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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1945/97
of 6 October 1997
amending Regulation (EC) No 1895/97 on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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

For lots A and B, the Annex to Regulation (EC) No 1895/97 is replaced by the Annex to this Regulation.

Article 2

Whereas Commission Regulation (EC) No 1895/97⁽²⁾ issued an invitation to tender for the supply, as food aid, of vegetable oil; whereas some of the conditions specified in the Annex to that Regulation should be altered,

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

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

Done at Brussels, 6 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 267, 30. 9. 1997, p. 50.

ANNEX

LOTS A and B

1. **Operation No⁽¹⁾:** 22/97 (A); 23/97 (B)
2. **Programme:** 1997
3. **Recipient⁽²⁾:** WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma
(tel.: (39 6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I)
4. **Representative of the recipient:** to be designated by the recipient
5. **Place or country of destination:** North Korea
6. **Product to be mobilized:** vegetable oil; refined rape seed oil or refined sunflower oil
7. **Characteristics and quality of the goods⁽³⁾ ⁽⁴⁾ ⁽⁵⁾:** see OJ C 114, 29. 4. 1991, p. 1 (III. A (1) (a) or (b))
8. **Total quantity (tonnes net):** 2 400
9. **Number of lots:** two (A: 1 200 tonnes; B: 1 200 tonnes)
10. **Packaging and marking⁽⁶⁾ ⁽⁷⁾:** see OJ C 267, 13. 9. 1996, p. 1 (10.8. A, B and C (2))
see OJ C 114, 29. 4. 1991, p. 1 (III.A (3))
language to be used for the marking: English and Korean
supplementary markings: 'FOR FREE DISTRIBUTION'
11. **Method of mobilization:** mobilization of refined vegetable oil produced in the Community
Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply:** free at port of shipment
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** —
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment:** A: 24. 11 — 14. 12. 1997;
B: 22. 12. 1997 — 11. 1. 1998
18. **Deadline for the supply:** —
19. **Procedure for determining the costs of supply:** invitation to tender
20. **Date of expiry of the period allowed for submission of tenders:** 21. 10. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 4. 11. 1997 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: A: 8 — 28. 12. 1997; B: 5 — 25. 1. 1998
 - (c) deadline for the supply: —
22. **Amount of tendering security:** ECU 15 per tonne
23. **Amount of delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾:** Bureau de l'aide alimentaire,
Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels
(telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively))
25. **Refund payable on application by the successful tenderer⁽⁴⁾:** —

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.
- (⁶) Notwithstanding OJ C 114, point IIIA (3)(c) is replaced by the following: 'the words "European Community"'.
- (⁷) The marking in Korean must be made as follows on the reverse side of the packaging:

European Community: 구 주 공동 체

Rape seed oil: 유채씨 기름

Sunflower oil: 해바라기 기름

For free distribution: 무 상 배 급 용

- (⁸) Tenders shall be rejected unless they specify the type of oil to which they relate.
-

COMMISSION REGULATION (EC) No 1946/97
of 6 October 1997

**amending Regulation (EC) No 659/97 laying down detailed rules for the
application of Council Regulation (EC) No 2200/96 as regards intervention
arrangements in the fruit and vegetables sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables⁽¹⁾, and in particular Articles 30 (7) and 57 thereof,

Whereas Commission Regulation (EC) No 659/97⁽²⁾ lays down that the packaging and wrapping standards do not apply to products withdrawn from the market;

Whereas Article 2 of Commission Regulation (EEC) No 3587/86 of 20 November 1986, fixing the conversion factors to be applied to the buying-in prices for fruit and vegetables⁽³⁾, repealed by Regulation (EC) No 659/97, laid down that an amount equal to the increase in the buying-in price resulting from the application of the different conversion factors to that price should be added to that price and therefore to the withdrawal price for products put up in new packaging of a non-returnable type where such products were intended for free distribution in order to facilitate the use of such products for that purpose;

Whereas Article 30 of Regulation (EC) No 2200/96 lays down that products withdrawn from the market pursuant to Article 23 (1) which remain unsold may be used for free distribution operations;

Whereas Articles 11 *et seq.* of Regulation (EC) No 659/97 lay down that producer organizations may make products withdrawn from the market during a given marketing year available to charitable organizations approved by the Member States for free distribution; whereas products withdrawn in bulk must be wrapped before being made available; whereas, therefore, a flat-rate amount should be made available to producer organizations as a contribution to the cost of wrapping products withdrawn from the market in order to permit such products to be used for free distribution operations; whereas in the absence of such an amount, producer organizations might not make such products available for free distribution;

Whereas Article 57 of Regulation (EC) No 2200/96 lays down measures to facilitate the changeover from the previous arrangements to those laid down by that Regulation; whereas transitional measures, similar to those laid down by Regulation (EEC) No 3587/86, must be laid

down to permit the smooth application of the provisions on free distribution during the 1997/98 marketing year;

Whereas Commission Regulation (EEC) No 1805/78⁽⁴⁾, as last amended by Regulation (EEC) No 1200/93⁽⁵⁾, and the provisions of which have become obsolete, should be repealed;

Whereas the Management Committee for Fresh Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 659/97 is hereby amended as follows:

1. the following Article 15a is inserted:

'Article 15a

For the 1997/98 marketing year:

1. a flat-rate amount of ECU 7/100 kg shall be granted to producer organizations for products, other than apples and citrus fruit, withdrawn from the market for free distribution in accordance with Articles 11, 12 and 14 in packages of less than 25 kg;
2. payment of the said amount shall be subject to presentation of supporting documents, certifying, in particular:
 - the names of the beneficiary bodies,
 - the quantity of the products concerned,
 - the cost of wrapping,
 - acceptance by the charitable organization concerned;
3. before the 10th day of each month, the Member States shall notify the Commission, by electronic mail, of the quantity of products distributed free during the previous month but one for which the amount referred to in paragraph 1 has been granted.;

2. '(EEC) No 1805/78,' is added to Article 23;

3. the section 'Apples' of Annex III is replaced by the following:

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ L 100, 16. 4. 1997, p. 22.

⁽³⁾ OJ L 334, 27. 11. 1986, p. 1.

⁽⁴⁾ OJ L 205, 29. 7. 1978, p. 64.

⁽⁵⁾ OJ L 122, 18. 5. 1993, p. 28.

'Apples	— Of the Reine des Reinettes, Cox Orange and Verde Doncella varieties, quality class I, size 65 mm or more — Of the Delicious Pilafa, Golden Delicious, Jonagold, Jonagored, Elstar, Gloster, Boskoop, Idared, Golden Supreme, James Grieve, Red Chief, Top Red, Red Delicious, Reinette grise du Canada, Starking Delicious, Granny Smith, Belleza de Roma, Summered, Royal Gala and Orzak Gold varieties, quality class I, size 70 mm or more	1 July to 30 June'
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4. in Annex IV, 'Size' in the fourth row of the first column is deleted.

Article 2

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

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

Done at Brussels, 6 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1947/97

of 6 October 1997

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 October 1997.

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

Done at Brussels, 6 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 6 October 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 40	052	92,8
	999	92,8
0709 90 79	052	74,3
	999	74,3
0805 30 30	388	57,8
	524	87,6
	528	58,3
	999	67,9
0806 10 40	052	95,4
	064	42,1
	400	195,4
	999	111,0
0808 10 92, 0808 10 94, 0808 10 98	060	44,9
	064	42,4
	091	48,2
	388	78,7
	400	62,0
	404	75,2
	528	57,7
	800	141,5
	999	68,8
0808 20 57	052	99,7
	064	84,9
	400	79,0
	999	87,9

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

COMMISSION DIRECTIVE 97/58/EC

of 26 September 1997

amending Council Directive 94/57/EC on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations

(Text with EEA relevance)

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

Having regard to Council Directive 94/57/EC of 22 November 1994 on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations⁽¹⁾, and in particular Article 8 thereof,

Whereas the Annex to Directive 94/57/EC is based on IMO Resolution A.739(18) on guidelines for the authorization of organizations acting on behalf of the administration;

Whereas the IMO Assembly at its 19th session adopted Resolution A.789(19) on specifications on the survey and certification functions of recognized organizations acting on behalf of the administration;

Whereas the specifications set out in IMO Resolution A.789(19) have to be considered as an attachment to the guidelines set out in IMO Resolution A.739(18);

Whereas, for the purposes of Directive 94/57/EC, it is appropriate to incorporate the provisions of IMO Resolution A.789(19) in the Annex to the said Directive, in so far as applicable;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee referred to in Article 7 of Directive 94/57/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In the Annex to Directive 94/57/EC the following paragraph 7 is added to Section 'A. GENERAL':

- '7. The organization should operate in accordance with the provisions set out in the Annex to IMO Resolution A.789(19) on specifications on the

survey and certification functions of recognized organizations acting on behalf of the administration, in so far as they cover matters falling within the scope of this Directive.'

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 30 September 1998.

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

3. Member States shall immediately communicate to the Commission the text of all the provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 26 September 1997.

For the Commission

Neil KINNOCK

Member of the Commission

⁽¹⁾ OJ L 319, 12. 12. 1994, p. 20.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 September 1997

on marking and use of pigmeat in application of Article 9 of Council Directive 80/217/EEC concerning Belgium

(Text with EEA relevance)

(97/648/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever⁽¹⁾, as last amended by Decision 93/384/EEC⁽²⁾, and in particular Article 9 (6) (g) thereof,

Whereas in August 1997 outbreaks of classical swine fever in the Netherlands were declared by the Dutch veterinary authorities;

Whereas in accordance with Article 9 (1) of Directive 80/217/EEC a surveillance zone was immediately established around outbreak sites;

Whereas the surveillance zone for outbreaks confirmed in RVV Kring Breda on 27 August 1997 was established in collaboration with the Belgian veterinary authorities as the zones included part of the territory of Belgium;

Whereas all pig holdings in the part of the surveillance zone covering a part of the territory of Belgium have been subject to a weekly inspection by a veterinarian. During this inspection samples for laboratory examination are collected if deemed necessary. No evidence of classical swine fever in the zone has been detected;

Whereas the provisions for the use of a health mark on fresh meat are given in Council Directive 64/433/EEC on

health conditions for the production and marketing of fresh meat⁽³⁾ as last amended by Directive 95/23/EC⁽⁴⁾;

Whereas Belgium has submitted a request for the adoption of a specific solution concerning marking and use of pigmeat coming from pigs kept on holdings situated in an established surveillance zone and slaughtered subject to a specific authorization issued by the competent authority;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Without prejudice for the provisions of Council Directive 80/217/EEC, in particular Article 9 (6), Belgium is authorized to apply the mark described in Article 3 (1) (A) (e) of Directive 64/433/EEC to pigmeat obtained from pigs originating from holdings situated in a surveillance zone in Belgium established in accordance with the provisions of Article 9 (1) of Directive 80/217/EEC on the condition that the pigs in question:

⁽¹⁾ OJ L 47, 21. 1. 1980, p. 11.

⁽²⁾ OJ L 166, 8. 7. 1993, p. 34.

⁽³⁾ OJ 121, 29. 7. 1964, p. 2012/64.

⁽⁴⁾ OJ L 243, 11. 10. 1995, p. 7.

- (a) originate from a holding to which, following the epidemiological inquiry, no contact has been established with an infected holding;
- (b) originate from a holding which for a period of at least 3 weeks has been subject to a weekly inspection by a veterinarian. The inspection has included all pigs kept on the holding;
- (c) have been subject to protection measures established in accordance with the provisions of Article 9 (6) (f) and (6) (g) of Directive 80/217/EEC;
- (d) have been included in a programme for monitoring body temperature and clinical examination. The programme shall be carried out as given in Annex I;
- (e) have been slaughtered within 12 hours of arrival at the slaughterhouse.

2. Belgium shall ensure that a certificate as given in Annex II is issued in respect of meat referred to in paragraph 1.

Article 2

Pigmeat which complies with the conditions of Article 1 (1) and enters into intra-Community trade must be accompanied by the certificate referred to in Article 1 (2).

Article 3

Belgium shall ensure that abattoirs designated to receive the pigs referred to in Article 1 (1) do not on the same day accept pigs for slaughter other than the pigs in question.

Article 4

Belgium shall provide Member States and the Commission with:

- (a) the name and location of slaughterhouses designated to receive pigs for slaughter referred to in Article 1 (1);
- (b) a monthly report which contains information on:
 - the area to which the provisions of Article 1 apply;
 - number of pigs slaughtered at the designated slaughterhouses;
 - the identification system and movement controls applied to slaughter pigs, as required in accordance with Article 9 (6) (f) (i) of Directive 80/217/EEC;
 - instructions issued concerning the application of the programme for monitoring body temperature referred to in Annex I.

Article 5

This Decision is applicable until 1 November 1997.

Article 6

This Decision is addressed to Member States.

Done at Brussels, 25 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

MONITORING OF BODY TEMPERATURE

The programme for monitoring body temperature and clinical examination referred to in Article 1 (1) (d) shall include the following:

1. Within the 24-hour period before loading a consignment of pigs intended for slaughter, the official veterinary authority shall ensure that the body temperature of a number of pigs of the said consignment is monitored by inserting a thermometer into the rectum. The number of pigs to be monitored for temperature shall be as given below:

Number of pigs in consignment	Number of pigs to be monitored
0 - 25	all
26 - 30	26
31 - 40	31
41 - 50	35
51 - 100	45
101 - 200	51
200 +	60

At the time of examination, the following information shall be recorded for each pig on a table issued by the competent veterinary authorities: number of eartags, time of examination and temperature.

In cases where the examination shows a temperature of 40 °C or above, the official veterinarian shall immediately be informed. He shall initiate a disease investigation and take into account the provisions of Article 4 of Council Directive 80/217/EEC introducing Community measures for the control of classical swine fever.

2. Shortly (0 to 3 hours) before loading of the consignment examined as described in 1 above, a clinical examination shall be carried out by an official veterinarian designated by the competent veterinary authorities.
3. At the time of loading of the consignment of pigs examined as described in points 1 and 2, the official veterinarian shall issue a health document, which shall accompany the consignment to the designated slaughterhouse.
4. At the slaughterhouse of designation the results of the temperature monitoring shall be made available to the official veterinarian who performs the ante-mortem examination.

ANNEX II

CERTIFICATE

for fresh meat referred to in Article 1 (1) of Commission Decision 97/648/EC

No ⁽¹⁾:

Place of loading:

Ministry:

Department:

I. Identification of meat

Meat of pigs

Nature of cuts:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse:

.....

.....

III. Destination of meat

The meat will be sent

from

(place of loading)

to

(place of destination)

by the following means of transport ⁽²⁾:

Name and address of consignee:

.....

.....

⁽¹⁾ Serial number issued by the official veterinarian.⁽²⁾ In the case of rail trucks and lorries, state the registration number and in the case of boats name and, where necessary, the number of the container.

IV. Health attestation

I, the undersigned official veterinarian, certify that the meat described above was obtained under the conditions governing production and control laid down in Directive 64/433/EEC and is in conformity with the provisions of Commission Decision 97/648/EC on marking and use of pigmeat in application of Article 9 of Directive 80/217/EEC.

Done at, on

.....
(name and signature of the official veterinarian)

COMMISSION DECISION

of 26 September 1997

amending Decision 95/506/EC authorizing Member States temporarily to take additional measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards the Kingdom of the Netherlands

(Text with EEA relevance)

(97/649/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 97/14/EC⁽²⁾, and in particular Article 15 (3) thereof,

Whereas, where a Member State considers that there is an imminent danger of the introduction into its territory of *Pseudomonas solanacearum* (Smith) Smith, the cause of potato brown rot, from another Member State, it may temporarily take any additional measures which it deems necessary, as long as the Commission has not adopted such measures;

Whereas the Kingdom of the Netherlands informed the other Member States and the Commission on 3 October 1995 that some samples of potatoes originating in that country were indentified as infected by *Pseudomonas solanacearum*; whereas complementary reports supplied by the Netherlands indicated that more samples of the 1995 potato production including seed potatoes, showed a confirmed infection by *Pseudomonas solanacearum*; whereas therefore the Commission adopted Decision 95/506/EC authorizing Member States temporarily to take additional measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards the Kingdom of the Netherlands⁽³⁾;

Whereas, from information supplied to the Commission by the Netherlands and other Member States, the implementation of such measures during 1996 appeared to have provided the necessary safeguards to prevent the spread of *Pseudomonas solanacearum*; whereas however, since in spite of intensive investigations during 1996, it was not possible to identify the source of contamination nor to determine the extent thereof in the Netherlands, it was considered justified to continue additional measures

to protect other Member States against the dissemination of *Pseudomonas solanacearum* as regards the Kingdom of the Netherlands; whereas accordingly Decision 95/506/EC was amended by Decision 96/599/EC⁽⁴⁾ and extended by a limited time period;

Whereas during 1997, again from information supplied to the Commission by the Netherlands and other Member States, the implementation of such measures appears to have provided the necessary safeguards to prevent the spread of *Pseudomonas solanacearum*; whereas however, a small number of seed potato stocks in the Netherlands were confirmed to be infected by *P. solanacearum* and it was not possible to definitively identify the source of contamination and whereas also discussions are not yet finalized in order to establish a Community control regime on *Pseudomonas solanacearum*, it is still justified to adopt additional measures with regard to this situation; whereas accordingly Decision 95/506/EC should be extended for a further limited time period;

Whereas 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 95/506/EC is hereby amended as follows:

1. in Article 1 (1), the words 'potatoes of the 1996 crop, until 30 June 1997 for seed potatoes and until 30 September 1997 for other potatoes' shall be replaced by the words 'potatoes of the 1997 crop, until 30 June 1998 for seed potatoes and until 30 September 1998 for other potatoes';
2. in the last subparagraph of Article 3 (1), the reference to '1 May 1997' shall be replaced by '1 May 1998';
3. in Article 3 (3), the references to '15 December 1996' and '1996' shall be replaced by '15 December 1997' and '1997', respectively.

⁽¹⁾ OJ L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ L 87, 2. 4. 1997, p. 17.

⁽³⁾ OJ L 291, 6. 12. 1995, p. 48.

⁽⁴⁾ OJ L 265, 18. 10. 1996, p. 18.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 2 October 1997

on marking and use of pigmeat in application of Article 9 of Council Directive 80/217/EEC concerning Belgium

(Text with EEA relevance)

(97/650/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever⁽¹⁾, as last amended by Decision 93/384/EEC⁽²⁾, and in particular Article 9 (6) (g) thereof,

Whereas in September 1997 outbreaks of classical swine fever in the Netherlands were declared by the Dutch veterinary authorities;

Whereas in accordance with Article 9 (1) of Directive 80/217/EEC a surveillance zone was immediately established around outbreak sites;

Whereas the surveillance zone for outbreaks confirmed in RVV Kring Weert on 5 September 1997 was established in collaboration with the Belgian veterinary authorities as the zones included part of the territory of Belgium;

Whereas all pig holdings in the part of the surveillance zone covering a part of the territory of Belgium have been subject to a weekly inspection by a veterinarian. During this inspection samples for laboratory examination are collected if deemed necessary. No evidence of classical swine fever in the zone has been detected;

Whereas the provisions for the use of a health mark on fresh meat are given in Council Directive 64/433/EEC on health conditions for the production and marketing of fresh meat⁽³⁾ as last amended by Directive 95/23/EC⁽⁴⁾;

Whereas Belgium has submitted a request for the adoption of a specific solution concerning marking and use of pigmeat coming from pigs kept on holdings situated in

an established surveillance zone and slaughtered subject to a specific authorization issued by the competent authority;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Without prejudice for the provisions of Council Directive 80/217/EEC, in particular Article 9 (6), Belgium is authorized to apply the mark described in Article 3 (1) (A) (e) of Directive 64/433/EEC to pigmeat obtained from pigs originating from holdings situated in a surveillance zone in Belgium established in accordance with the provisions of Article 9 (1) of Directive 80/217/EEC on the condition that the pigs in question:

- (a) originate from a holding to which, following the epidemiological inquiry, no contact has been established with an infected holding;
- (b) originate from a holding which for a period of at least 3 weeks has been subject to a weekly inspection by a veterinarian. The inspection has included all pigs kept on the holding;
- (c) have been subject to protection measures established in accordance with the provisions of Article 9 (6) (f) and (6) (g) of Directive 80/217/EEC;
- (d) have been included in a programme for monitoring body temperature and clinical examination. The programme shall be carried out as given in Annex I;
- (e) have been slaughtered within 12 hours of arrival at the slaughterhouse.

2. Belgium shall ensure that a certificate as given in Annex II is issued in respect of meat referred to in paragraph 1.

⁽¹⁾ OJ L 47, 21. 1. 1980, p. 11.

⁽²⁾ OJ L 166, 8. 7. 1993, p. 34.

⁽³⁾ OJ 121, 29. 7. 1964, p. 2012/64.

⁽⁴⁾ OJ L 243, 11. 10. 1995, p. 7.

Article 2

Pigmeat which complies with the conditions of Article 1 (1) and enters into intra-Community trade must be accompanied by the certificate referred to in Article 1 (2).

— instructions issued concerning the application of the programme for monitoring body temperature referred to in Annex I.

Article 3

Belgium shall ensure that abattoirs designated to receive the pigs referred to in Article 1 (1) do not on the same day accept pigs for slaughter other than the pigs in question.

Article 5

This Decision is applicable until 1 November 1997.

Article 4

Belgium shall provide Member States and the Commission with:

- (a) the name and location of slaughterhouses designated to receive pigs for slaughter referred to in Article 1 (1);
- (b) a monthly report which contains information on:
 - the area to which the provisions of Article 1 apply;
 - number of pigs slaughtered at the designated slaughterhouses;
 - the identification system and movement controls applied to slaughter pigs, as required in accordance with Article 9 (6) (f) (i) of Directive 80/217/EEC;

Article 6

This Decision is addressed to Member States.

Done at Brussels, 2 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

MONITORING OF BODY TEMPERATURE

The programme for monitoring body temperature and clinical examination referred to in Article 1 (1) (d) shall include the following:

1. Within the 24-hour period before loading a consignment of pigs intended for slaughter, the official veterinary authority shall ensure that the body temperature of a number of pigs of the said consignment is monitored by inserting a thermometer into the rectum. The number of pigs to be monitored for temperature shall be as given below:

Number of pigs in consignment	Number of pigs to be monitored
0 - 25	all
26 - 30	26
31 - 40	31
41 - 50	35
51 - 100	45
101 - 200	51
200 +	60

At the time of examination, the following information shall be recorded for each pig on a table issued by the competent veterinary authorities: number of eartags, time of examination and temperature.

In cases where the examination shows a temperature of 40 °C or above, the official veterinarian shall immediately be informed. He shall initiate a disease investigation and take into account the provisions of Article 4 of Council Directive 80/217/EEC introducing Community measures for the control of classical swine fever.

2. Shortly (0 to 3 hours) before loading of the consignment examined as described in 1 above, a clinical examination shall be carried out by an official veterinarian designated by the competent veterinary authorities.
3. At the time of loading of the consignment of pigs examined as described in points 1 and 2, the official veterinarian shall issue a health document, which shall accompany the consignment to the designated slaughterhouse.
4. At the slaughterhouse of designation the results of the temperature monitoring shall be made available to the official veterinarian who performs the ante-mortem examination.

ANNEX II

CERTIFICATE

for fresh meat referred to in Article 1 (1) of Commission Decision 97/650/EC

No ⁽¹⁾:

Place of loading:

Ministry:

Department:

I. Identification of meat

Meat of pigs

Nature of cuts:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse:

.....

.....

III. Destination of meat

The meat will be sent

from

(place of loading)

to

(place of destination)

by the following means of transport ⁽²⁾:

Name and address of consignee:

.....

.....

⁽¹⁾ Serial number issued by the official veterinarian.

⁽²⁾ In the case of rail trucks and lorries, state the registration number and in the case of boats name and, where necessary, the number of the container.

IV. Health attestation

I, the undersigned official veterinarian, certify that the meat described above was obtained under the conditions governing production and control laid down in Directive 64/433/EEC and is in conformity with the provisions of Commission Decision 97/650/EC on marking and use of pigmeat in application of Article 9 of Directive 80/217/EEC.

Done at, on

.....
(name and signature of the official veterinarian)
