prolonged after that date.
- (8) It is appropriate to subject the establishments in transition covered by this Decision to the same rules which are applicable as regards the products originating from the establishments to which a transitional period for structural requirements has been granted in accordance with the procedure provided for in the relevant Annexes to the Act of Accession.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

- 1. The structural requirements laid down Annex B to Directive 92/46/EEC shall not apply to the establishments in Slovakia listed in the Annex to this Decision, subject to the conditions laid down in paragraph 2, until the date indicated for this establishment.
- 2. The following rules shall apply to products originating in the establishment referred to in paragraph 1:
 - as long as the establishment listed in the Annex to this Decision benefits from the provisions of paragraph 1, products originating from this establishment shall only be placed on the domestic market or used for further processing in the same establishment, irrespective of the date of marketing,
 - they shall bear the special health mark.

Article 2

This Decision shall apply subject to and as from the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Milk establishment in transition

No	Veterinary approval number	Name and address of establishment	Sector: Milk	Date of compliance
			Activity of the establishments	
			Milk and milk based products	
1.	DT 4-6-21	KOLIBA a.s Krivec 962 05 Hrinová	x	31.10.2004