ISSN 1725-2555

Official Journal of the European Union

L 251

English edition

Legislation

Volume 47

27 July 2004

Contents

[1] Text with EEA relevance

(Continued overleaf)

EN

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

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

Contents (continued)

EN

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1353/2004

of 26 July 2004

amending Regulation (EC) No 131/2004 concerning certain restrictive measures in respect of Sudan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Council Common Position 2004/510/CFSP of 10 June 2004 amending Common Position 2004/31/CFSP concerning the imposition of an embargo on arms, munitions and military equipment on Sudan [1],

Having regard to the proposal from the Commission,

Whereas:

(1) Council Common Position 2004/31/CFSP [2] provides for an embargo on arms, munitions and military equipment for Sudan, including a ban on the provision of technical and financial assistance related to military activities in Sudan. The ban on the provision of technical and financial assistance related to military activities is implemented at Community level by Regulation (EC) No 131/2004 concerning certain restrictive measures in respect of Sudan [3].

(2) In view of recent developments in Sudan and the region, including the signature on 8 April 2004 of a Humanitarian Ceasefire Agreement on the Conflict in Darfur, and in view of the planned deployment of an African Union-led Ceasefire Commission in Sudan, Common Position 2004/31/CFSP was amended by Common Position 2004/510/CFSP on 10 June 2004 by providing for an additional exemption to the embargo for crisis management operations of the African Union.

(3) That exemption also applies to the embargo on certain financial and technical assistance. Regulation (EC) No 131/2004 should therefore be amended accordingly.

(4) In order to ensure that the exemption becomes effective as soon as possible, this Regulation should enter into force immediately and apply from the date on which Common Position 2004/510/CFSP was adopted,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 of Regulation (EC) No 131/2004 is replaced by the following:

'Article 4

1. By way of derogation from Articles 2 and 3, the competent authorities of Member States as listed in the Annex, may authorise the provision of financing and financial assistance and technical assistance related to:

(a) non-lethal military equipment intended solely for humanitarian or protective use, or for institution-building programmes of the United Nations, the African Union, the European Union and the Community;

(b) materiel intended for European Union and United Nations crisis management operations;

(c) mine clearance equipment and materiel for use in mine clearance;

[1] OJ L 209, 11.6.2004, p. 28.
[2] OJ L 6, 10.1.2004, p. 55. Common Position as amended by Common Position 2004/510/CFSP (OJ L 209, 11.6.2004, p. 28).
[3] OJ L 21, 28.1.2004, p. 1.

(d) African Union crisis management operations, including materiel intended for such operations.

2. No authorisations shall be granted for activities that have already taken place.'

Article 2

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

It shall apply from 10 June 2004.

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

Done at Brussels, 26 July 2004.

For thr Council
The President
B. BOT

COMMISSION REGULATION (EC) No 1354/2004

of 26 July 2004

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables [1], and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 27 July 2004.

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

Done at Brussels, 26 July 2004.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

[1] OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to Commission Regulation of 26 July 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	096	42,5
	999	42,5
0707 00 05	052	83,4
	092	101,8
	999	92,6
0709 90 70	052	76,5
	999	76,5
0805 50 10	382	64,7
	388	55,6
	508	39,2
	524	54,5
	528	49,8
	999	52,8
0806 10 10	052	151,8
	220	122,1
	616	105,2
	624	129,7
	800	99,3
	999	121,6
0808 10 20, 0808 10 50, 0808 10 90	388	90,5
	400	114,1
	404	128,1
	508	76,9
	512	85,2
	524	56,0
	528	79,3
	720	69,7
	804	85,7
	999	87,3
0808 20 50	052	134,0
	388	98,9
	512	88,2
	999	107,0
0809 10 00	052	182,6
	092	189,7
	094	69,5
	999	147,3
0809 20 95	052	290,6
	400	288,5
	404	322,5
	616	183,0
	999	271,2
0809 30 10, 0809 30 90	052	156,5
	999	156,5
0809 40 05	512	91,6
	624	177,4
	999	134,5

(1) Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1355/2004

of 26 July 2004

determining to what extent import right applications submitted during the month of July 2004 for live bovine animals weighing between 80 and 300 kg as part of a tariff quota provided for in Regulation (EC) No 1204/2004 may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal [1],

Having regard to Commission Regulation (EC) No 1204/2004 of 29 June 2004 opening and providing for the administration of a tariff quota for live bovine animals weighing between 80 and 300 kg and originating in Bulgaria or Romania (1 July to 30 June 2005) [2], and in particular Article 4(2) thereof,

Whereas:

(1) Article 3(a) of Regulation (EC) No 1204/2004 lays down the number of head of live bovine animals weighing between 80 and 300 kg falling within CN code 0102 90 05 and originating in Bulgaria or Romania which may be imported under special conditions in the period 1 July to 31 December 2004.

(2) The quantities for which import certificates applications for the month of July 2004 have been submitted exceed the quantities available. Pursuant to Article 4(2) of Regulation (EC) No 1204/2004, a single percentage reduction in the quantities applied for should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import certificates lodged pursuant to Article 3(3) of Regulation (EC) No 1204/2004 shall be met to the extent of 3,1833 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 27 July 2004.

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

Done at Brussels, 26 July 2004.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

[1] OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).
[2] OJ L 230, 30.6.2004, p. 32.

COMMISSION REGULATION (EC) No 1356/2004

of 26 July 2004

concerning the authorisation for 10 years of the additive 'Elancoban' in feedingstuffs, belonging to the group of coccidiostats and other medicinal substances

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs [1], and in particular Article 9g(5)(b) thereof,

Whereas:

(1) In accordance with Directive 70/524/EEC, coccidiostats included in Annex I to that Directive before 1 January 1988 were provisionally authorised as from 1 April 1998 and transferred to Chapter I of Annex B with a view to their re-evaluation as additives linked to a person responsible for putting them into circulation. The monensin sodium product, Elancoban, is an additive belonging to the group 'Coccidiostats and other medicinal substances' listed in Chapter I of Annex B to Directive 70/524/EEC.

(2) The person responsible for putting into circulation Elancoban submitted an application for authorisation and a dossier, according to Article 9g(2) and (4) of that Directive.

(3) Article 9g(6) of Directive 70/524/EEC allows the automatic extension of the period of authorisation of the additives concerned until the Commission takes a decision in case of, for reasons beyond the control of the authorisation holder, no decision may be taken on the application before the expiry date of the authorisation. This provision is applicable to the authorisation of Elancoban. On 26 April 2001, the Commission requested the Scientific Committee for Animal Nutrition for a full risk evaluation and this request was consequently transferred to the European Food Safety Authority. Several requests for additional information were made during the re-evaluation process making it impossible to complete the re-evaluation within the time limits required by Article 9g.

(4) The Scientific Panel on Additives and Products or Substances used in Animal Feed attached to the European Food Safety Authority has delivered a favourable opinion with regard to the safety and to the efficacy of Elancoban for chickens for fattening, for chickens reared for laying and for turkeys.

(5) The re-evaluation of Elancoban carried out by the Commission showed that the relevant conditions laid down in Directive 70/524/EEC are satisfied. Elancoban should therefore be authorised for 10 years as an additive linked to the person responsible for putting it into circulation and included in Chapter I of the list referred to Article 9t(b) of that Directive.

(6) As the authorisation for the additive is now linked to a person responsible for putting it into circulation, and replaces the previous authorisation which was not linked to any specific person, it is appropriate to delete the latter authorisation.

(7) Since there are no safety reasons for withdrawing the product monensin sodium from the market immediately, it is appropriate to allow a transitional period of six months for the disposal of existing stocks of the additive.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Chapter I of Annex B to Directive 70/524/EEC is amended as follows:

The additive monensin sodium, belonging to the group 'Coccidiostats and other medical substances', shall be deleted.

Article 2

The additive Elancoban belonging to the group 'Coccidiostats and other medical substances', as set out in the Annex to the present Regulation is authorised for use in animal nutrition under the conditions laid down in that Annex.

[1] OJ L 270, 14.12.1970, p. 1. Regulation as last amended by Regulation (EC) No 1756/2002 (OJ L 265, 3.10.2002, p. 1).

Article 3

A period of six months from the date of entry into force of this Regulation is permitted to use up the existing stocks of monensin sodium.

Article 4

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

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

Done at Brussels, 26 July 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Registration number of additive	Name and registration number of person responsible for putting the additive into circulation	Additive (trade name)	Composition, chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
						mg of active substance/kg of complete feedingstuff			
Coccidiostats and other medicinal substances									
'E 757	Eli Lilly and Company Limited	Monensin sodium	***Active substance:*** $C_{36}H_{61}O_{11}Na$ sodium salt of polyether monocarboxylic acid produced by *Streptomyces cinnamonensis*, ATCC 15413 in granular form. Factor composition: Monensin A: not less than 90 % Monensin: A + B: not less than 95 %	Chickens for fattening	—	100	125	Use prohibited at least three days before slaughter. Indicate in the instructions for use: Dangerous for equines. This feedingstuff contains an ionophore: avoid simultaneous administration with tiamulin and monitor for possible adverse reactions when used concurrently with other medicinal substances.	30.7.2014'
		Elancoban G100 Elancoban 100 Elancogran 100	***Additive composition:*** Granular monensin (dried fermentation product) equivalent to Monensin activity 10 % w/w Mineral oil 1-3 % w/w Limestone granular 13-23 % w/w Rice hulls or limestone granular qs 100 % w/w	Chickens reared for laying	16 weeks	100	120	Indicate in the instructions for use: Dangerous for equines. This feedingstuff contains an ionophore: avoid simultaneous administration with tiamulin and monitor for possible adverse reactions when used concurrently with other medicinal substances.	
		Elancoban G200 Elancoban 200	Granular monensin (dried fermentation product) equivalent to Monensin activity 20 % w/w Mineral oil 1-3 % w/w Rice hulls or limestone granular qs 100 % w/w	Turkeys	16 weeks	60	100	Use prohibited at least three days before slaughter. Indicate in the instructions for use: Dangerous for equines. This feedingstuff contains an ionophore: avoid simultaneous administration with tiamulin and monitor for possible adverse reactions when used concurrently with other medicinal substances.	

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 July 2004

amending its Rules of Procedure

(2004/563/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 218(2) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 131 thereof,

Having regard to the Treaty on European Union, and in particular Article 28(1) and Article 41(1) thereof,

HAS DECIDED AS FOLLOWS:

Article 1

The Commission's provisions on electronic and digitised documents, the text of which is set out in the Annex to this Decision, are added as an Annex to the Commission's Rules of Procedure.

Article 2

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

Done at Brussels, 7 July 2004.

For the Commission

The President

Romano PRODI

ANNEX

Commission's provisions on electronic and digitised documents

Whereas:

(1) The effect of the generalised use of the new information and communication technologies by the Commission for its own operation and for its exchanges of documents with the outside world, in particular with Community administrations, including the bodies responsible for the implementation of certain Community policies, and with the national administrations, is that the Commission's document system contains an increasing number of documents in electronic or digitised form.

(2) Following the White Paper on the reform of the Commission [1], of which Actions 7, 8 and 9 aim to ensure the changeover to the 'e-Commission', and the communication 'Towards the e-Commission: Implementation Strategy 2001 to 2005 (Actions 7, 8 and 9 of the Reform White Paper)' [2], the Commission intensified the development of computer systems which make it possible to manage documents and procedures electronically, in its own working procedures and in relations between departments.

(3) By Decision 2002/47/EC, ECSC, Euratom [3], the Commission annexed to its Rules of Procedure provisions on document management to ensure, in particular, that the Commission is able, at any time, to provide information on the matters for which it is accountable. In its communication on simplification and modernisation of the management of its documents [4], the Commission set the medium-term aim of introducing a system of management and electronic archiving of documents based on a body of common rules and procedures applicable to all departments.

(4) Documents must be managed in compliance with the security rules which are incumbent on the Commission, in particular as regards classification of documents in accordance with Decision 2001/844/EC, ECSC, Euratom [5], protection of information systems in accordance with its Decision C(95) 1510, and personal data protection in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council [6]. The Commission's document system must accordingly be so conceived that information systems, networks and transmission facilities which feed it are protected by adequate security measures.

(5) Provisions must be adopted to determine not only the conditions under which electronic and digitised documents and documents transmitted electronically are valid for the Commission's purposes, where these conditions are not determined elsewhere, but also the conditions under which they are to be stored, guaranteeing the integrity and legibility over time of such documents and of the related metadata throughout the period for which they are to be kept,

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

These provisions determine the conditions of validity of electronic and digitised documents for the Commission's purposes. They are also intended to ensure the authenticity, integrity and legibility over time of these documents and of the relevant metadata.

Article 2

Scope

These provisions apply to electronic and digitised documents established or received and held by the Commission.

[1] C(2000) 200.
[2] SEC(2001) 924.
[3] OJ L 21, 24.1.2002, p. 23.
[4] C(2002) 99 final.
[5] OJ L 317, 3.12.2001, p. 1.
[6] OJ L 8, 12.1.2001, p. 1.

They may be made applicable, by agreement, to electronic and digitised documents held by other entities responsible for applying certain Community policies or to documents exchanged via data transmission networks between administrations of which the Commission is part.

Article 3

Definitions

For the purposes of these provisions, the following definitions shall apply:

1. *'document'*: document as defined both by Article 3(a) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council [1] and by Article 1 of the provisions on document management annexed to the Rules of Procedure of the Commission, hereinafter referred to as 'provisions on document management';

2. *'electronic document'*: a data-set input or stored on any type of medium by a computer system or a similar mechanism, which can be read or displayed by a person or by such a system or mechanism, and any display or retrieval of such data in printed or other form;

3. *'document digitisation'*: the process of transforming a document on paper or any other traditional type of medium into an electronic image. Digitisation concerns all types of document and can be carried out from various media such as paper, fax, microforms (microfiche, microfilms), photographs, video or audio cassettes and films;

4. *'life cycle of a document'*: all the stages or periods in the life of a document from the time it is received or formally drawn up within the meaning of Article 4 of the provisions on document management until its transfer to the Commission's historical archives and its opening to the public or until its destruction within the meaning of Article 7 of the said provisions;

5. *'Commission's document system'*: all documents, files and metadata drawn up, received, recorded, classified and stored by the Commission;

6. *'integrity'*: the fact that the information contained in the document and the relevant metadata are complete (all the data are present) and correct (each data item is unchanged);

7. *'legibility over time'*: the fact that the information contained in the documents and the relevant metadata remain easily readable by any person who is required or entitled to have access to them throughout the life cycle of the documents, from their formal establishment or reception until their transfer to the Commission's historical archives and their opening to the public or until their authorised destruction in accordance with their required storage period;

8. *'metadata'*: the data describing the context, contents and structure of documents and their management over time, as determined by the implementing rules for the application of the provisions on document management and to be supplemented by the implementing rules for the application of these provisions;

9. *'electronic signature'*: electronic signature within the meaning of Article 2(1) of Directive 1999/93/EC of the European Parliament and of the Council [2];

10. *'advanced electronic signature'*: electronic signature within the meaning of Article 2(2) of Directive 1999/93/EC.

[1] OJ L 145, 31.5.2001, p. 43.
[2] OJ L 13, 19.1.2000, p. 12.

Article 4

Validity of electronic documents

1. Whenever the applicable Community or national provision requires the signed original of a document, an electronic document drawn up or received by the Commission satisfies this requirement if the document in question bears an advanced electronic signature which is based on a qualified certificate and which is created by a secure signature creation device or an electronic signature offering equivalent assurances with regard to the functionalities attributed to a signature.

2. Whenever the applicable Community or national provision requires a document to be drawn up in writing without, however, requiring a signed original, an electronic document drawn up or received by the Commission satisfies this requirement if the person from whom it emanates is duly identified and the document is drawn up under such conditions as to guarantee the integrity of its contents and of the relevant metadata and is stored in accordance with the conditions laid down in Article 7.

3. The provisions of this Article shall apply from the day following the adoption of the implementing rules referred to in Article 9.

Article 5

Validity of electronic procedures

1. Where a procedure specific to the Commission requires the signature of an authorised person or the approval of a person at one or more stages of the procedure, the procedure may be managed by computer systems provided that each person is identified clearly and unambiguously and the system in question ensures that the contents, including as regards the stages of the procedure, cannot be altered.

2. Where a procedure involves the Commission and other entities and requires the signature of an authorised person or the approval of a person at one or more stages of the procedure, the procedure may be managed by computer systems offering conditions and technical assurances determined by agreement.

Article 6

Transmission by electronic means

1. The transmission of documents by the Commission to an internal or external recipient may be carried out by the communication technique best adapted to the circumstances of the case.

2. Documents may be transmitted to the Commission by any communication technique, including electronic means: fax; e-mail; electronic form; website etc.

3. Paragraphs 1 and 2 shall not apply where specific means of transmission or formalities connected with transmission are required by the applicable Community or national provisions or by an agreement between the parties.

Article 7

Storage

1. Electronic and digitised documents shall be stored by the Commission throughout the period required, under the following conditions:

(a) the document shall be preserved in the form in which it was drawn up, sent or received or in a form which preserves the integrity not only of its contents but also of the relevant metadata;

(b) the contents of the document and the relevant metadata must be readable throughout the storage period by any person who is authorised to have access to them;

(c) as regards a document sent or received electronically, information which makes it possible to determine its origin and destination and the date and time of despatch or receipt are part of the minimum metadata to be preserved;

(d) as regards electronic procedures managed by computer systems, information concerning the formal stages of the procedure must be stored under such conditions as to ensure that those stages and the authors and participants can be identified.

2. For the purposes of paragraph 1 the Commission shall set up an electronic file deposit system to cover the entire life cycle of the electronic and digitised documents.

The technical conditions of the electronic file deposit system shall be laid down by the implementing rules provided for by in Article 9.

Article 8

Security

Electronic and digitised documents shall be managed in compliance with such security rules as are incumbent on the Commission. To that end, the information systems, networks and transmission facilities which feed the Commission's document system shall be protected by adequate security measures concerning document classification, protection of information systems and personal data protection.

Article 9

Implementing rules

Implementing rules for the application of these provisions shall be drawn up in coordination with the Directorates-General and similar departments and shall be adopted by the Secretary-General of the Commission, in agreement with the Director-General responsible for information technology in the Commission.

They shall be regularly updated to reflect developments in information and communication technology and such new obligations as may become incumbent on the Commission.

Article 10

Application in departments

Each Director-General or Head of Service shall take the necessary measures to ensure that documents, procedures and electronic systems for which he is responsible meet the requirements of these provisions and of the implementing rules.

Article 11

Implementation

The Secretariat-General of the Commission is instructed to ensure the implementation of these provisions in coordination with the Directorates-General and similar departments, in particular the Directorate-General responsible for information technology in the Commission.

COMMISSION DECISION

of 20 July 2004

concerning Community reference laboratories for the epidemiology of zoonoses and for salmonella and national reference laboratories for salmonella

(notified under document number C(2004) 2781)

(Text with EEA relevance)

(2004/564/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC [1], and in particular Article 10(1), (2) and (4) thereof,

Having regard to Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents [2], and in particular Article 11(1), (2) and (4) thereof,

Whereas:

(1) A Community reference laboratory for the epidemiology of zoonoses and a Community reference laboratory for salmonella were designated under Council Directive 92/117/EEC [3]. Directive 2003/99/EC provides for Directive 92/117/EEC to be repealed with effect from 12 June 2004.

(2) Pursuant to Directive 2003/99/EC, the European Food Safety Authority is to become responsible for tasks equivalent to those performed by the Community reference laboratory for the epidemiology of zoonoses. However, in order to ensure a smooth transition to the new order, it is appropriate to maintain the designation of the current Community reference laboratory for the epidemiology of zoonoses for a limited period. That laboratory should therefore temporarily be re-designated as the Community reference laboratory for the epidemiology of zoonoses.

(3) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules [4], designates the Community reference laboratory for salmonella designated under Directive 92/117/EEC as the Community reference laboratory for the analysis and testing of zoonoses (salmonella) as from 1 January 2006. Until that date, in order to avoid a situation without such a laboratory in the Community, that laboratory should temporarily be re-designated as the Community reference laboratory for salmonella.

(4) For financial management purposes, it is appropriate to clarify that the re-designation of the Community reference laboratories referred to above should apply as from the date when Directive 92/117/EEC ceases to have effect.

(5) It is appropriate to redefine precisely the responsibilities and tasks of the Community reference laboratory for salmonella and of corresponding national reference laboratories within the new regulatory framework established by Directive 2003/99/EC and Regulation (EC) No 2160/2003. The Community reference laboratory for salmonella has developed activities essentially in the area of live poultry and it is not appropriate to amend its work programme for 2004. The new areas of competence for that Community reference laboratory and for the national reference laboratories for salmonella should therefore apply only as from 1 January 2005.

(6) 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 Bundesinstitut für Risikobewertung, Berlin, Germany, is designated as the Community reference laboratory for the epidemiology of zoonoses until 31 December 2004.

[1] OJ L 325, 12.12.2003, p. 31.
[2] OJ L 325, 12.12.2003, p. 1.
[3] OJ L 62, 15.3.1993, p. 38. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).
[4] OJ L 165, 30.4.2004, p. 1.

Article 2

1. The Rijksinstituut voor Volksgezondheid en Milieu, Bilthoven, Netherlands, is designated as the Community reference laboratory for salmonella until 31 December 2005.

2. The responsibilities and tasks of the Community reference laboratory referred to in paragraph 1 are laid down in Annex I. They shall apply with regard to areas other than live poultry as from 1 January 2005.

Article 3

The responsibilities and tasks of the national reference laboratories for salmonella are laid down in Annex II. They shall apply with regard to areas other than live poultry as from 1 January 2005.

Article 4

This Decision shall apply from 12 June 2004.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 20 July 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX I

Responsibilities and tasks of the Community reference laboratory for salmonella, pursuant to Directive 2003/99/EC and Regulation (EC) No 2160/2003

1. *Areas of competence*

   (a) Identification and development of bacteriological methods for the detection and as appropriate quantification of zoonotic salmonella in livestock, feed and food, as well as in environmental samples.

   (b) Subtyping of zoonotic salmonella, in particular serotyping, and other subtyping, including with phenotypic and genetic methods.

   (c) Anti-microbial susceptibility testing on isolates of zoonotic salmonella.

   (d) Identification and development of immunological methods for zoonotic salmonella.

   (e) Identification and development of sampling methods.

2. *General functions and duties*

   (a) To provide national reference laboratories with details of analytical methods, including reference methods.

   (b) To coordinate the application by the national reference laboratories of the methods referred to in (a), in particular by organising comparative testing and by ensuring an appropriate follow-up of such comparative testing in accordance with internationally accepted protocols, when available.

   (c) To coordinate, within their area of competence, practical arrangements needed to apply new analytical methods and informing national reference laboratories of advances in this field.

   (d) To conduct initial and further training courses for the benefit of staff from national reference laboratories and of experts from developing countries.

   (e) To provide scientific and technical assistance to the Commission, especially in cases where Member States contest the results of analyses.

   (f) To collaborate with laboratories with the same area of competence in third countries.

3. *Specific functions and duties*

   (a) To provide technical assistance to the Commission in the organisation of monitoring schemes for salmonella and related anti-microbial resistance pursuant to in particular Articles 4, 5 and 7 of Directive 2003/99/EC.

   (b) To provide technical assistance to the Commission in the framework of the setting of Community targets pursuant to Article 4 of Regulation (EC) No 2160/2003.

   (c) To advise the Commission on aspects related to salmonella vaccine strains and other specific control methods, as appropriate.

   (d) To provide technical assistance to the Commission and as appropriate, to participate in international forums relating to the areas of competence identified in point 1 above, concerning, in particular, the standardisation of analytical methods and their implementation.

   (e) To gather data and information on the activities developed and methods used in national reference laboratories and to inform the Commission thereof.

   (f) To keep abreast of developments in salmonella epidemiology.

   (g) To cooperate, as appropriate, with the Community structures involved in surveillance of salmonella, in particular with the network for the epidemiological surveillance and control of communicable diseases in the Community, as established under Decision No 2119/98/EC of the European Parliament and of the Council [1], including relevant dedicated surveillance networks.

4. The Community reference laboratory shall implement a quality assurance system and shall be accredited in accordance with standard EN ISO/IEC 17025 at the latest by 12 December 2005.

[1] OJ L 268, 3.10.1998, p. 1. Decision as last amended by Regulation (EC) No 1992/2003 (OJ L 284, 31.10.2003, p. 1).

ANNEX II

Responsibilities and tasks of the national reference laboratories for salmonella, pursuant to Directive 2003/99/EC and Regulation (EC) No 2160/2003

1. *General duties*

(a) To collaborate with the Community reference laboratory in their area of competence.

(b) To coordinate, as appropriate, the activities of laboratories responsible for the analysis of samples in accordance with, in particular, Articles 4, 5 and 7 of Directive 2003/99/EC.

(c) To coordinate the activities of laboratories responsible for the analysis of samples in accordance with Article 12(1) of Regulation (EC) No 2160/2003/EC.

(d) Where appropriate, to organise comparative tests between the laboratories referred to under (b) and (c) and to assure an appropriate follow-up of such comparative testing.

(e) To ensure the dissemination to the competent authority and to the laboratories referred to under (b) and (c), of the information that the Community reference laboratory supplies.

(f) To provide scientific and technical assistance to their national competent authority in their area of competence.

2. *Specific functions and duties*

(a) To participate, as appropriate in the monitoring schemes for salmonella and related anti-microbial resistance pursuant to Directive 2003/99/EC and in the analysis and testing of salmonella pursuant to Regulation (EC) No 2160/2003.

(b) To conduct, as appropriate, training courses for the benefit of staff from relevant laboratories.

(c) To inform, as appropriate, the Community reference laboratory on aspects related to salmonella vaccine strains and other specific control methods.

(d) To gather data and information on the activities developed and methods used in relevant laboratories and to inform the Community reference laboratory thereof.

(e) To keep abreast of developments in salmonella epidemiology.

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL JOINT ACTION 2004/565/CFSP

of 26 July 2004

appointing the European Union Special Representative in the former Yugoslav Republic of Macedonia and amending Joint Action 2003/870/CFSP

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 14, 18(5) and 23(2) thereof,

Whereas:

(1) On 8 December 2003 the Council adopted Joint Action 2003/870/CFSP [1] amending and extending the mandate of the Special Representative of the European Union in the former Yugoslav Republic of Macedonia.

(2) On 26 January 2004 the Council adopted Joint Action 2004/86/CFSP [2] appointing Mr Søren JESSEN-PETERSEN as the Special Representative of the European Union in the former Yugoslav Republic of Macedonia, whose mandate expires on 31 July 2004.

(3) On 12 July 2004 the Council agreed to appoint Mr Michael SAHLIN as the new European Union Special Representative (EUSR) in the former Yugoslav Republic of Macedonia, to replace Mr Søren JESSEN-PETERSEN.

(4) Joint Action 2003/870/CFSP should be amended accordingly.

(5) The EUSR will implement his mandate in the context of a situation which may deteriorate and could harm the objectives of the CFSP as set out in Article 11 of the Treaty on European Union,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Article 1 of Joint Action 2003/870/CFSP is hereby replaced by the following:

'Article 1

Mr Michael SAHLIN is appointed European Union Special Representative in the former Yugoslav Republic of Macedonia from 1 August 2004 until 28 February 2005.'

Article 2

Article 5(1) of Joint Action 2003/870/CFSP is hereby replaced by the following:

'1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR shall be 530 000 EUR. Expenditure shall be eligible as from 1 August 2004.'

Article 3

This Joint Action shall enter into force on 1 August 2004.

Article 4

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 26 July 2004.

For the Council
The President
B. BOT

[1] OJ L 326, 13.12.2003, p. 39.
[2] OJ L 21, 28.1.2004, p. 30.

(Acts adopted under Title VI of the Treaty on European Union)

COUNCIL DECISION 2004/566/JHA

of 26 July 2004

amending Decision 2000/820/JHA establishing a European Police College (CEPOL)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1)(c) and Article 34(2)(c) thereof,

Having regard to the initiative of Ireland [1],

Having regard to the opinion of the European Parliament [2],

Whereas:

(1) The European Police College (CEPOL) established by Decision 2000/820/JHA [3] presently does not have legal personality.

(2) In the review of activities in the first three-year period the lack of legal personality has been identified as one of the major obstacles to the proper functioning of CEPOL.

(3) It is appropriate that CEPOL be given the legal and contractual capacity available to legal persons.

(4) This amendment is without prejudice to any other future amendments, in particular those that might be considered necessary following the review of activities in the first three-year period,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2000/820/JHA is hereby amended as follows:

1. the following Article shall be inserted:

'*Article 4a*

1. CEPOL shall have legal personality.

2. CEPOL shall enjoy in each Member State the most extensive legal and contractual capacity available to legal persons under that State's law. CEPOL may in particular acquire and dispose of movable or immovable property and be a party to legal proceedings.

3. The administrative director referred to in Article 4(2) shall be CEPOL's legal representative.';

2. in Article 5(4):

(a) point (d) shall be replaced by the following:

'(d) general operating costs of the secretariat, without prejudice to point (f);'

(b) point (f) shall be replaced by the following:

'(f) remuneration of members of the secretariat and/or reimbursement, in proportion to Member States' contributions, of the costs incurred by the Member State(s) paying the remuneration of members of the secretariat.'

Article 2

This Decision shall take effect on the day following that of its publication.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 26 July 2004.

For the Council

The President

B. BOT

---

[1] OJ C 1, 6.1.2004, p. 8.

[2] Opinion delivered on 20 April 2004 (not yet published in the Official Journal).

[3] OJ L 336, 30.12.2000, p. 1.

COUNCIL DECISION 2004/567/JHA

of 26 July 2004

amending Decision 2000/820/JHA establishing a European Police College (CEPOL)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1)(c) and Article 34(2)(c) thereof,

Having regard to the initiative of the United Kingdom [1],

Having regard to the opinion of the European Parliament [2],

Whereas:

(1) By Decision 2004/97/EC, Euratom [3], the Representatives of the Member States, meeting at Head of State or Government level on 13 December 2003, agreed on the location of the seats of certain offices and agencies of the European Union, including the seat of CEPOL.

(2) That agreement should be incorporated in the Decision 2000/820/JHA [4],

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2000/820/JHA is hereby amended as follows:

1. Article 1(1) shall be replaced by the following:

   '1. A European Police College (CEPOL) is hereby established. It shall have its seat in Bramshill, United Kingdom.'

2. Article 4(1) shall be replaced by the following:

   '1. The governing board shall set up a permanent secretariat to assist CEPOL with the administrative tasks necessary for it to function and implement the annual programme and, where appropriate, the additional programmes and initiatives. The secretariat shall have its seat in Bramshill.

   The necessary arrangements concerning the accommodation to be provided for CEPOL in the United Kingdom and the facilities to be made available by the United Kingdom, as well as particular rules applicable in the United Kingdom to members of CEPOL's organs, its administrative Director, employees and members of their families shall be laid down in a headquarters agreement between CEPOL and the United Kingdom after obtaining the unanimous approval of the governing board.'

Article 2

This Decision shall take effect on the day following that of its publication.

Artikel 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 26 July 2004.

For the Council

The President

B. BOT

---

[1] OJ C 20, 24.1.2004, p. 18.
[2] Opinion delivered on 20 April 2004 (not yet published in the Official Journal).
[3] OJ L 29, 3.2.2004, p. 15.
[4] OJ L 336, 30.12.2000, p. 1.