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⁽¹⁾ Text with EEA relevance

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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 April 2004

laying down a list of bodies whose researchers may access confidential data for scientific purposes

(notified under document number C(2004) 1664)

(Text with EEA relevance)

(2004/452/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) N°322/97 of 17 February 1997 on Community statistics¹, and in particular Article 20(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 831/2002 of 17 May 2002 implementing Council Regulation (EC) No 322/97 on Community Statistics, concerning access to confidential data for scientific purposes² aims at establishing, for the purpose of enabling statistical conclusions to be drawn for scientific purposes, the conditions under which access to confidential data transmitted to the Community authority may be granted and the rules of cooperation between the Community and national authorities in order to facilitate such access.
- (2) Four important sources are particularly referred to, which are the following: the European Community Household Panel (ECHP); the Labour Force Survey (LFS); the

¹ OJ L 52, 22.2.1997,p. 1.

² OJ L 133, 18.5.2002,p. 7.

Community Innovation Survey (CIS); the continuing vocational training survey (CVTS).

- (3) Access to confidential data may be granted by the Community authority to researchers of universities and other higher education organisations established by Community law or by the law of a Member State or of organisations or institutions for scientific research established under Community law or under the law of a Member State.
- (4) Additionally and according to Article 3(1)(c) of this Regulation, access may also be granted to researchers of other agencies, organisations and institutions after having received the opinion of the Committee on statistical confidentiality, in accordance with the procedure laid down in Article 20(2) of Regulation (EC) No 322/97.
- (5) It is therefore necessary to establish a list of such bodies further to an evaluation that takes into account a number of conditions such as the primary purpose of the body, the internal organisational arrangements for research, the safeguards in place or the arrangements for dissemination of results of research.
- (6) An established record or reputation of the body of producing quality research and making it publicly available is a consideration in favour of granting access. A secondary consideration is whether the body is well-established and well-recognised as an authoritative body in its particular sphere, perhaps with reputable sponsors, partners or shareholders.
- (7) Research in the body is to be in a well-defined unit with no organisational or management links to policy areas of the body and the research unit should be seen to be a separate, self-contained unit headed by a senior manager with no direct responsibility for policy or implementation of the body's purpose.
- (8) Adequate guarantees from the head of the body are also necessary covering various aspects such as preventing the staff of the research unit from passing information obtained from the data supplied to any staff outside the unit other than summary and aggregated research results with the permission of the head of the research unit or ensuring that it would be a major disciplinary offence for any staff of the body to ask members of the research unit for any information concerning individual records in the dataset provided.
- (9) Physical security of the premises of the body and its computer systems have to be outlined; descriptions of the safekeeping of the data in computer systems should be given, including details of how authorised access is made and unauthorised access is prevented and how the systems are protected from unauthorised access from outside the body; safekeeping of documents, including paper documents, containing information from the dataset should also be described
- (10) The reason for access being scientific purposes, it implies that results will be made freely and quickly available to the scientific community. Use of the datasets for purely internal reports or purposes would appear to be contrary to the objective of Commission Regulation (EC) No 831/2002. The policy of the body on dissemination of research from its research unit has to be an open policy with publication in the relevant scientific literature encouraged and making results from research freely available on the body's website or other appropriate website.

- (11) The European Central Bank (ECB) has to be regarded as a body fulfilling the conditions mentioned above and therefore is added to the list of agencies, organisations and institutions referred to in Article 3(1)(c) of Commission Regulation (EC) No 831/2002.
- (12) This list will be updated as more agencies, organisations and institutions have to be regarded as admissible bodies.
- (13) It remains that specific access requests submitted by those bodies have subsequently to be processed according to the rules and procedures laid down by Commission Regulation 831/2002.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Committee on Statistical Confidentiality,

HAS ADOPTED THIS DECISION:

Article 1

The list of bodies whose researchers may access confidential data for scientific purposes, as referred to in Article 3(1)(c) of Commission Regulation (EC) N°831/2002, is attached in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

For the Commission
Pedro SOLBES MIRA
Member of the Commission

**ANNEX: BODIES WHOSE RESEARCHERS MAY ACCESS CONFIDENTIAL DATA
FOR SCIENTIFIC PURPOSES**

European Central Bank

COMMISSION DECISION**of 29 April 2004****implementing Council Directive 91/67/EEC as regards measures against certain diseases
in aquaculture animals***(notified under document number C(2004) 1679)***(Text with EEA relevance)**

(2004/453/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products³, and in particular Article 12(2), the second subparagraph of Article 13(1) and Article 13(2) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁴, and in particular Article 10 thereof,

Whereas:

- (1) A Member State that considers its territory or part of territory free from one or more of the diseases listed in Annex A, column I, list III to Directive 91/67/EEC, may under Article 13 of that Directive submit the evidence supporting the claim of freedom of diseases to the Commission for the purpose of being granted disease-free status. Denmark, Finland, Ireland, Sweden and the United Kingdom have submitted such claims to the Commission.
- (2) A Member State that draws up a programme to control with a view to eradicating one or more of the diseases listed in Annex A, column I, list III to Directive 91/67/EEC, may under Article 12 of that Directive submit the programme to the Commission for approval. Finland, Ireland, Sweden and the United Kingdom have submitted such programmes to the Commission.
- (3) Council Regulation (EEC) No 706/73 of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in

³ OJ L 46, 19.2.1991, p. 1. Directive as last amended by Regulation 806/2003 (OJ L 122, 16.5.2003 p. 1).

⁴ OJ L 224, 18.8.1990, p. 24. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

agricultural products⁵, lays down that veterinary legislation is to apply to those islands under the same conditions as in the United Kingdom for the products imported into those islands or exported from them to the Community.

- (4) It is necessary to establish the requirements to be fulfilled for Member States to be declared disease-free and the criteria the Member States are to apply under the control and eradication programmes. It is also necessary to define the additional guarantees which are required for the introduction of certain fish species into the disease-free zones and the zones concerned by the control and eradication programmes. For those purposes the recommendations of the World Organisation of Animal Health (OIE) should be taken into account.
- (5) Denmark has submitted evidence of freedom from spring viraemia of carp (SVC), and should therefore be considered free from that disease.
- (6) Finland has submitted evidence of freedom from SVC for its entire territory, and of freedom from *Gyrodactylus salaris* and infectious pancreatic necrosis (IPN) for parts of its territory. The territories concerned should therefore be considered free from those diseases. Finland has also submitted a programme for the control and eradication of bacterial kidney disease (BKD) which will apply to the continental parts of its territory. That programme should be approved with a view to eradicating the disease and achieving disease free status.
- (7) Ireland has submitted evidence of freedom from SVC, BKD and *Gyrodactylus salaris* for its entire territory, and should therefore be considered free from those diseases.
- (8) Sweden has submitted evidence of freedom from SVC and IPN for its entire territory, and should therefore be considered free from those diseases. Sweden has also submitted a programme for the control and eradication of BKD which will apply to the continental parts of its territory. That programme should be approved with a view to eradicating the disease and achieving disease free status.
- (9) The United Kingdom has submitted evidence of freedom from *Gyrodactylus salaris* for its entire territory and of freedom from IPN, BKD and SVC for parts of its territory. The territories concerned should therefore be considered free from those diseases. The United Kingdom has also submitted programmes for the control and eradication of SVC and BKD applicable to other parts of its territory. Those programmes should be approved with a view to eradicating the diseases and achieving disease free status.
- (10) The additional guarantees provided for by this Decision should be reconsidered after three years, taking into account the experience gained in relation to control and eradication of the diseases and the development of alternative control measures such as vaccines.
- (11) Additional guarantees as regards SVC have been defined for certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey by

⁵ OJ L 68, 15.3.1973, p. 1. Regulation as amended by Regulation (EEC) No 1274/86 (OJ L 107, 24.4.1986, p. 1).

Commission Decision 93/44/EC⁶. That Decision should be repealed and replaced by this Decision.

- (12) Commission Decision 2003/513/EC⁷ is a safeguard decision protecting certain regions of the Community against introduction of *Gyrodactylus salaris*. Those measures have been in force since 1996, and are by their very nature additional guarantees and not safeguard measures. Decision 2003/513/EC should therefore also be repealed and replaced by this Decision.
- (13) The guarantees laid down in Decisions 93/44/EC and 2003/513/EC should be updated to take into account the present scientific knowledge and current recommendations of the World Organisation of Animal Health (OIE).
- (14) The measures provided for in this Decision are in accordance with the opinion of the Scientific Committee for the Food Chain and Animal Health.

HAS ADOPTED THIS DECISION:

Article 1

Requirements for territory being considered disease free disease

The requirements to be fulfilled in order for territory to be considered free of one or more of the diseases listed in Column I, List III of Annex A to Directive 91/67/EEC, are laid down in Annex I, Chapter I to this Decision.

Article 2

Territories considered disease-free

The territories listed in Annex I, Chapter II to this Decision are considered to be free from the diseases listed in Column I, List III of Annex A to Directive 91/67/EEC.

Article 3

Criteria for control and eradication programmes

The criteria a Member States shall apply under a control and eradication programme for one or more of the diseases referred to in Column I, List III of Annex A to Directive 91/67/EEC, are laid down in Annex II, Chapter I to this Decision.

Article 4

Approval of control and eradication programmes

The control and eradication programmes for the territories listed in Annex II, Chapter II to this Decision are approved.

⁶ OJ L 16, 25.1.1993, p. 53. Decision amended by Decision 94/865/EC (OJ L 352, 31.12.1994, p. 75).

⁷ OJ L 177, 16.7.2003, p. 22.

Article 5
Additional guarantees

1. Live aquaculture fish, eggs and gametes which are introduced into the territories listed in Annex I, Chapter II or Annex II, Chapter II, shall comply with the guarantees, including those for packaging and labelling and the appropriate specific additional requirements, as laid down in the health certificate, drawn up in conformity with model health certificate in Annex III, taking into account the explanatory notes in Annex IV.
2. The requirements laid down in paragraph 1 shall not apply when eggs are introduced into the territories listed in Annex I, Chapter II or Annex II, Chapter II, for the purpose of human consumption.
3. The additional guarantees should be maintained when the requirements laid down in Annex V are fulfilled.

Article 6
Transport

Live aquaculture fish, eggs and gametes introduced into the territories listed in Annex I Chapter II, or Annex II Chapter II, shall be transported under conditions not altering their health status and not jeopardising the health status at the place of destination.

Article 7
Repeal

Decisions 93/44/EC and 2003/513/EC are repealed.

Article 8
Review

The Commission shall review the additional guarantees laid down by this Decision by 30 April 2007 at the latest. The review shall take account of the experience gained in relation to control and eradication of the diseases and the development of alternative control measures such as vaccines.

Article 9
Addressees

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

Disease-free status

Chapter I

Requirements for disease-free status

A. Disease-free country

A Member State shall be considered free of a disease if none of the susceptible species are present or if it meets the conditions in point 1) or 2) below.

If a Member State shares a water catchment area with one or more other Member States, it can only be declared a disease free country if all the shared water catchment areas are declared disease-free zones in both Member States.

1. A Member State where there has not been any observed occurrence of the disease for at least the past 25 years despite conditions that are conducive to its clinical expression may be considered disease-free if
 - 1.1. basic disease security conditions have been in place continuously for at least the previous 10 years. The basic disease security conditions should as a minimum consist of:
 - (a) the disease is compulsorily notifiable to the Competent Authority, including notification of suspicion;
 - (b) an early detection system ensuring the rapid recognition of signs suspicious of a disease, or an emerging disease situation, or unexplained mortality, in aquatic animals in an aquaculture establishment or in the wild, and the rapid communication of the event to the Competent Authority, with the aim to activate diagnostic investigation with minimal delay, is in place within the country enabling the Competent Authority to undertake effective disease investigation and reporting, including access to laboratories capable of diagnosing and differentiating relevant diseases, and training of veterinarians or fish health specialists in detecting and reporting unusual disease occurrence. Such an early detection system must at least include the following:
 - (i) broad awareness, e.g. among the personnel employed at aquaculture establishments or involved in processing, of the characteristic signs of the listed diseases;
 - (ii) veterinarians or aquatic animal health specialists trained in recognising and reporting suspicious disease occurrence;
 - (iii) ability of the Competent Authority to undertake rapid and effective disease investigation;

- (iv) access by the Competent Authority to laboratories with the facilities for diagnosing and differentiating listed and emerging diseases;
- 1.2. infection is not known to be established in wild populations;
 - 1.3. conditions applied to trade and imports to prevent the introduction of the disease into the Member State are in place.
2. A Member State where the last known clinical occurrence was within the past 25 years or where the infection status prior to targeted surveillance was unknown, for example because of the absence of conditions conducive to clinical expression, may be considered free from the disease if:
- 2.1. it meets basic disease security conditions as described in point 1.1; and
 - 2.2. targeted surveillance has been in place for at least the past 2 years in aquaculture establishments holding any of the susceptible species without detection of the disease agent. If there are areas of the country in which surveillance in aquaculture establishments only, does not give sufficient epidemiological data (where the number of aquaculture establishments are limited), but in which there are wild populations of any of the susceptible species, those wild populations must be included in the targeted surveillance. The sampling methods and sample sizes should be at least equivalent to those laid down in Commission Decision 2001/183/EC or in the relevant chapters of the OIE International Aquatic Animal Health Code and OIE Manual of Diagnostic Tests for Aquatic Animals. The diagnostic methods should be at least equivalent to those laid down in the relevant chapters of the OIE Manual for diagnostic tests in aquatic animals.

B. Disease-free zone

A disease-free zone may be established within the territory of one Member State of infected or unknown status for a disease, if none of the susceptible species are present in the zone, or if the zone meets the conditions referred to in point 1 or 2 below.

Such disease-free zones must comprise: one or more entire water-catchment area(s) from the sources of the waterways to the sea, or part of a catchment area from the source(s) to a natural or artificial barrier that prevents the upward migration of fish from lower stretches of the waterway. Such zones must be clearly delineated on a map of the territory of the country concerned by the Competent Authority.

If a water-catchment area extends over more than one Member State, it can only be declared a disease free zone if the conditions outlined below apply to all areas of the zone. Both Member States concerned should apply for approval of the zone.

- 1. A zone where there has not been any observed occurrence of the disease for at least the past 25 years despite conditions that are conducive to its clinical expression may be considered free if:

- 1.1. basic disease security conditions have been in place continuously for at least the previous 10 years. The basic disease security conditions should as a minimum consist of:
 - (a) the disease is compulsorily notifiable to the Competent Authority, including notification of suspicion;
 - (b) an early detection system ensuring the rapid recognition of signs suspicious of a disease, or an emerging disease situation, or unexplained mortality, in aquatic animals in an aquaculture establishment or in the wild, and the rapid communication of the event to the Competent Authority, with the aim to activate diagnostic investigation with minimal delay, is in place within the country enabling the Competent Authority to undertake effective disease investigation and reporting, including access to laboratories capable of diagnosing and differentiating relevant diseases, and training of veterinarians or fish health specialists in detecting and reporting unusual disease occurrence. Such an early detection system must at least include the following:
 - (i) broad awareness, e.g. among the personnel employed at aquaculture establishments or involved in processing, of the characteristic signs of the listed diseases;
 - (ii) veterinarians or aquatic animal health specialists trained in recognising and reporting suspicious disease occurrence;
 - (iii) ability of the Competent Authority to undertake rapid and effective disease investigation;
 - (iv) access by the Competent Authority to laboratories with the facilities for diagnosing and differentiating listed and emerging diseases;
 - 1.2. infection is not known to be established in wild populations;
 - 1.3. conditions applied to trade and imports to prevent the introduction of the disease into the zone are in place.
2. A zone where the last known clinical occurrence was within the past 25 years or where the infection status prior to targeted surveillance was unknown, for example because of the absence of conditions conducive to clinical expression, may be considered free from the disease if:
 - 2.1. it meets basic disease security conditions as described in point 1.1;

- 2.2. targeted surveillance has been in place for at least the past 2 years in aquaculture establishments holding any of the susceptible species without detection of the disease agent. If surveillance in aquaculture establishments only, does not give sufficient epidemiological data (where the number of aquaculture establishments are limited), but in which there are wild populations of any of the susceptible species, those wild populations must be included in the targeted surveillance. The sampling methods and sample sizes should be at least equivalent to those laid down in Commission Decision 2001/183/EC or in the relevant chapters of the OIE International Aquatic Animal Health Code and OIE Manual of Diagnostic Tests for Aquatic Animals. The diagnostic methods should be at least equivalent to those laid down in the relevant chapters of the OIE Manual for diagnostic tests in aquatic animals.

Chapter II
Territories with approved freedom of certain diseases referred to in Column 1, List III
of Annex A to Council Directive 91/67/EEC

Disease	Member State	Territory or parts of territory
Spring viraemia of carp (SVC)	Denmark	Whole territory
	Finland	Whole territory; the water catchment area of River Vuoksi should be considered as buffer zone.
	Ireland	Whole territory
	Sweden	Whole territory
	United Kingdom	The territories of Northern Ireland, The Isle of Man, Jersey, and Guernsey
Bacterial kidney disease (BKD)	Ireland	Whole territory
	United Kingdom	The territories of Northern Ireland, The Isle of Man, and Jersey
Infectious pancreatic necrosis virus (IPN)	Finland	The continental parts of the territory; the water catchment areas of River Vuoksi and River Kemijoki should be considered as buffer zones.
	Sweden	Whole territory
	United Kingdom	The territory of The Isle of Man
Infection with <i>Gyrodactylus salaris</i>	Finland	The water catchment areas of Tenojoki and Näätamönjoki; the water catchment areas of Paatsjoki, Luttojoki, and Uutuanjoki are considered as buffer zones.
	Ireland	The whole territory
	United Kingdom	The territories of Great Britain, Northern Ireland, The Isle of Man, Jersey and Guernsey.

ANNEX II**Control and eradication programmes****Chapter I****Minimum criteria to be applied in a programme aimed at control and eradication of certain diseases referred to in Column 1, List III of Annex A to Council Directive 91/67/EEC**

- A. The minimum criteria to be applied by the Member State under an approved control and eradication programme are**
1. The disease must be compulsorily notifiable to the Competent Authority, including notification of suspicion.
 2. An early detection system ensuring the rapid recognition of signs suspicious of the disease in question, in aquatic animals in an aquaculture establishment or in the wild, and the rapid communication of the event to the Competent Authority, with the aim to activate diagnostic investigation with minimal delay must be in place enabling the Competent Authority to undertake effective disease investigation and reporting, including access to laboratories capable of diagnosing and differentiating relevant diseases, and training of veterinarians or fish health specialists in detecting and reporting unusual disease occurrence. Such an early detection system must at least include the following:
 - 2.1. broad awareness, e.g. among the personnel employed at aquaculture establishments or involved in processing, of the characteristic signs of the listed diseases;
 - 2.2. veterinarians or aquatic animal health specialists trained in recognising and reporting suspicious disease occurrence;
 - 2.3. ability of the Competent Authority to undertake rapid and effective disease investigation;
 - 2.4. access by the Competent Authority to laboratories with the facilities for diagnosing and differentiating the disease in question.
 3. Conditions to trade and imports to prevent the introduction of the disease into the Member State must be in place.

4. Targeted surveillance must be in place in aquaculture establishments holding any of the susceptible species. If there are areas of the country in which surveillance in aquaculture establishments only, does not give sufficient epidemiological data (where the number of aquaculture establishments are limited), but in which there are wild populations of any of the susceptible species, those wild populations must be included in the targeted surveillance. The sampling methods and sample sizes should be at least equivalent to those laid down in Commission Decision 2001/183/EC or in the relevant chapters of the OIE International Aquatic Animal Health Code and OIE Manual of Diagnostic Tests for Aquatic Animals. The diagnostic methods should be at least equivalent to those laid down in the relevant chapters of the OIE Manual for diagnostic tests in aquatic animals.
5. The control and eradication programme should continue until the requirements in Annex I have been fulfilled, and the Member State or parts thereof could be considered free of the disease.
6. Before 1 May each year submit a report to the Commission giving information on the number of suspicions, the number of confirmations, the number of farms and sites under restrictions, the number of restrictions lifted and the result of any active surveillance performed the previous calendar year according to the following table

Member State and disease	
Number of suspicions	
Number of confirmations	
Number of farms and sites under restrictions	
The number of restrictions lifted	
How many farms and fish/pools of fish have been sampled	
How many wild fish/pools of fish have been sampled from which water catchment areas	
Result of sampling	

B. In the case of suspicion of a disease the official service in the Member States shall ensure that:

1. Appropriate samples are taken for examinations with a view of establish the presence of the pathogen in question.

2. Pending the result of the examination referred to in point 1, the competent authority shall place the farm under official surveillance and relevant control measures must be implemented and no fish should leave the affected farm, unless authorised by the official service.
3. If the examination referred to in point 1 show the presence of a pathogen or clinical signs, an epizootic investigation must be carried out by the official service in order to determine the possible means of contamination and to investigate whether fish have left the farm, during the relevant period preceding observation of the suspicion.
4. If the epizootic investigation shows that the disease has been introduced into one or more farms or unenclosed waters the provisions of point 1 shall apply in these areas and;
 - 4.1. all of the farms situated in the same water catchment area or coastal area be placed under official surveillance,
 - 4.2. no fish, eggs or gametes leave these farms without the authorisation of the official service.
5. In the case of extensive water catchment areas or coastal areas, the official service may decide to limit this measure to a less extensive area close to the farm suspected of being infected, if it considers that this area affords maximum guarantees for the prevention of the spread of the disease.

C. In case of confirmation of the disease, the Member States shall ensure that

1. The farm or site containing the infected fish is immediately placed under restrictions and no live fish is moved into the premises, and no fish is moved out of the farm unless authorised by the official services in the Member State.
2. The restrictions shall be maintained until eradication has been achieved either through the requirements in 2.1 or 2.2 below:
 - 2.1. Immediate withdrawal of all stock by
 - (a) Slaughter of all live fish under the supervision of the official service or, in the case of fish which have reached commercial size and show no clinical sign of disease, slaughter under the supervision of the official service for marketing or processing for human consumption. In the latter case, the official service shall ensure that the fish are immediately slaughtered and gutted, that these operations are carried out in conditions such as to prevent the spread of pathogens. The Member State may on a case by case basis, taking into consideration the risk of spreading the disease to other farms or to the wild population, allow fish which have not yet reached commercial size to be kept at the farm until market size is reached; and

- (b) Fallowing of the farm or site (and where appropriate disinfection) for an appropriate period following withdrawal, taking into consideration Section 1.7 of the most current edition of the OIE International Aquatic Animal Health Code.

2.2. Progressive measures to clear infection by careful management of infected farms or sites by

- (a) Removal and destruction of dead fish and fish displaying clinical signs of disease, harvesting fish not displaying clinical signs of disease, until each epidemiological unit affected by disease within the site is emptied of fish and disinfected; or
- (b) Removal and destruction of dead fish and fish displaying clinical signs of disease, in the case of sites where withdrawal and/or disinfection may not be possible because of the nature of the site (e.g. a river system or extensive lake).
3. To facilitate a swift and rapid eradication of the disease from infected premises, the competent authority of the Member State may allow fish not displaying clinical signs of disease to be transported – under the supervision of the competent authority – to other farms or areas within the Member State in question that is not covered by disease free status or an approved control and eradication programme.
4. Fish removed and disposed of as a consequence of the action in paragraphs 2.1 and 2.2 must be disposed of in accordance with Regulation 1774/2002.
5. Fish used to re-stock sites must originate from certified disease free sources.
6. Member States shall take the necessary measures to prevent the spreading of the disease to other farmed fish or wild stocks.

Chapter II

Territories with approved control and eradication programmes of certain diseases referred to in Column 1, List III of Annex A to Council Directive 91/67/EEC

Disease	Member State	Territory or parts of territory
Spring viraemia of carp	United Kingdom	The territories of Great Britain
Bacterial kidney disease	Finland	The continental parts of the territory.
	Sweden	The continental parts of the territory.
	United Kingdom	The territories of Great Britain

ANNEX III

**MODEL ANIMAL HEALTH CERTIFICATE FOR THE PLACING ON THE MARKET OF ⁽¹⁾[LIVE FISH]
⁽¹⁾[AND] ⁽¹⁾[EGGS] ⁽¹⁾[AND] ⁽¹⁾[GAMETES], BELONGING TO THE SPECIES SUSCEPTIBLE TO ⁽¹⁾[SPRING
VIRAEMIA OF CARP] ⁽¹⁾[AND] ⁽¹⁾[INFECTIOUS PANCREATIC NECROSIS] ⁽¹⁾[AND] ⁽¹⁾[BACTERIAL KIDNEY
DISEASE], ⁽¹⁾[AND] ⁽¹⁾[GYRODACTYLUS SALARIS], FOR FARMING OR BREEDING IN TERRITORIES WITH
COMMUNITY APPROVED FREEDOM OR CONTROL AND ERADICATION PROGRAMMES FOR ONE OR
MORE OF THOSE DISEASES**

Reference Code No

ORIGINAL

<p>1. Place of origin of the consignment</p> <p>1.1. Member state of origin:</p> <p>1.2. Farm of origin, name:</p> <p>1.3. Address of location of farm:</p> <p>⁽²⁾[1.4. Place of harvest:]</p> <p>1.5. Name, address and phone number of the Consignor:</p>	<p>2. Destination of the consignment</p> <p>2.1. Member State:.....</p> <p>2.2. Zone or part of the Member State:</p> <p>2.3. Farm of destination, name:.....</p> <p>2.4. Address of location of farm:</p> <p>⁽³⁾[2.5. Place of destination:.....]</p> <p>2.6. Name, address and phone number of the Consignee:</p>												
<p>3. Means of transport and consignment identification⁽⁴⁾</p> <p>3.1. Means of transport: ⁽¹⁾[Lorry] ⁽¹⁾[Rail-wagon] ⁽¹⁾[Ship] ⁽¹⁾[Aircraft]</p> <p>3.2. ⁽¹⁾[Registration number(s)] ⁽¹⁾[Ship name] ⁽¹⁾[Flight number]:.....</p> <p>3.3. Consignment identification details:</p>													
<p>4. Description of the consignment</p> <p><input type="checkbox"/> Farmed stocks <input type="checkbox"/> Wild stocks <input type="checkbox"/> Gametes <input type="checkbox"/> Fertilised eggs <input type="checkbox"/> Unfertilised eggs <input type="checkbox"/> Larvae/fry</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Species</th> <th rowspan="2">Total weight of consignment ⁽¹⁾[Number of fish]</th> <th rowspan="2">Volume of ⁽¹⁾[eggs] ⁽¹⁾[gametes]</th> <th rowspan="2">Age of live animals</th> </tr> <tr> <th>Scientific name:</th> <th>Common name:</th> </tr> </thead> <tbody> <tr> <td style="height: 50px;"></td> <td></td> <td></td> <td></td> <td> <input type="checkbox"/> >24 months <input type="checkbox"/> 12-24 months <input type="checkbox"/> 0-12 months; <input type="checkbox"/> unknown </td> </tr> </tbody> </table>		Species		Total weight of consignment ⁽¹⁾ [Number of fish]	Volume of ⁽¹⁾ [eggs] ⁽¹⁾ [gametes]	Age of live animals	Scientific name:	Common name:					<input type="checkbox"/> >24 months <input type="checkbox"/> 12-24 months <input type="checkbox"/> 0-12 months; <input type="checkbox"/> unknown
Species		Total weight of consignment ⁽¹⁾ [Number of fish]	Volume of ⁽¹⁾ [eggs] ⁽¹⁾ [gametes]				Age of live animals						
Scientific name:	Common name:												
				<input type="checkbox"/> >24 months <input type="checkbox"/> 12-24 months <input type="checkbox"/> 0-12 months; <input type="checkbox"/> unknown									
<p>5. Health attestation</p> <p>I, the undersigned, hereby certify that the ⁽¹⁾[fish] ⁽¹⁾[and] ⁽¹⁾[eggs] ⁽¹⁾[and] ⁽¹⁾[gametes] forming the present consignment belonging to the species susceptible⁽⁵⁾ to ⁽¹⁾[Spring viraemia of carp] ⁽¹⁾[and] ⁽¹⁾[Infectious pancreatic necrosis] ⁽¹⁾[and] ⁽¹⁾[Bacterial kidney disease] ⁽¹⁾[and] ⁽¹⁾[<i>Gyrodactylus salaris</i>] referred to in point 4 of this certificate fulfils the following requirements:</p> <p>5.1</p> <p><i>either</i> ⁽¹⁾[they originate from the following territory:....., which is considered free from ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] ⁽¹⁾[and] ⁽¹⁾[<i>G. salaris</i>] in accordance with Annex I to Decision 2004/xxxx/EC⁽⁶⁾, and where all farms raising species susceptible⁽⁵⁾ to ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] ⁽¹⁾[and] ⁽¹⁾[<i>G. salaris</i>] are under the supervision of the competent authority, and]</p> <p><i>or</i> ⁽¹⁾[they originate from the following farm:.....⁽⁷⁾, which is under the supervision of the competent authority, and which at the time of the year ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] is expected to manifest itself, have been submitted for at least two years to inspections by the competent authority, with sampling at least equivalent to those sampling programmes laid down in Commission Decision 2001/183/EC⁽⁸⁾ or surveillance methods as described in the OIE Manual of diagnostic tests for aquatic animals, Chapter 1.1.4 and the relevant disease chapters; and as laboratory tests have been carried out in accordance with the relevant chapters in the most current edition of the OIE Manual of diagnostic tests for aquatic animals, with all test giving negative results, and]</p>													

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or ⁽⁹⁾[they originate from the following continental farm:.....⁽⁷⁾, which is under the supervision of the competent authority, and where ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] have occurred within in the previous two years, but where the whole fish population has been withdrawn, and all ponds, tanks or other installations and equipment disinfected under the supervision of the competent authority, and where restocking has taken place with fish from a source certified free by the competent authority after sampling at least equivalent to those sampling programmes laid down in Commission Decision 2001/183/EC⁽⁸⁾ or surveillance methods as described in the OIE Manual of diagnostic tests for aquatic animals, Chapter 1.1.4 and the relevant disease chapters; and as laboratory tests have been carried out accordance with the relevant chapters in the most current edition of the OIE Manual of diagnostic tests for aquatic animals, with all test giving negative results, and]

or ⁽¹⁰⁾[they originate from the following continental farm:.....⁽⁷⁾, which is under the supervision of the competent authority, and which at the time of the year *G. salaris* is expected to manifest itself has been submitted for at least two years to inspections by the competent authority, with sample size at least equivalent to those sampling programmes laid down in Commission Decision 2001/183/EC⁽⁸⁾ and sampling and laboratory tests have been carried out in accordance with the relevant chapters in the most current edition of the OIE Manual of diagnostic tests for aquatic animals, with all test giving negative results; and the farm is either situated in a part⁽¹¹⁾ of water catchment area declared free⁽¹²⁾ from *G. salaris*, or situated in a water catchment area declared free⁽¹²⁾ from *G. salaris*, and all other water catchment areas draining into the same estuary are declared free^(12,13) from *G. salaris*, and]

or ⁽¹⁰⁾[they originate from the following coastal farm:.....⁽⁷⁾, which is under the supervision of the competent authority, which is situated in a coastal zone with a salinity below 25 parts per thousand, and where all water catchment areas draining into the estuary are declared free^(12,13) of *G. salaris*, and]

or ⁽¹⁰⁾[they originate from the following coastal farm:.....⁽⁷⁾, which is under the supervision of the competent authority, and situated in a coastal zone where the seawater has a salinity of more than 25 parts per thousand and no live fish of the susceptible species⁽⁵⁾ have been introduced during the previous 14 days, and]

or ⁽¹⁴⁾[they originate from the following farm:.....⁽⁷⁾, which is under the supervision of the competent authority, and where the eggs have been disinfected according to the OIE International Aquatic Animal Health Code Sixth edition 2003, Appendix 5.2.1, ensuring the elimination of parasites belonging to the species *G. salaris*, and]

- where ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] ⁽¹⁾[and] ⁽¹⁾[*G. salaris*] is notifiable to the competent authority, and reports of suspicion of infections must be immediately investigated by the official services, and
- in which all introduction of species susceptible⁽⁵⁾ to ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] ⁽¹⁾[and] ⁽¹⁾[*G. salaris*] has come from a zone or farm certified free of ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] ⁽¹⁾[and] ⁽¹⁾[*G. salaris*], and
- ⁽¹⁵⁾[- in which the fish has not been vaccinated against ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD], and]

5.2. fulfil the following requirements:

- (a) they have not, since the time they were ⁽¹⁾[harvested] ⁽¹⁾[caught], been in contact with other live aquatic animals, eggs or gametes of a lower health status ,
- (b) they are not intended for destruction or slaughter for the eradication of diseases listed in Annex A, column 1, of Directive 91/67/EEC,
- (c) they do not originate from a farm subject to any prohibitions for animal health reasons,
- (d) they do not show any clinical signs of disease on the day of loading,
- (e) they have been subject to a visual check of a randomly selected representative part of the consignment, including each part having a different origin, and no species other than those specified in point 4 of this certificate were detected
- (f) they are placed in [water]¹ [on ice]¹ of a quality that does not alter their health status, and
- (g) they have been placed in ⁽¹⁾[sealed watertight clean containers which were disinfected beforehand using an authorised disinfectant and which bear on the exterior a legible label] ⁽¹⁾[a well boat where the well and its pipe and pump systems were free of fish, cleaned and disinfected beforehand using an authorised disinfectant, carrying a manifest] with the relevant¹⁶ information referred to at point 1 and 2 of this certificate and the following statement:

"⁽¹⁾[Live fish] ⁽¹⁾[and] ⁽¹⁾[Eggs] ⁽¹⁾[and] ⁽¹⁾[Gametes] belonging to the species susceptible to ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] ⁽¹⁾[and] ⁽¹⁾[*Gyrodactylus salaris*], authorised for placing on the market in Community zones with approved status or control and eradication programme, with regard to ⁽¹⁾[Spring viraemia of carp] ⁽¹⁾[and] ⁽¹⁾[Infectious pancreatic necrosis] ⁽¹⁾[and] ⁽¹⁾[Bacterial kidney disease] ⁽¹⁾[and] ⁽¹⁾[*G. salaris*]

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Done at, (Place)	on, (Date)
Official stamp (Signature of official inspector)
 (Name in capital letter, qualifications and title)

Indicative notes

- (1) Retain as appropriate.
- (2) If different from place of origin, retain as appropriate.
- (3) If different from farm of destination, retain as appropriate.
- (4) 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 shall be specified. In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, shall be indicated under point 3.3.
- (5) Known susceptible species (see table)

Disease	Susceptible species*
Spring viraemia of carp (SVC)	common carp and koi carp (<i>Cyprinus carpio</i>), grass carp (<i>Ctenopharyngodon idellus</i>), silver carp (<i>Hypophthalmichthys molitrix</i>), bighead carp (<i>Aristichthys nobilis</i>), crucian carp (<i>Carassius carassius</i>), goldfish (<i>C. auratus</i>), roach (<i>Rutilus rutilus</i>), ide (<i>Leuciscus idus</i>), tench (<i>Tinca tinca</i>) and sheatfish (<i>Silurus glanis</i>)
Infectious pancreatic necrosis (IPN)	rainbow trout (<i>Oncorhynchus mykiss</i>), brook trout (<i>Salvelinus fontinalis</i>), brown trout (<i>Salmo trutta</i>), Atlantic salmon (<i>Salmo salar</i>), and several Pacific salmon species (<i>Oncorhynchus spp.</i>)
Bacterial kidney disease (BKD)	fish belonging to the family Salmonidae
Gyrodactylus salaris	Atlantic salmon (<i>Salmo salar</i>), rainbow trout (<i>Oncorhynchus mykiss</i>), Arctic char (<i>Salvelinus alpinus</i>), North American brook trout (<i>S. fontinalis</i>), grayling (<i>Thymallus thymallus</i>), North American lake trout (<i>Salvelinus namaycush</i>) and brown trout (<i>Salmo trutta</i>). Other species of fish on sites where any of the above species are present shall also be considered as susceptible species.

* and any other species referred to as *susceptible* in the most current edition of the OIE International aquatic animal health code and/or the OIE Manual of diagnostic tests for aquatic animals

- (6) This Decision (SANCO/xxxx/2004/EC).
- (7) Name and address of the farm.
- (8) Commission Decision 2001/183/EC laying down EC-Model A – at least four years documented freedom including two year active targeted surveillance, or EC Model B – at least six years documented freedom including two year active targeted surveillance, or surveillance methods as described in the OIE Manual of diagnostic tests for aquatic animals, Chapter 1.1.4 and the relevant disease chapters.
- (9) Applicable only to continental farms where epizootiological investigations have shown that the disease has not spread to other farms or into the wild. Retain as applicable.
- (10) Applicable to areas with additional guarantees for *Gyrodactylus salaris* only. Retain as applicable
- (11) According to Annex B, I A to Directive 91/67/EEC a part of a water catchment area can only be declared free from a disease if it consists of the upper part of the catchment area from its sources of the waterways to a natural or artificial barrier preventing fish migrating from downstream of that barrier.
- (12) The competent authority of the Member State can declare a water catchment area free of *Gyrodactylus salaris* provided compliance with the requirements in Annex I, Chapter 1.B of This Decision (SANCO/2004/xxxx/EC). Any such declaration of freedom shall be communicated to the Commission and other Member States and shall be open to scrutiny on request.
- (13) When declaring continental zones free of *Gyrodactylus salaris*, it must be taken into account that the disease may spread by migrating fish between different continental zones if the salinity between them is low or intermediate (below 25 ppt). Hence one individual continental zone can not be declared free if another continental zone draining into the same coastal zone is infected or has unknown status, unless they are separated by seawater with salinity above 25 ppt.
- (14) Applicable to areas with additional guarantees for *Gyrodactylus salaris* only and in relation to trade in eggs, retain as applicable.

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|------|--|
| (15) | Applicable to species susceptible to SVC, IPN and/or BKD only, introduced into areas with additional guarantees for SVC, IPN and/or BKD. Retain as applicable. |
| (16) | Member state and zone (as applicable) and of destination, name and telephone number of the consignor and consignee. |

ANNEX IV*Explanatory notes for the movement document and labelling*

<p>(a) The movement documents shall be produced by the competent authorities of the Member State of origin, based on the model appearing in Annex I to this Decision taking into account the species of the consignment and the status of the place of destination.</p> <p>(b) The original of each movement document shall consist of a single page, double-sided, or, where more than one page is required, it shall be in such a form that all pages form part of an integrated whole and are indivisible.</p> <p>It shall, on the right hand side of the top of each page, be marked as "original" and bear a specific code number issued by the competent authority. All pages of the movement document shall be numbered - <i>(page number)</i> of <i>(total number of pages)</i>.</p> <p>(c) The original of the movement document and the labels referred to in the model movement document shall be drawn up in at least one official language of the Member State of destination. However, Member States may allow other languages, if necessary, accompanied by an official translation.</p> <p>(d) The original of the movement document must be completed, on the day of loading of the consignment, with an official stamp and signed by an official inspector designated by the competent authority. In doing so, the competent authority of the Member State of origin shall ensure that the principles of certification equivalent to those laid down in Council Directive 96/93/EC are followed.</p> <p>The stamp, unless embossed, and the signature shall be in a colour different to that of the printing.</p>	<p>(e) If for reasons of identification of the items of the consignment, additional pages are attached to the movement document, these pages shall be considered as forming part of the original and be signed and stamped by the certifying official inspector on each page.</p> <p>(f) The original of the movement document must accompany the consignment until it reaches the place of destination.</p> <p>(g) The movement document shall be valid for 10 days from the date of issue. In the case of transport by ship, the time of validity is prolonged by the time of journey at sea.</p> <p>(h) The aquatic animals, their eggs and gametes, shall not be transported together with other aquatic animals or their eggs and gametes that are of a lower health status. Furthermore, they must not be transported under any other conditions that alter their health status or could jeopardise the health status at the place of destination.</p>
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ANNEX V**Minimum criteria to be applied to maintain additional guarantees for certain diseases referred to in Column 1, List III of Annex A to Council Directive 91/67/EEC, according to Articles 12 and 13 of Council Directive 91/67/EEC****A. In order to maintain additional guarantees granted, the Member States must as a minimum comply with the following criteria:**

1. The disease must be compulsorily notifiable to the Competent Authority, including notification of suspicion.
2. All farms having species susceptible to the disease, to which the Member State has been granted free status, must be under the supervision of the competent authority.
3. An early detection system ensuring the rapid recognition of signs suspicious of the disease in question, in aquatic animals in an aquaculture establishment or in the wild, and the rapid communication of the event to the Competent Authority, with the aim to activate diagnostic investigation with minimal delay must be in place enabling the Competent Authority to undertake effective disease investigation and reporting, including access to laboratories capable of diagnosing and differentiating relevant diseases, and training of veterinarians or fish health specialists in detecting and reporting unusual disease occurrence. Such an early detection system must at least include the following:
 - 3.1. broad awareness, e.g. among the personnel employed at aquaculture establishments or involved in processing, of the characteristic signs of the listed diseases;
 - 3.2. veterinarians or aquatic animal health specialists trained in recognising and reporting suspicious disease occurrence;
 - 3.3. ability of the Competent Authority to undertake rapid and effective disease investigation;
 - 3.4. access by the Competent Authority to laboratories with the facilities for diagnosing and differentiating the disease in question.
4. Conditions to trade and imports as well as management of wild fish stocks of the susceptible species, to prevent the introduction of the disease in question into the Member State or parts thereof covered by this Decision must be in place. Fish originating in coastal zones should not be introduced into continental zones, unless authorised by the competent authority of the Member State of destination.
5. In Member States where only parts of territory is declared free according to Annex I, Chapter II (not whole territory is declared free), targeted surveillance must be maintained in accordance with the provisions of Annex II, Chapter I.4 in the areas declared free.
6. Live aquaculture fish, eggs and gametes introduced into the territories listed in Annex I Chapter II, or Annex II Chapter II, shall be transported under

conditions not altering their health status and not jeopardising the health status at the place of destination. The transport shall take place in water considered free from the disease in question as it is taken from the water source of the farm or site of origin, and that water exchange during transport is done only at places authorised by the competent authority of the Member State of destination, where appropriate in collaboration with the competent authority of the Member State of origin.

7. Vaccination against the disease in question shall not take place.
8. Before 1 May each year submit a report to the Commission giving information on the number of suspicions, the number confirmations, the number of farms and sites under restrictions, the number of restrictions lifted and the result of any active surveillance performed the previous calendar year according to the following table.

Member State and disease	
Number of suspicions	
Number of suspicions	
Number of farms and sites under restrictions	
The number of restrictions lifted	
How many farms and fish/pools of fish have been sampled	
How many wild fish/pools of fish have been sampled from which water catchment areas	
Result of sampling	

B. In the case of suspicion of a disease the official service in the Member States shall ensure that:

1. Appropriate samples are taken for examinations with a view of establish the presence of the pathogen in question.
2. Pending the result of the examination referred to in point 1, the competent authority shall place the farm under official surveillance and relevant control measures must be implemented and no fish should leave the affected farm, unless authorised by the official service.
3. If the examination referred to in point 1 show the presence of a pathogen or clinical signs, an epizootic investigation must be carried out by the official service in order to determine the possible means of contamination and to investigate whether fish have left the farm, during the relevant period preceding observation of the suspicion.
4. If the epizootic investigation shows that the disease has been introduced into one or more farms or unenclosed waters the provisions of point 1 shall apply in these areas and;
 - 4.1. all of the farms situated in the same water catchment area or coastal area be placed under official surveillance,
 - 4.2. no fish, eggs or gametes leave these farms without the authorisation of the official service.
5. In the case of extensive water catchment areas or coastal areas, the official service may decide to limit this measure to a less extensive area close to the farm suspected of being infected, if it considers that this area affords maximum guarantees for the prevention of the spread of the disease.

C. In case of confirmation of the disease, the Member States shall ensure that

1. The farm or site containing the infected fish is immediately placed under restrictions and no live fish is moved into the premises, and no fish is moved out of the farm unless authorised by the official services in the Member State.
2. The restrictions shall be maintained until eradication has been achieved either through the requirements in 2.1 or 2.2 below:
 - 2.1. Immediate withdrawal of all stock from a farm by
 - (a) Slaughter of all live fish under the supervision of the official service or, in the case of fish which have reached commercial size and show no clinical sign of disease, slaughter under the supervision of the official service for marketing or processing for human consumption. In the latter case, the official service shall ensure that the fish are immediately slaughtered and gutted, that these operations are carried out in conditions such as to prevent the spread of pathogens. The Member State may on a case by case basis, taking into consideration the risk of spreading the disease to other farms or to the wild population, allow fish which have not yet reached commercial size to be kept at the farm until market size is reached; and
 - (b) Fallowing, and where appropriate disinfection, of the farm or site for an appropriate period following withdrawal, taking into consideration Section 1.7 of the most current edition of the OIE International Aquatic Animal Health Code.
 - 2.2. Progressive measures to clear infection by careful management of infected farms or waters by
 - (a) Removal and destruction of dead fish and fish displaying clinical signs of disease, harvesting fish not displaying clinical signs of disease, until each epidemiological unit affected by disease within the site is emptied of fish and disinfected; or
 - (b) Removal and destruction of dead fish and fish displaying clinical signs of disease, in the case of sites where withdrawal and/or disinfection may not be possible because of the nature of the site (e.g. a river system or extensive lake).
3. To facilitate a swift and rapid eradication of the disease from infected premises, the competent authority of the Member State may allow fish not displaying clinical signs of disease to be transported – under the supervision of the competent authority – to other farms or areas within the Member State in question that is not covered by disease free status or an approved control and eradication programme.

4. Fish removed and disposed of as a consequence of the action in paragraphs 2.1 and 2.2 must be disposed of in accordance with Regulation 1774/2002.
5. Fish used to re-stock sites must originate from certified disease free sources.
6. Member States shall take the necessary measures to prevent the spreading of the disease to other farmed fish or wild stocks.
7. When the Member State has eradicated the disease from a continental farm according to Point C 2.1 of this Annex, and the epizootic investigations required in Point B 3 of this Annex concludes that the disease has not spread to other farms or into the wild, disease free status is reinstated immediately. Otherwise, the disease free status could only be reinstated after compliance with Annex I.

COMMISSION DECISION**of 29 April 2004****amending Annexes I, II and III to Decision 2003/858/EC laying down the animal health conditions and certification requirements for imports of live fish, their eggs and gametes intended for farming, and live fish of aquaculture origin and products thereof intended for human consumption**

(notified under document number C(2004) 1680)

(Text with EEA relevance)**(2004/454/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products⁸, and in particular Article 20(1) and Article 21(2) thereof,

Whereas:

- (1) Commission Decision 2003/858/EC⁹ lays down the specific animal health conditions and model certificates applicable to third countries or parts thereof from which Member States are authorised to import live fish, their eggs and gametes intended for farming, and live fish of aquaculture origin and products thereof intended for human consumption.
- (2) By Commission Decision 2004/.../EC of dd/mm/yy [implementing Council Directive 91/67/EEC as regards measures against certain diseases in aquaculture animals]¹⁰ Denmark, Finland, Ireland, Sweden and the United Kingdom have been granted additional guarantees for certain diseases referred to in Annex A, Column 1, List III to Directive 91/67/EEC.
- (3) Those guarantees should also apply when live fish is imported from third countries. Annexes I, II and III to Decision 2003/858/EC should take those additional guarantees into account and be amended accordingly.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health.

⁸ OJ L 46, 19.2.1991, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1.).

⁹ OJ L 324, 11.12.2003, p. 37.

¹⁰ OJ L (SANCO/10022/2004-Rev. 4)

HAS ADOPTED THIS DECISION:

Article 1

Decision 2003/858/EC is amended as follows:

1. Annex I is replaced by the text in Annex I to this Decision.
2. Annex II is replaced by the text in Annex II to this Decision.
3. Annex III is replaced by the text in Annex III to this Decision.

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 I**“ANNEX I****Territories from which importation of certain species of live fish, their eggs, and gametes intended for farming in the European Community (EC) are authorised**

Country		Territory		Specific requirements ¹¹						Comments ¹²
ISO-code	Name	Code	Description	VHS	IHN	SVC	BKD	IPN	<i>G. salaris</i>	
AL	Albania									
AU	Australia									
BR	Brazil									Carps only
BG	Bulgaria									
CA	Canada									
CL	Chile									
CN	China, Peoples Republic of									Carps only
CO	Colombia									Carps only
CG	Congo									Carps only
HR	Croatia									
MK ¹³	Former Yugoslav Republic of Macedonia									Carps only
ID	Indonesia									
IL	Israel									
JM	Jamaica									Carps only
JP	Japan									Carps only

¹¹ Insert “Yes” or “No” as relevant if designated farm, coastal or continental zone is approved by the central competent authority of the exporting country as a territory that fulfils the specific animal health requirements - including a non-vaccination policy - for introduction into European Community zones and farms having a Community approved programme or status, or for one or more of the diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN), additional guarantees for spring viraemia of carp (SVC), bacterial kidney disease (BKD), infectious pancreatic necrosis (IPN), and/or *Gyrodactylus salaris* (*G. salaris*).

¹² No limitations if left empty. If a country or territory is allowed to export only certain species and/or eggs or gametes, the species should be specified and/or a comment with for example "eggs only" shall be inserted in this column.

¹³ 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.

MY	Malaysia (Peninsular, Western Malaysia only)									Carps only
NZ	New Zealand									
RU	Russian Federation									
SG	Singapore									Carps only
ZA	South Africa									
LK	Sri Lanka									Carps only
TW	Taiwan									Carps only
TH	Thailand									Carps only
TR	Turkey									
US	United States									

“

ANNEX II**”ANNEX II**

MODEL ANIMAL HEALTH CERTIFICATE FOR THE IMPORTATION OF⁽¹⁾[LIVE FISH, EGGS AND GAMETES FOR FARMING]⁽¹⁾[LIVE FISH OF AQUACULTURE ORIGIN FOR THE PURPOSE OF ⁽¹⁾[HUMAN CONSUMPTION]⁽¹⁾ [RESTOCKING OF PUT AND TAKE FISHERIES]] INTO THE EUROPEAN COMMUNITY (EC)

Note for the importer: This certificate is only for veterinary purposes and has - in its original - to accompany the consignment until it reaches the border inspection post.

Reference Code No

ORIGINAL

1. Exporting country and authorities involved 1.1. Exporting country: 1.2. Competent authority: 1.3. Competent issuing authority:		3. Destination of the consignment 3.1. Member State: ⁽¹⁾ [3.2. Zone or part ⁽³⁾ of the Member State:] ⁽¹⁾ [3.3. Farm, name:] 3.4. Address: 3.5. Name, address and phone number of the Consignee:		
2. Place of origin of the consignment 2.1. Code of territory of origin ⁽²⁾ : ⁽¹⁾ [2.2. Farm of origin, name:] ⁽¹⁾ [2.3. Address or location of farm:] 2.4. Name, address and phone number of the Consignor:		4. Means of transport and consignment identification⁽⁴⁾ 4.1. Means of transport: ⁽¹⁾ [Lorry] ⁽¹⁾ [Rail-wagon] ⁽¹⁾ [Ship] ⁽¹⁾ [Aircraft] 4.2. ⁽¹⁾ [Registration number(s)] ⁽¹⁾ [Ship name] ⁽¹⁾ [Flight number]: 4.3. Consignment identification details:		
5. Description of the consignment <input type="checkbox"/> Farmed stocks <input type="checkbox"/> Wild stocks <input type="checkbox"/> Live fish <input type="checkbox"/> Gametes <input type="checkbox"/> Fertilised eggs <input type="checkbox"/> Unfertilised eggs <input type="checkbox"/> Larvae/fry				
Fish specie(s)		Total weight of fish (kg)	⁽¹⁾ [Volume of eggs]	Age of live fish
Scientific name:	Common name:	⁽¹⁾ [Number of fish]	⁽¹⁾ [Volume of gametes]	
				<input type="checkbox"/> >24 months <input type="checkbox"/> 12-24 months <input type="checkbox"/> 0-11 months; <input type="checkbox"/> unknown

6. Animal health attestation for importation of ⁽¹⁾[live fish] ⁽¹⁾[and] ⁽¹⁾[eggs] ⁽¹⁾[and] ⁽¹⁾[gametes] for farming] ⁽¹⁾[live fish of aquaculture origin intended for ⁽¹⁾[human consumption] ⁽¹⁾[for farming or restocking of put-and take fisheries]]

I, the undersigned official inspector, hereby certify that the ⁽¹⁾[live fish] ⁽¹⁾[and] ⁽¹⁾[eggs] ⁽¹⁾[and] ⁽¹⁾[gametes], referred to at point 5 this certificate fulfils the following requirements:

6.1. *either:*

⁽¹⁾[They originate from the territory⁽²⁾ with the code:.....⁽²⁾ and in which all farms rearing or keeping live fish, their eggs or gametes, of any species considered as susceptible⁽⁵⁾ to the following diseases: infectious salmon anaemia (ISA); epizootic haematopoietic necrosis (EHN); viral haemorrhagic septicaemia (VHS); and infectious haematopoietic necrosis (IHN):

- are officially registered by the competent authority,
- keep an updated record of: live fish, eggs and gametes entering and leaving the farm and all information relating to: their delivery and dispatch, their number or weight, their size, their source, their suppliers and observed mortality⁽⁶⁾
- have to notify as soon as possible to the competent authority, any suspicion of the following diseases: ISA, EHN, VHS and IHN; and any clinical signs giving reason to suspect the presence of a disease capable of causing significant impact to the fish stock,
- are subject to appropriate disease control measures as necessary at least equivalent to those required in Council Directives 91/67/EEC and 93/53/EEC including prohibition as regards vaccination against ISA, and as regards sampling and testing also Decisions 2001/183/EC and 2003/466/EC; in cases where sampling and testing methods are not established in the Community legislation, the methods are those laid down in the relevant chapters of the OIE⁽⁷⁾ Manual of Diagnostic Tests for Aquatic Animals, Fourth edition, 2003,
- have had no disease, that has caused significant impact to the stock during the last six months prior to dispatch, and during the last two years, no cases of the diseases: ISA, and EHN
- have, during the last two years prior to dispatch not introduced live fish, eggs or gametes with a lower health status,
- there are, on the day of loading, no clinical signs of disease and there is no suspicion of the presence of any of the following diseases: ISA, EHN, VHS and IHN,]

or

- ⁽¹⁾[They originate from the territory⁽²⁾ with the code:.....⁽²⁾ and which:
- is a designated farm, or a farm that is not connected with coastal or estuarial waters, and that does not contain fish of the species considered as susceptible⁽⁵⁾ to the diseases: infectious salmon anaemia (ISA); epizootic haematopoietic necrosis (EHN); viral haemorrhagic septicaemia (VHS); and infectious haematopoietic necrosis (IHN)
- keep an updated record of: live fish, eggs and gametes entering and leaving the farm and all information relating to: their delivery and dispatch, their number or weight, their size, their source, their suppliers and observed mortality⁽⁶⁾]

6.2. They:

- have not, since the time of collection, been in contact with live fish, eggs or gametes of a lower health status than referred to in point 6.1 of this certificate,
- are not intended for destruction or slaughter for the eradication of the following diseases: ISA; VHS; IHN; EHN; spring viraemia of carp (SVC); Infectious pancreatic necrosis (IPN); Bacterial kidney disease (BKD, *Renibacterium salmoninarum*); Furunculosis (*Aeromonas salmonicida*); Enteric redmouth disease (ERM, *Yersinia ruckeri*); *Gyrodactylus salaris*; or due to diseases caused by any other pathogen,
- are not subject to any prohibitions for animal health reasons,
- were inspected on the day of loading and showed no clinical signs of disease,
- ⁽⁸⁾[were subject to a visual check of a randomly selected representative part of the consignment, including each part having a different origin, and no fish species other than those specified in point 5 of this certificate were detected], and
- ⁽⁹⁾[have been disinfected in accordance with OIE⁽⁷⁾ International Aquatic Animal Health Code, edition 2003, Appendix 5.2.1;]

⁽¹⁰⁾[7. **Specific animal health requirements as regards VHS, IHN, SVC, IPN, BKD and *Gyrodactylus salaris***

⁽¹¹⁾[7.1. I, the undersigned official inspector, hereby certify that the ⁽¹⁾[live fish] ⁽¹⁾[and] ⁽¹⁾[eggs] ⁽¹⁾[and] ⁽¹⁾[gametes], referred to at point 5 this certificate, originate from a territory ⁽²⁾ that, in addition to the guarantees given in point 6 of this certificate, is approved by the competent authority as having an equivalent health status to those farms and zones within the Community, with approved status as regards ⁽¹⁾[VHS] ⁽¹⁾[and] ⁽¹⁾[IHN], as they:

Either

- ⁽¹⁾[*either* ⁽¹⁾[originate from a coastal zone in which all farms are under the supervision of the competent authority, and the fish]
 - or* ⁽¹⁾[originate from a continental zone in which all farms are under the supervision of the competent authority and the fish]
 - or* ⁽¹⁾[originate from a designated farm which is under the supervision of the competent authority, and where the water is supplied by means of a system which ensures the complete inactivation of ⁽¹⁾[VHS] ⁽¹⁾[and] ⁽¹⁾[IHN]and the fish]
 - or* ⁽¹⁾[originate from a coastal zone in which there are no farms and the wild fish:]
 - or* ⁽¹⁾[originate from a continental zone in which there are no farms and the wild fish:]
- have been subject to health inspections, carried out at intervals adapted to the development of ⁽¹⁾[VHS] ⁽¹⁾[and] ⁽¹⁾[IHN] and samples are taken and examined for these pathogens with a negative result by an officially authorised laboratory and the sampling and testing methods are at least equivalent to those laid down in Directives 91/67/EEC, 93/53/EEC and Decision 2001/183/EC as the following surveillance scheme has been used:
 - ⁽¹²⁾["EC Model A" – at least four years documented freedom, including a two-year surveillance program] ⁽¹²⁾["EC Model B" – at least six years documented freedom, including a two-year surveillance program with reduced sample size] ⁽¹³⁾["EC Special provisions" – new farms] ⁽¹³⁾["EC Special provisions"- farms which recommence their activities] ⁽¹⁾["OIE" – methods as described in the OIE⁽⁷⁾ Manual of Diagnostic Tests for Aquatic Animals, Fourth edition, 2003, Chapters: I.1.4 (General) and ⁽¹⁾[2.1.5. (VHS)] ⁽¹⁾[and] ⁽¹⁾[2.1.2. (IHN)]]
- since at least 2 years have been free of clinical and other signs of ⁽¹⁾[VHS] ⁽¹⁾[and] ⁽¹⁾[IHN]
- originate from a territory⁽²⁾ where all necessary measures⁽¹⁴⁾ are taken to prevent the introduction of diseases.]

Or

- ⁽¹⁾[originate from a farm that is not connected with coastal or estuarial waters and does not contain any fish of the species considered as susceptible⁽⁵⁾ to ⁽¹⁾[VHS] ⁽¹⁾[and] ⁽¹⁾[IHN].]

⁽¹⁵⁾[7.2. I, the undersigned official inspector, hereby certify that the ⁽¹⁾[live fish] ⁽¹⁾[and] ⁽¹⁾[eggs] ⁽¹⁾[and] ⁽¹⁾[gametes], referred to at point 5 this certificate, which is considered susceptible⁽⁵⁾ to ⁽¹⁾[Spring viraemia of carp] ⁽¹⁾[and] ⁽¹⁾[Infectious pancreatic necrosis] ⁽¹⁾[and] ⁽¹⁾[Bacterial kidney disease], originate from a territory⁽²⁾

- where ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] is notifiable to the competent authority, and reports of suspicion of infections must be immediately investigated by the official services,
- in which all introduction of species susceptible⁽⁵⁾ ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] has come from a zone or farm having the same health status with respect to ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD],
- ⁽¹⁶⁾[- in which the fish has not been vaccinated against ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD],]
- where all farms raising species susceptible⁽⁵⁾ to ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] are under the supervision of the competent authority;
- where all necessary measures⁽¹⁴⁾ are taken to prevent the introduction of diseases,
- that, in addition to the guarantees given in point 6 of this certificate, is approved by the competent authority as having an equivalent health status to zones within the Community, having additional guarantees with regard to ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] as they;

either ⁽¹⁾[originate from the following territory⁽²⁾:.....,which is considered free from ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] in accordance with Annex I to Decision 2003/858/EC.]

or ⁽¹⁾[originate from the following farm:.....,which at the time of the year ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] is expected to manifest itself, have been submitted for at least two years to inspections by the competent authorities, with sampling at least equivalent to those sampling programmes laid down by Commission Decision 2001/183/EC⁽¹²⁾ or surveillance methods as described in the OIE⁽⁷⁾ Manual of diagnostic tests for aquatic animals, Chapter 1.1.4 and the relevant disease chapters, and as laboratory tests have been carried out in accordance with the relevant chapters in the most current edition of the OIE⁽⁷⁾ Manual of diagnostic tests for aquatic animals, with all test giving negative results.]

or ⁽¹⁷⁾[originate from the following continental farm:.....,where ⁽¹⁾[SVC] ⁽¹⁾[and] ⁽¹⁾[IPN] ⁽¹⁾[and] ⁽¹⁾[BKD] have occurred within in the previous two years, but where the whole fish population has been withdrawn, and all ponds, tanks or other installations and equipment disinfected under the supervision of the competent authority, and where restocking has taken place with fish from a source certified free by the competent authority after sampling at least equivalent to those sampling programmes laid down in Commission Decision 2001/183/EC^(12,13) or surveillance methods as described in the OIE⁽⁷⁾ Manual of diagnostic tests for aquatic animals, Chapter 1.1.4 and the relevant disease chapters and as laboratory tests have been carried out accordance with the relevant chapters in the most current edition of the OIE Manual of diagnostic tests for aquatic animals, with all test giving negative results.]

⁽¹⁸⁾[7.3. I, the undersigned official inspector, hereby certify that the ⁽¹⁾[live fish] ⁽¹⁾[and] ⁽¹⁾[eggs] ⁽¹⁾[and] ⁽¹⁾[gametes] referred to at point 5 this certificate, which is considered susceptible⁽⁵⁾ to *Gyrodactylus salaris*, originate from a territory⁽²⁾

- where *G. salaris* is notifiable to the competent authority, and reports of suspicion of infections must be immediately investigated by the official services,
- in which all introduction of species susceptible⁽⁵⁾ to *G. salaris* has come from a zone or farm declared free from *G. salaris*,
- where all farms raising species susceptible⁽⁵⁾ to *G. salaris* are under the supervision of the competent authority,
- where all necessary measures⁽¹⁴⁾ are taken to prevent the introduction of diseases,
- that, in addition to the guarantees given in point 6 of this certificate, is approved by the competent authority as having an equivalent health status to those zones within the Community, having additional guarantees with regard to *Gyrodactylus salaris*, as they;

either ⁽¹⁾[originate from the following territory⁽²⁾:.....,which is considered free from *Gyrodactylus salaris* in accordance with Annex I to Decision 2003/858/EC.]

or ⁽¹⁾[originate from the following continental farm:.....,which at the time of the year *Gyrodactylus salaris* is expected to manifest itself, has been submitted for at least two years to inspections by the competent authorities, with sample size at least equivalent to those sampling programmes laid down in Commission Decision 2001/183/EC⁽¹²⁾ and sampling and laboratory tests have been carried out in accordance with the relevant chapters in the most current edition of the OIE⁽⁷⁾ Manual of diagnostic tests for aquatic animals, with all test giving negative results; and the farm is either situated in a part⁽¹⁹⁾ of a water catchment area declared free⁽²⁰⁾ from *Gyrodactylus salaris*, or situated in a water catchment area declared free⁽²⁰⁾ from *G. salaris* and all other water catchment areas draining into the same estuary are declared free^(20, 21) from *G. salaris*, and]

or ⁽¹⁾[originate from the following coastal farm:....., which is situated in a coastal zone with a salinity below 25 parts per thousand, and where all water catchment areas draining into the estuary are declared free^(20,21) of *G. salaris*, and.]

or ⁽¹⁾[originate from the following coastal farm:....., which is situated in a coastal zone where the seawater has a salinity of more than 25 parts per thousand and no live fish of the susceptible species⁽⁵⁾ have been introduced during the previous 14 days, and.]

or ⁽⁹⁾[originate from the following farm:.....,where the eggs have been disinfected according to the OIE International Aquatic Animal Health Code Sixth edition 2003, Appendix 5.2.1, ensuring the elimination *G. salaris*.]]

8. Transport requirements

Furthermore, they:

- are placed under conditions that do not alter their health status, and
- have been placed in ⁽¹⁾[sealed watertight containers which were cleaned and disinfected beforehand using an authorised disinfectant and which bear on the exterior a legible label] ⁽¹⁾[a well boat where the well and its pipe and pump systems were free of fish, cleaned and disinfected using an authorised disinfectant, and inspected before loading, carrying a manifest] with the relevant⁽²²⁾ information referred to in point 1, 2 and 3 of this certificate and with the following statement:

either:

[⁽¹⁾[Live fish] ⁽¹⁾[and] ⁽¹⁾[Eggs] ⁽¹⁾[and] ⁽¹⁾[Gametes] certified for farming in European Community zones and farms except those with a Community approved programme or status, and additional guarantees with regard to: viral haemorrhagic septicaemia (VHS), infectious haematopoietic necrosis (IHN), spring viraemia of carp (SVC), infectious pancreatic necrosis (IPN), bacterial kidney disease (BKD) and *Gyrodactylus salaris*."]

Reference Code No

ORIGINAL

or:

["Live fish of aquaculture origin certified for restocking of put-and take fisheries in European Community zones and farms except those with a Community approved programme or status, additional guarantees or protective measures with regard to: viral haemorrhagic septicaemia (VHS), infectious haematopoietic necrosis (IHN), spring viraemia of carp (SVC), infectious pancreatic necrosis (IPN), bacterial kidney disease (BKD) and *Gyrodactylus salaris*."]

or:

[⁽¹⁾[Live fish] ⁽¹⁾[and] ⁽¹⁾[Eggs] ⁽¹⁾[and] ⁽¹⁾[Gametes] certified for farming in European Community zones and farms including those with a Community approved programme or status, additional guarantees or protective measures with regard to: ⁽¹⁾[viral haemorrhagic septicaemia (VHS)] ⁽¹⁾[and] ⁽¹⁾[infectious haematopoietic necrosis (IHN)] ⁽¹⁾[and] ⁽¹⁾[Spring viraemia of carp] ⁽¹⁾[and] ⁽¹⁾[Infectious pancreatic necrosis] ⁽¹⁾[and] ⁽¹⁾[Bacterial kidney disease] ⁽¹⁾[and] ⁽¹⁾[*Gyrodactylus salaris*]."]

or:

["Live fish of aquaculture origin certified for restocking of put-and take fisheries in European Community zones and farms including those with a Community approved programme or status, additional guarantees or protective measures with regard to: ⁽¹⁾[viral haemorrhagic septicaemia (VHS)] ⁽¹⁾[and] ⁽¹⁾[infectious haematopoietic necrosis (IHN)] ⁽¹⁾[and] ⁽¹⁾[Spring viraemia of carp] ⁽¹⁾[and] ⁽¹⁾[Infectious pancreatic necrosis] ⁽¹⁾[and] ⁽¹⁾[Bacterial kidney disease] ⁽¹⁾[and] ⁽¹⁾[*Gyrodactylus salaris*]."]

Done at....., on.....
 (Place) (Date)
 Official stamp
 (Signature of official inspector)

 (Name in capital letter, qualifications and title)

Indicative notes

- (1) Retain as appropriate.
- (2) Territory (a whole country, or a zone or a farm) and code of territory as appearing in Annex I to Commission Decision 2003/858/EC.
- (3) Specify as applicable: zone, farm, or in case of live fish for human consumption, establishment. If the zone is specified under point 3.2, then the name of the farm, or in case of live fish for human consumption, establishment, must be specified under point 3.3
- (4) 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 shall be specified.
 In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, shall be indicated under point 4.3
- (5) Known susceptible species, see table below

Disease	Susceptible host species*
ISA	Atlantic salmon (<i>Salmo salar</i>), rainbow trout (<i>Oncorhynchus mykiss</i>), brown trout (<i>Salmo trutta</i>),
EHN	Redfin perch (<i>Perca fluviatilis</i>), rainbow trout (<i>Oncorhynchus mykiss</i>), Macquarie perch (<i>Macquaria australasica</i>), silver perch (<i>Bidyanus bidyanus</i>), mountain galaxias (<i>Galaxias olidus</i>), sheatfish (<i>Silurus glanis</i>), catfish (<i>Ictalurus melas</i>) and mosquito fish (<i>Gambusia affinis</i>) and other species belonging to the family Poeciliidae
VHS	Fish belonging to the family <i>Salmonidae</i> , grayling (<i>Thymallus thymallus</i>), white fish (<i>Coregonus</i> spp.), pike (<i>Esox lucius</i>), turbot (<i>Scophthalmus maximus</i>), herring and sprat (<i>Clupea</i> spp.), Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic cod (<i>Gadus morhua</i>), Pacific cod (<i>G. macrocephalus</i>), haddock (<i>G. aeglefinus</i>) and rockling (<i>Onos mustelus</i>).

IHN	Fish belonging to the family <i>Salmonidae</i> , pike (<i>Esox lucius</i>)
SVC	Common carp and koi carp (<i>Cyprinus carpio</i>), grass carp (<i>Ctenopharyngodon idellus</i>), silver carp (<i>Hypophthalmichthys molitrix</i>), bighead carp (<i>Aristichthys nobilis</i>), crucian carp (<i>Carassius carassius</i>), goldfish (<i>Carassius auratus</i>), tench (<i>Tinca tinca</i>) and sheatfish (<i>Silurus glanis</i>)
IPN	Rainbow trout (<i>Oncorhynchus mykiss</i>), brook trout (<i>Salvelinus fontinalis</i>), brown trout (<i>Salmo trutta</i>), Atlantic salmon (<i>Salmo salar</i>), and several Pacific salmon species (<i>Oncorhynchus spp.</i>),
BKD	Fish belonging to the family <i>Salmonidae</i>
<i>Gyrodactylus salaris</i>	Atlantic salmon (<i>Salmo salar</i>) Rainbow trout (<i>Oncorhynchus mykiss</i>), Arctic char (<i>Salvelinus alpinus</i>), North American brook trout (<i>S. fontinalis</i>), grayling (<i>Thymallus thymallus</i>), North American lake trout (<i>Salvelinus namaycush</i>) and brown trout (<i>Salmo trutta</i>). Other species of fish on sites where any of the above species are present shall also be considered as susceptible species.
*	And any other species referred to in the most recent edition of the OIE International Aquatic Animal Health Code and/or the OIE Manual of diagnostic tests for aquatic animals as being susceptible for the pathogen/disease in question.
(6)	As applicable
(7)	World Organisation for Animal Health
(8)	Only applicable for live fish, retain as appropriate.
(9)	Applicable to eggs only, retain as appropriate.
(10)	As laid down in Council Directive 91/67/EEC, specific animal health requirements are needed in the case of exports to farms or zones within the EC with a Community approved programme or status, additional guarantees with regard to one or more of the diseases referred to in list II and III of Annex A to Directive 91/67/EEC.
(11)	Specific requirements needed in the case of exports to farms or zones within the EC with a Community approved programme or status for viral haemorrhagic septicaemia (VHS) and/or infectious haematopoietic necrosis (IHN) respectively.
(12)	"Model A or B" as laid down in Decision 2001/183/EC, as well as the requirements in Directives 91/67/EEC and 93/53/EEC, retain as appropriate
(13)	In accordance with Directives 91/67/EEC and 93/53/EEC, and Decision 2001/183/EC; new farms which commence activity with fish, eggs and gametes that have an equivalent health status according to the central competent authority of the exporting country to those farms and zones approved in the EC with regard to VHS and/or IHN respectively, and otherwise meet the requirements in Annex C I.A, 6(a) to Directive 91/67/EEC; or farms which recommence their activities after officially supervised cleaning and disinfection and 15 days of fallowing, and which introduce only fish, eggs and gametes that have an equivalent health status according to the central competent authority of the exporting country to those farms and zones approved in the EC with regard to VHS and/or IHN respectively and otherwise meet the requirements in Annex C I.A, 6(b) to Directive 91/67/EEC. Retain as appropriate
(14)	Not applicable to coastal or continental zones with no farms. High bio-security level must be maintained. Fish from non-approved farms or zones must not be introduced into approved farms and zones. Ponds with susceptible species should be covered or be located at a safe distance from non-approved farms. Uncontrolled public access should be prevented. The site must not be used for angling purposes unless under conditions authorised and supervised by the local competent authority.
(15)	Specific additional requirements needed in the case of exports to Member States or parts of Member States within the EC with Community approved free status or control and eradication programmes (additional guarantees) as regards spring viraemia of carp (SVC), infectious pancreatic necrosis (IPN), and/or bacterial kidney disease (BKD), according to Commission Decision 2004/xxxx/EC [SANCO/10022/2004 rev 4].
(16)	Applicable to species susceptible to SVC, IPN and/or BKD only, introduced into areas with additional guarantees for SVC, IPN and/or BKD. Retain as applicable.
(17)	Applicable only to continental farms where epizootiological investigations have shown that the disease has not spread to other farms or into the wild. Retain as applicable.
(18)	Specific additional requirements needed in the case of exports to Member States or parts of Member States within the EC with Community approved free status (additional guarantees) as regards <i>Gyrodactylus salaris</i> according to Commission Decision 2004/xxxx/EC [SANCO/10022/2004 rev4].
(19)	According to Annex B, I A to Directive 91/67/EEC a part of a water catchment area can only be declared free from a disease if it consists of the upper part of the catchment area from its sources of the waterways to a natural or artificial barrier preventing fish migrating from downstream of that barrier.
(20)	According to the requirements in Annex I, Chapter 1.B of Decision 2004/xxxx/EC [SANCO/10022/2004 R4].

- (21) When declaring continental zones free of *Gyrodactylus salaris*, it must be taken into account that the disease may spread by migrating fish between different continental zones if the salinity between them is low or intermediate (below 25 ppt). Hence one individual continental zone can not be declared free if another continental zone draining into the same coastal zone is infected or has unknown status, unless they are separated by seawater with salinity above 25 ppt.
- (22) Country and territory of origin (code) and of destination; name and telephone number of the consignor and consignee. In case of a transport with well boat, the transport route from the place of loading to the place of destination should be given.

“

ANNEX III**“ANNEX III*****Explanatory notes***

<p>(a) The certificates shall be produced by the competent authorities of the exporting country, based on the appropriate model appearing in Annex II, IV, or V to this Decision taking into account the use to which the fish are to be put after the arrival to the EC.</p> <p>(b) Considering the status of the place of destination as regards viral haemorrhagic septicaemia (VHS), infectious haematopoietic necrosis (IHN), spring viraemia of carp (SVC), bacterial kidney disease (BKD), infectious pancreatic necrosis (IPN) and <i>Gyrodactylus salaris</i> (<i>G. salaris</i>) in the EC Member State, the appropriate specific additional requirements shall be incorporated and completed in the certificate.</p> <p>(c) The original of each certificate shall consist of a single page, double-sided, or, where more than one page is required, it shall be in such a form that all pages form part of an integrated whole and are indivisible.</p> <p>It shall, on the right hand side of the top of each page, be marked as "original" and bear a specific code number issued by the competent authority. All pages of the certificate shall be numbered - (<i>page number</i>) of (<i>total number of pages</i>).</p> <p>(d) The original of the certificate and the labels referred to in the model certificate shall be drawn up in at least one official language of the EC Member State in which the inspection at the border post shall be carried out and of the EC Member State of destination. However, these Member States may allow other languages, if necessary, accompanied by an official translation.</p>	<p>(e) The original of the certificate must be completed on the day of loading the consignment for exportation to the EC with an official stamp and signed by an official inspector designated by the competent authority. In doing so, the competent authority 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>The stamp, unless embossed, and the signature shall be in a colour different to that of the printing.</p> <p>(f) If for reasons of identification of the items of the consignment, additional pages are attached to the certificate, these pages shall be considered as forming part of the original and be signed and stamped by the certifying official inspector on each page.</p> <p>(g) The original of the certificate must accompany the consignment until it reaches the EC border inspection post.</p> <p>(h) The certificate shall be valid for 10 days from the date of issue. In the case of transport by ship, the time of validity is prolonged by the time of journey at sea.</p> <p>(i) The fish, their eggs and gametes, shall not be transported together with other fish, eggs or gametes that, either are not destined to EC, or are of a lower health status. Furthermore, they must not be transported under any other conditions that alter their health status.</p> <p>(j) The possible presence of pathogens in the water is relevant for considering the health status of live fish, eggs and gametes. The certifying officer should therefore consider the following: The "Place of origin" should be the localisation of the farm where the fish, eggs or gametes was reared reaching their commercial size relevant for the consignment covered by this certificate.</p>
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COMMISSION DECISION**of 29 April 2004****adapting Decision 2003/322/EC implementing Regulation (EC) No 1774/2002 as regards the feeding of certain necrophagous birds with certain Category 1 materials by reason of the accession of Cyprus**

(notified under document number C(2004) 1682)

(Text with EEA relevance)**(2004/455/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 consumption¹⁴ provides the possibility for Member States to authorise the feeding of endangered or protected species of necrophagous birds with certain Category 1 material by derogation to the restrictions applicable to the use of animal by-products laid down in that Regulation.
- (4) Commission Decision 2003/322/EC¹⁵ lists the Member States authorised to make use of that possibility, the species of necrophagous birds which may be fed with the Category 1 material, and the implementing rules under which the feeding may take place.

¹⁴ 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.)

¹⁵ OJ L 117, 13.5.2003, p. 32.

- (5) Cyprus has submitted a request for the authorisation of feeding certain species of necrophagous birds with certain Category 1 material and has submitted satisfactory information concerning the occurrence of those species on its territory as well as on the safety measures to be applied when feeding Category 1 animal by-products to those birds.
- (6) Decision 2003/322/EC should therefore be amended accordingly,
- (7) The Standing Committee on the Food Chain and Animal Health has been informed of the measures provided for in this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2003/322/EC is amended as follows:

- (1) Article 1 is replaced by the following:

'Article 1

Implementing rules on the feeding of necrophagous birds with category 1 material

Pursuant to Article 23(2)(d) of Regulation (EC) No 1774/2002, Greece, Spain, France, Italy, Cyprus and Portugal may authorise the use of entire bodies of dead animals which may contain specified risk material as referred to in Article 4(1)(b)(ii) of that Regulation for the feeding of the endangered or protected species of necrophagous birds as set out in Part A of the Annex to this Decision.'

- (2) Article 4 is replaced by the following:

'Article 4

Compliance by Member States

Greece, Spain, France, Italy, Cyprus and Portugal shall immediately take the necessary measures to comply with this Decision and shall publish those measures. They shall immediately inform the Commission thereof.'

- (3) Article 6 is replaced by the following:

'Article 6

Addressees

This Decision is addressed to the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus and the Portuguese Republic.'

- (4) In the Annex, in Part A, the following point (f) is added:

'In the case of Cyprus: black vulture (*Aegypius monachus*) and griffon vulture (*Gyps fulvus*).'

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****amending Decision 2002/613/EC as regards the approved porcine semen collection centres of Canada***(notified under document number C(2004) 1687)***(Text with EEA relevance)**

(2004/456/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species¹⁶ and in particular Article 8(1) thereof,

Whereas:

- (1) Commission Decision 2002/613/EC of 19 July 2002 laying down the importation conditions of semen of domestic animals of the porcine species¹⁷ establishes a list of third countries, including Canada, from which Member States are to authorise the importation of semen of domestic animals of the porcine species.
- (2) Canada has requested that amendments be made to the list of semen collection centres approved under Decision 2002/613/EC as regards entries for that country.
- (3) Canada has provided guarantees regarding compliance with the appropriate rules set out in Directive 90/429/EEC and the new centre to be added to the list has been officially approved for exports to the Community by the veterinary services of that country.
- (4) Decision 2002/613/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 Food Chain and Animal Health,

¹⁶ OJ L 224, 18.8.1990, p. 62. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

¹⁷ OJ L 196, 25.7.2002, p. 45. Decision as last amended by Decision 2004/52/EC (OJ L 10, 16.1.2004, p. 67).

HAS ADOPTED THIS DECISION:

Article 1

Annex V to Decision 2002/613/EC is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from the third day following that of its publication in the Official Journal of the European Union.

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

In Annex V to Decision 2002/613/EC, the list for Canada is amended as follows:

(a) The following row for the centre N° 4-AI-02 is deleted:

CA	4-AI-02	Centre d'insémination porcin du Québec (CIPQ) 1486 rang St-André Saint-Lambert, Québec

(b) The following row for the centre N° 4-AI-24 is deleted:

CA	4-AI-24	Centre d'insémination C-Prim 2, Chemin Saint-Gabriel Saint-Gabriel de Brandon, Québec

(c) The following row is added:

CA	7-AI-96	Hypor Box 323 Ituna, Saskatchewan S0A 1V0

COMMISSION DECISION**of 29 April 2004****excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)**

(notified under document number C(2004) 1706)

(Only the Dutch, English, French, German, Greek, Italian, Portuguese and Spanish texts are authentic)

(2004/457/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of the Council of 21 April 1970 on the financing of the common agricultural policy¹⁸, and in particular Article 5(2)(c) thereof,Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the Common Agricultural Policy¹⁹, and in particular Article 7(4) thereof,

Having consulted the Fund Committee,

Whereas:

- (1) Article 5 of Regulation (EEC) No 729/70, Article 7 of Regulation (EC) No 1258/1999, and Article 8(1) and (2) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section²⁰, provide that the Commission is to make the necessary verifications, inform the Member States of its findings, take account of the Member States' comments, initiate bilateral discussions and then formally communicate its conclusions to the Member States, referring to Commission Decision 94/442/EC of 1 July 1994 setting up a conciliation procedure in the context of the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section²¹.

¹⁸ OJ L 94, 28.4.1970, p. 13. Regulation as last amended by Regulation (EC) No 1287/95 (OJ L 125, 8.6.1995, p. 1).

¹⁹ OJ L 160, 26.6.1999, p. 103.

²⁰ OJ L 158, 8.7.1995, p. 6. Regulation as last amended by Regulation (EC) No 2025/2001 (OJ L 274, 17.10.2001, p. 3).

²¹ OJ L 182, 16.7.1994, p. 45. Decision as last amended by Decision 2001/535/EC (OJ L 193, 17.07.2001, p. 25).

- (2) The Member States have had an opportunity to request that a conciliation procedure be initiated. That opportunity has been used in some cases and the report issued on the outcome has been examined by the Commission.
- (3) Under Articles 2 and 3 of Regulation (EEC) No 729/70 and Article 2 of Regulation (EC) No 1258/1999, only refunds on exports to third countries and intervention to stabilise agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organisation of the agricultural markets, may be financed.
- (4) In the light of the checks carried out, the outcome of the bilateral discussions and the conciliation procedures, part of the expenditure declared by the Member States does not fulfil these requirements and cannot, therefore, be financed under the EAGGF Guarantee Section.
- (5) The amounts that are not recognised as being chargeable to the EAGGF Guarantee Section should be indicated. Those amounts do not relate to expenditure incurred more than twenty-four months before the Commission's written notification of the results of the checks to the Member States.
- (6) As regards the cases covered by this Decision, the assessment of the amounts to be excluded on grounds of non-compliance with Community rules was notified by the Commission to the Member States in a summary report on the subject.
- (7) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 31 January 2004 and relating to its content,

HAS ADOPTED THIS DECISION:

Article 1

The expenditure itemised in the Annex hereto that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section shall be excluded from Community financing because it does not comply with Community rules.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Kingdom of the Netherlands, the Portuguese Republic and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

Table of corrections			Date: 31/01/2004							
Sector	Member State	Budget item	Reason			Nat. Curr ency	Expenditure to exclude from financing	Deductions already made	Financial impact of this decision	
	State	Post				corr	from financing	made	this decision	
							(national currency)	(national currency)	(national currency)	
Fruit & vegetables	BE	1502	<i>Ad hoc</i> correction			EUR	637.388,15		637.388,15	2000-2002
Total BE							637.388,15	0,00	637.388,15	
Fruit & vegetables	ES	1501	<i>Ad hoc</i> correction - failure to deliver contracted quantities			EUR	5.253.601,00		5.253.601,00	1999
Fruit & vegetables	ES	1515	Correction - infringement of Regulations (EC) Nos 2202/96 and 1169/97 - application of penalties			EUR	40.765,86		40.765,86	2000-2001
Public storage	ES	3100	Flat-rate correction of 2% - shortcomings in controls: aid for the most deprived persons			EUR	2.949.742,00		2.949.742,00	1999-2001
Arable crops	ES	1040- 1062,1310, 2120-2128	Flat-rate correction of 2% - shortcomings in secondary controls			EUR	2.314.888,00		2.314.888,00	1999-2001
Total ES							10.558.996,86	0,00	10.558.996,86	
Fruit & vegetables	FR	1508	Flat-rate correction of 10% - absence of key controls/compensatory aid for bananas			EUR	20.809.485,00		20.809.485,00	1999-2001
Fruit & vegetables	FR	1508	<i>Ad hoc</i> correction of 1.01% - infringement of Regulation (EC) No 404/93 - compensatory aid for bananas marketed			EUR	3.469.655,00		3.469.655,00	1999-2002

Public storage	FR	3100	Flat-rate correction of 10% - absence of a key control and 2% - shortcomings in secondary controls: rice, skimmed milk, cereals	EUR	6.206.612,00		6.206.612,00	1999-2000
Arable crops	FR	1040-1062	<i>Ad hoc</i> correction - shortcomings in key controls on area eligible for direct payments	EUR	27.678.616,00		27.678.616,00	1999-2001
	Total FR				58.164.368,00	0,00	58.164.368,00	
Financial audit	DE	4100-015	Financial correction - certification of accounts	EUR	73.919,00	73.919,00	0,00	2001
	Total DE				73.919,00	73.919,00	0,00	
Fruit & vegetables	GR	1509	Exclusion from financing beyond the triennial programme	EUR	1.140.867,35		1.140.867,35	1999-2001
Fruit & vegetables	GR	1512	Correction - failure to pay the minimum price to producers	EUR	650.549,56		650.549,56	2001
Public storage	GR	3100	Flat-rate correction of 2% - shortcomings in controls: aid for the most deprived persons	EUR	669.839,00		669.839,00	1998-2001
Public storage	GR	1851-1854,3100	Flat-rate correction of 5% - shortcomings in key controls and late deliveries: rice	EUR	2.510.456,73		2.510.456,73	1999-2001,1999
	Total GR				4.971.712,64	0,00	4.971.712,64	
Public storage	IT	3100	Flat-rate correction of 2% - shortcomings in controls: rice	EUR	2.758.501,00		2.758.501,00	1999-2001
Rural development	IT	4010-017	Correction - infringement of Regulation (EC) No 2075/2000: young farmers	EUR	19.058.682,00		19.058.682,00	2000-2001
	Total IT				21.817.183,00	0,00	21.817.183,00	

Fruit & vegetables	UK	1502	Flat-rate correction of 2% - shortcomings in key and secondary controls	GBP	218.982,84		218.982,84	2000
L'stock premiums	UK	2220-2221,3900	Flat-rate correction of 2% - shortcomings in controls	GBP	2.505.130,93		2.505.130,93	2000-2001
Arable crops	UK	1040-1060	Flat-rate correction of 2% - shortcomings in on-the-spot-checks	GBP	11.484.350,00		11.484.350,00	2002
	Total UK				14.208.463,77	0,00	14.208.463,77	
Fruit & vegetables	NL	1502	Correction - expenditure above the flat rate of 2%	EUR	78.314,00		78.314,00	2001-2002
L'stock premiums	NL	2120-2128	Flat-rate correction of 10% - shortcomings in key controls	EUR	1.037.614,45		1.037.614,45	2002-2003
	Total NL				1.115.928,45	0,00	1.115.928,45	
Public storage	PT	3100	Flat-rate correction of 2% - shortcomings in controls: aid for the most deprived persons	EUR	1.338.381,00		1.338.381,00	1998-2001
	Total PT				1.338.381,00	0,00	1.338.381,00	

COMMISSION DECISION**of 29 April 2004****amending Appendix B to Annex XII to the 2003 Act of Accession to include certain establishments in the meat, milk and fish sectors in Poland in the list of establishments in transition***(notified under document number C(2004) 1709)***(Text with EEA relevance)**

(2004/458/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 Slovakia²², 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 Slovakia²³, and in particular Annex XII, Chapter 6, Section B, Subsection I, point 1, paragraph (e) thereto,

Whereas:

- (1) Annex XII, Chapter 6, Section B, Subsection I, point 1, paragraph (a) to the 2003 Act of Accession provides that the 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 meat²⁴, in Annex I to Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat²⁵, 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 origin²⁶, 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 preparations²⁷, in Annex B 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 products²⁸ and in the Annex to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and

²² OJ L 236, 23.9.2003, p. 17

²³ OJ L 236, 23.9.2003, p. 33

²⁴ OJ 121, 29.7.1964, p. 2012. Directive as last amended by the 2003 Act of Accession.

²⁵ OJ L 55, 8.3.1971, p.23. Directive as amended by Regulation (EC) No 807/2003

²⁶ OJ L 26, 31.1.1977, p. 85. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36.)

²⁷ OJ L 368, 31.12.1994, p. 10. Directive as amended by Regulation (EC) No 806/2003

²⁸ OJ L 268, 14.9.1992, p. 1. Directive as amended by Regulation (EC) No 807/2003

the placing on the market of fishery products²⁹ are not to apply to establishments in Poland listed in Appendix B to Annex XII to the Act of Accession until 31 December 2006, subject to certain conditions.

- (2) In Poland, two-hundred more high capacity meat establishments, thirty-five more milk processing establishments and twenty-four more fish processing establishments have difficulties in complying with the structural requirements laid down in Annex I to Directive 64/433/EEC, in Annex I to Directive 71/118/EEC, in Annexes A and B to Directive 77/99/EEC, in Annex I to Directive 94/65/EC, in Annex B to Directive 92/46/EEC and in the Annex to Directive 91/493/EEC, by 1 May 2004.
- (3) Accordingly those two-hundred and fifty-nine establishments need time to finalize their upgrading process in order to be in full compliance with the relevant structural requirements laid down in Directives 64/433/EEC, 71/118/EEC, 77/99/EEC, 94/65/EC, 92/46/EEC and 91/493/EEC.
- (4) The two-hundred and fifty-nine 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 short time and have received a favourable opinion from the Polish General Veterinary Inspectorate, as regards the finalisation of their upgrading process.
- (5) For Poland, the detailed information regarding the shortcomings for each establishment is available.
- (6) In order to facilitate the transition from the existing regime in Poland to that resulting from the application of the Community veterinary legislation, it is justified therefore upon the request of Poland, to grant the two-hundred and fifty-nine establishments a transitional period.
- (7) Due to the advanced stage of upgrading of the two-hundred and fifty-nine establishments, the transitional period should be limited to a maximum of 12 months.
- (8) The Standing Committee on the Food Chain and Animal Health has been informed of the measures provided for in this Decision.

HAS ADOPTED THIS DECISION:

Article 1

1. The establishments listed in the Annex to this Decision are added to the Appendix B referred to in Chapter 6, Section B, Subsection I, point 1 paragraph (a) to Annex XII to the 2003 Act of Accession.
2. For the establishments listed in the Annex, the rules foreseen in Annex XII, Chapter 6, Section B, Subsection I, point 1, paragraph (b) to the Act of Accession are applicable.

²⁹ OJ L 268, 24.9.1991, p. 1. Directive as amended by Regulation (EC) No 806/2003

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, milk and fish establishments in transition

Part 1

No	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	Cold store	
1.	02010202	Przedsiębiorstwo Produkcyjno.Handlowo . Usługowe AD . POL, sp. j.,	x	x			31.01.2005
2.	02190117	Rolmeks, Spółka z o.o. ul. Kwiatowa 19 58 . 130 Żarów, Buków	x				31.10.2004
3.	04090202	Z. P. M. „Bolan” Bolesław Wojtasik	x	x			30.04.2005
4.	04140307	Przedsiębiorstwo Rolno .Drobiarskie „Sawdros” w Gródku Z. P. M Ubojnia Drobiu w Osiu	x		x		31.10.2004
5.	04090203	Przedsiębiorstwo Rolno.Przemysłowe, Spółka z o. o. w Rządkwynie	x	x			31.10.2004
6.	04050204	P.P.H.U. Irex , Irena Jasinska	x	x			30.04.2005
7.	04090105	P.P.M. Marwoj, sp.j. „Mielczarek.Przybylski	x				31.01.2005
8.	04040202	Zakład Mięсны Ritter, Kazimierz Ritter,	x	x	x		31.10.2004
9.	06030202	Zakład Przetwórstwa Mięсного KOMPLEKS Stepień, Panasiuk. Stepień sp.j.	x	x			31.01.2005
10.	06040201	Masarnia z Ubojnią Stanisław Kurantowicz,	x	x			31.01.2005
11.	06050201	Zakład Przetwórstwa Mięсного „MATTHIAS” Sp z o. o.	x	x	x		31.01.2005
12.	06080302	IMPERIAL Sp. z o.o.	x	x			31.10.2004
13.	06180201	Zakład Przetwórstwa Mięсного sp.j. P. Zubrzycki, J.Zieliński	x	x	x		31.01.2005
14.	10010205	Zakład Przetwórstwa Mięсного J.S.A.J. Mielczarek,sp. j.	x	x			31.04.2005
15.	10030201	Zakład Przetwórstwa Mięсного Krzysztof Bartos	x	x			31.01.2005
16.	10030202	Zakład Wędliniarski i Ubojnia Grzegorz Kępa	x	x	x		31.10.2004
17.	10030204	Zakład Mięсны Wacław Szaflik,	x	x			31.10.2004
18.	10030205	Zakład Przetwórstwa Mięсного KAWIKS Sp. j., Karol Chachulski, Wincenty Chachulski,	x	x			31.10.2004
19.	10080209	P. P. H. "Jamir" Skup,Ubój, Przetwórstwo Mięсного,	x	x			31.01.2005

20.	10090302	Sp. j. LIWA Pajęczno,	x				31.01.2005
21.	10120204	Ubojnia Zwierząt Rzeźnych Zofia Polcyn, Hucisko	x				31.01.2005
22.	10120213	Przedsiębiorstwo Produkcyjno – Handlowo . Usługowe Bak . Pol Jan Bakalarz,		x			31.10.2004
23.	10120215	Zakład Przetwórstwa Mięsnego „Gaik” – Andrzej Gaik,	x	x			31.10.2004
24.	10140204	Janina Stanisław Zalewscy P. P. H. U. Zakład Mięсны Borowina,	x	x			31.10.2004
25.	10180302	Zakłady Mięsne Makro Walichnowy sp. z o. o.,	x	x	x		31.01.2005
26.	10184001	Zakład Produkcji Konserw „Marko . Pek” sp. z o.o.		x			31.01.2005
27.	10190201	Gminna Spółdzielnia Samopomoc Chłopska,	x	x			31.10.2004
28.	10190204	Z. P. H. U. Ubojnia Masarnia, J. Karczmarek,	x	x			31.10.2004
29.	10190205	Zakład Mięsno.Wędliniarski POL.MAT, sp. z o.o.,	x	x			31.10.2004
30.	10200322	Przedsiębiorstwo Produkcyjno.Handlowe ALFA, Jan Chrząst, Ignacy Karolak sp. j.,		x			31.01.2005
31.	12070104	Bogdan Grabiec i Wspólnicy sp.j.	x				31.01.2005
32.	12070211	P. P. H. U. „Markam” Andrzej Marek Skolarus	x				31.10.2004
33.	12070316	Zakład Produkcji Mięsno.Wędliniarskiej, Marek Florczak,	x	x			31.10.2004
34.	12100101	Ubojnia Zwierząt Rzeźnych Józef Chochorowski,	x				31.10.2004
35.	12100103	Ubojnia Zwierząt Kazimierz Mólka.	x				31.01.2005
36.	12100104	Zakład Usługowo.Handlowy Zakup Żywca, Ubój i Sprzedaż Mięsa , Mieczysław Gawlik,	x				31.10.2004
37.	12100105	Obrót Zwierzętami Rzeźnymi Skup i Ubój oraz Sprzedaż Mięsa Ireneusz Bieniek,	x				31.10.2004
38.	12100107	Skup i Ubój Zwierząt Rzeźnych Sp. J., Mikulec Czesław, Janusz, Paweł	x				30.04.2005
39.	12100108	Zakład Uboju Zwierząt Rzeźnych Jan Kołbon,	x				31.10.2004
40.	12100113	Handel Zwierzętami Rzeźnymi i Ubój"Antocel", Antoni Słaby ,	x				31.01.2005
41.	12110111	FIRMA KOJS, Mirosław Kojs,	x				31.01.2005

42.	12110201	„BIELA” Skup Ubój Zwierząt, Sprzedaż Hurtowa Mięsa, Handel Wyrobami Mięsnymi, Transport Ciężarowy, Stanisław Biela,	x		x		31.01.2005
43.	12120131	Ubój Zwierząt Rzeźnych, Skup, Sprzedaż Żywca i Mięsa, Stanisław Ogonek,	x				31.01.2005
44.	12120218	Z.P.M. Edmund Barczyk,	x	x	x		31.01.2005
45.	12133807	"Lepro.Pol" Sp.j. Ubój Zwierząt Rzeźnych, Hurtowa Sprzedaż Mięsa,	x				31.01.2005
46.	12620308	Zakład Garmażeryjno . Wędliniarski Stanisław Poręba,	x	x			31.10.2004
47.	14070204	Zakład Mięsny "Nowopol" Sp. j. Odział: Garbatka Letnisko	x	x			30.04.2005
48.	14074201	RECREO Zakład Mięsny Maciej Antoniak	x				30.04.2005
49.	14230102	Rzeźnia Ubojnia, ZUH Jan Tomczyk,	x				30.04.2005
50.	14230202	Ubojnia Zwierząt Gospodarczych Andrzej Kazała	x				30.04.2005
51.	14250104	Zakład Masarski „SADEŁKO” Sp.j.	x				30.04.2005
52.	14250205	Przedsiębiorstwo Produkcyjno. Usługowo.Handlowe „ DURO“ Sp. z o.o.	x	x			31.01.2005
53.	14250213	Zakład Masarski „KRAWCZYK”	x	x			31.10.2004
54.	14310352	Centrum Mięsne Eurosmak sp. z o.o.	x				31.10.2004
55.	14340314	SOBSMAK sp. z o.o.	x	x			31.10.2004
56.	14380301	Zakłady Mięsne „Ratyński i Synowie” Sp.j.	x	x			30.04.2005
57.	16610101	"Ubojnia" A.J.K. Matejka sp.j.,	x				31.10.2004
58.	16610301	Zakład Przetwórstwa Mięsnego Matejka Joachim,	x	x			31.01.2005
59.	18030102	Ubojnia Zwierząt Rzeźnych P.P.M. „Taurus” Sp. z o.o.	x				31.01.2005
60.	18030105	Zakład Handlowo. Produkcyjno.Przetwórczy A.Leja i wspólnicy sp.j. w Jodłowej	x				31.01.2005
61.	18040205	Masarnia Radymno, ul. Szopena 5, 37.550 Radymno FPH sp.j.	x	x			31.10.2004
62.	18060302	Zakład Uboju i Przetwórstwa Mięsnego "Radikal",	x	x			31.10.2004
63.	18110208	ZPM "Kabanos", Sp. z o.o.,	x				31.01.2005
64.	18150201	ZPM H.A. Paško sp.j.,	x	x			31.10.2004

65.	18160206	ZM "Smak.Eko" sp. z o.o.,	x	x			30.04.2005
66.	18190204	Zakład Przetwórstwo Mięsnego Marek Leśniak	x	x	x		30.04.2005
67.	20070205	APIS sp. j.	x	x			30.04.2005
68.	20110104	Rolsad Sp. z o.o.,	x				30.04.2005
69.	20120101	P.P.H.U. „Stan”	x				30.04.2005
70.	22020201	Zakład Rzeźnictwo Wędliniarski, W. Gierszewski	x	x	x		30.04.2005
71.	22070301	Zakład Przetwórstwa Mięsnego W. Zieliński i Spółka, sp.j.	x	x	x		31.01.2005
72.	24030306	Zakład Przetwórstwa Mięsnego ‘Jan Bielez’ sp. z o.o.	x	x			30.04.2005
73.	24060201	Zakład Masarski ME Jędrycha ,	x	x			30.04.2005
74.	24060212	Z. P. U. Ubój i Przetwórstwo Mięsa, Jan Matyja,	x	x			31.10.2004
75.	24100315	P. H. U. "ADAM . POL", Adam Gajdzik ul. Rolnicza 5,		x			30.04.2005
76.	24150201	Zakład Rzeźnictwo.Wędliniarski B. M. Janeta sp. j.	x	x	x		30.04.2005
77.	24690317	„Selgros” Sp. z o. o. Dział Produkcji Mięsa	x		x		31.10.2004
78.	24700302	Rzeźnictwo.Wędliniarstwo C. P. Poliwczyak Zakład Pracy Chronionej,	x	x	x		31.10.2004
79.	24770301	P. P.U.H. Burakowski	x	x			31.10.2004
80.	24774002	Zakłady Mięsne „BRADO . 2” S.A w Tomicach, Oddział nr 2 Ubojnia w Tomicach			x		31.10.2004
81.	26020104	"POL.MIĘS" Ubojnia Zwierząt, Mirosław Kwiecień	x				31.10.2004
82.	26020304	„WIR” Szproch i Pietrusiewicz Przetwórstwo Mięsa Spółka Jawna	x	x			30.04.2005
83.	26040202	Zakład Rolny i Przetwórstwa Mięsnego ‘JANPOL’ Jan i Grażyna Słomka,Sp. j.	x	x	x		31.10.2004
84.	26040209	Zakład Rzeźnictwo.Wędliniarski, Zakład Nr 2,	x	x	x		31.01.2005
85.	26043804	Handel Mięsem –Ubój i Rozbiór Mięsa, H. Brela	x				31.10.2004
86.	26110203	Zakład Przetwórstwa Mięsnego "Jawor" Janusz Stefański	x	x			31.01.2005
87.	28030202	ZPHU Sp.j., R. St. M. Kamińscy,	x	x			31.01.2005
88.	28030203	Zkład Przetwórstw Mięsnego Karscy Sp. j., Filia Uzdowo	x	x	x		31.01.2005
89.	28030204	Zakład Przetwórstwa Mięsnego Józef Malinowski	x	x	x		31.10.2004
90.	28070202	Masarnia Matis, Sp. z o.o.	x	x			31.01.2005

91.	28120101	Przedsiębiorstwo Wielobranżowe Kazimierz Pawlicki	x				31.01.2005
92.	28120102	GOLDMAS Sp. j. Szafarnia,	x				31.01.2005
93.	28140313	BIO.LEGIZ S.A., ul. Głowackiego 28, 10 . 448 Olsztyn Zakład w Jezioranach		x			31.10.2004
94.	28183803	Masarnia "Kurpianka"Sp.j.,	x				31.10.2004
95.	30040204	Rzeźnictwo.Wędliniarstwo Z.J. Konarczak	x				31.01.2005
96.	30090302	Wyrób Wędlin i Wyrobów Wędliniarskich, Kazimierz Kołodziejczak,	x	x			31.10.2004
97.	30170601	Drop S.A		x			30.04.2005
98.	30240204	Rolniczy Kombinat Spółdzielczy im. Ludowego Lotnictwa Polskiego w Wilczynie,	x	x			31.01.2005
99.	32120201	Z.P.M. Eugeniusz Kowalczyk,	x	x	x		31.01.2005
100.	06030202	Zakład Przetwórstwa Mięsnego „Kompleks”, Stępień, Panasiuk, Stępień Sp. J. 22-110 Ruda Huta, Leśniczówka	x	x			31.01.2005
101.	06180201	Zakład Przetwórstwa Mięsnego Sp. J., Piotr Zubrzycki, Janusz Zieliński, w Kolonii Łaszczówka 49; 22-600 Tomaszów Lubelski	x	x			31.01.2005
102.	06040201	Masarnia z Ubojnią, Stanisław Kurantowicz, ul. Ceglana 25, Hrubieszów 22-500	x	x			31.01.2005
103.	06080302	Zakład Przetwórstwa Mięsnego w Kamionce firmy "IMPERIAL" S.A., ul. Gospodarcza 27, 20 – 211 Lublin	x	x			31.10.2004
104.	06050201	ZPM "MATTHIAS" Sp. z o.o. Kolonia Zamek 48 23-310 Modliborzyce	x	x	x		31.01.2005
105.	08030201	Rzeźnictwo i Wędliniarstwo Szczerba Augustyn ul.Polna 1, 66-300 Międzyrzecz	x		x		30.04.2005
106.	12060220	Firma „Świerczek” Zakład Uboju, Rozbioru i Przetwórstwa Mięsa, 32-043 Skała, ul. Rzeźnicza 1.	x				31.01.2005
107.	12610316	„KRAK – MIĘS” J., Naruszewicz, ul. Makuszyńskiego 2A 31-752 Kraków	x	x			30.04.2005
108.	24050201	ZPU Tadeusz Marciniszyn Pniew, ul. Pyskowicka 2, 42-120 Pyskowice	x				30.04.2005
109.	24050302	Zakład Masarski H. Suchanek 44-120 Pyskowice, ul. Zaolszany 38 a	x				31.01.2005

110.	24704201	Firma Mięso – Wędliniarska „AJPI”, Filia nr.1,2,3, 41-400 Mysłowice, ul. Oświęcimska 54	x				31.10.2004
111.	24163801	Ubojnia Zwierząt Rzeźnych G.Pałucha, M. Skipirzepsa 42-480 Poręba, ul. Armii Krajowej 6	x				31.01.2005
112.	24170308	Zakład Przetwórstwa Mięsnego Marek Łoboda, 34-322 Gilowice 1040	x				30.04.2005
113.	24100202	P.P.H. „HIT” sp. z o.o. 43-229 Ćwiklice, ul. Spokojna 48	x				30.04.2005
114.	30220201	Ubojnia Masarnia Folmas Sp. z o.o. Rawicz Folwark 49	x				31.01.2005
115.	32610201	Pomorski Przemysł Mięsny „Agros Koszalin.S.A.” 75-209 Koszalin ul. BoWiD 1	x	x			30.04.2005
116.	0203806	"Agro - Tusz" Sp. j., A. Okaj, R. Kręgulewski, J. Głodowski, 55-106 Zawonia, Tarnowiec 92 A,	x				30.04.2005
117.	04113801	Przedsiębiorstwo Produkcyjno-Handlowo-Uslugowe Eksport-Import, Roman Zalewski , Morawy, 88-210 Dobre	x				30.10.2004
118.	04630201	Przedsiębiorstwo Produkcyjno-Uslugowo-Handlowe „Masarnia z Ubojnią”, Czesław Hołubek 87-100 Toruń, ul. Wschodnia 19	x	x			30.04.2005
119.	04010205	Zakład Rzeźniczo-Wędliniarski, Krzysztof Kotrych, Śliwkowo 7, 87-731 Waganiec	x	x			30.04.2005
120.	04143806	Zakład Masarski Marek Rokita ul. Wyzwolenia 6, 86-181 Serock	x				30.04.2005
121.	04140305	CHMARZYŃSKI – Przemysł Mięsny i Handel Sp. z o. o. ul. Rynek 14, 86-150 Osie	x	x			31.10.2004
122.	04140207	Rzeźnictwo-Wędliniarstwo BKB Sp. z o. o., Ciesleszyn, 86-120 Pruszcz	x	x			30.04.2005
123.	10010202	Rzeźnictwo-Wędliniarstwo Dominik Marczak, 97-400 Bełchatów, Dobrzelów 4	x	x			31.01.2005
124.	12090225	Zakład Uboju i Przetwórstwa Mięsnego „WĘDZONKA” Józef Górka, 32-400 Myślenice, ul. Słowackiego 100		x			31.01.2005
125.	12160207	Zakład Przetwórstwa Mięsnego „ROL-PEK” Leszek Roleski ul. Słoneczna 22, Zblitowska Góra, 33-113 Zgłobice	x		x		31.10.2004
126.	12110202	Firma „BATCZEW” , Stanisław Komperda, Zakład Masarski, Morawczyna 111, 34-404 Klikuszowa	x	x			30.04.2005

127.	14110203	Zakład Przetwórstwa Mięsnego „Getmor” Tadeusz Mroczkowski Chrzanowo 28, 06-225 Rzewnie	x	x			30.10.2004
128.	14340309	„Wisapis” Zakład Mięsny – Andrzej Jurzyk , 05-200 Zielonka, ul. Bankowa 2	x	x			30.04.2005
129.	14240101	Ubój Trzody Chlewnej i Bydła Zbigniew Zaręba, Skórznice 32, 06-120 Winnica	x				30.04.2005
130.	18170201	ZMs „Beef-San” S.A.w Sanoku 38-500 Sanok, ul. Orzeszkowej	x	x			30.04.2005
131.	18040202	Zakład Przetwórstwa Mięsnego „SZAREK”, 37-500 Jarosław, ul. Widna Góra 74A	x	x			31.01.2005
132.	22050303	Zakład Przetwórstwa Mięsnego „BALERONIK” Ziegert Henryk, 83-300 Kartuzy, ul. Mściwoja II	x	x			30.04.2005
133.	22050309	GS „SCH” Żukowo 83-330 Żukowo, ul.3-go Maja 9E	x	x			30.04.2005
134.	22060201	Zakłady Mięsne Kościerzyna Sp. z o.o., ul. Strzelecka 30/B 83-400 Kościerzyna	x	x	x		30.04.2005
135.	22060203	Zakład Mięsny Gminna Spółdzielnia „Samopomoc Chłopska”w Karsinie ul. Długa 184, 83-440 Karasin	x	x			30.04.2005
136.	22123801	Zakład Mięsny Wiklino Dorota Jaworska, Andrzej Jaworsk, Spółka Jawna 76-200 Słupsk, Wiklino 2	x				30.04.2005
137.	22140301	"P i A" Sp. z o. o. 83-130 Pelplin, ul. Podgórna 8,	x	x			30.04.2005
138.	24010317	Prywatny Zakład Mięsny „GAIK”, Sp. z o.o. 42-460 Najdziszów , ul. Topolowa 14	x	x			30.04.2005
139.	24010318	Przetwórstwo Mięsne Bogdan Szopa, 42-470 Siewierz, ul. Piłsudskiego 21	x	x			30.04.2005
140.	24750318	P.P.U.H. „PAT- TRADE” Sp. z o.o., 41-200 Sosnowiec, ul. Kościuszkowców 16 b.	x	x			30.04.2005
141.	24750306	Zakład Rzeźniczo- Wędliniarski Bogdan Janik, 41-209 Sosnowiec, ul. Chmielna 14	x	x			30.04.2005
142.	24650301	Zakład Mięsny „ANTOSIK” 41-300 Dąbrowa Górnicza, ul. Łącząca 39	x	x			30.04.2005
143.	24040206	Zakład Produkcyjno – Handlowy „ADMAR” Siedlec, ul. Częstochowska 34, 42-253 Janów		x			30.04.2005

144.	24040203	PHP „YABRA” Sp. z o.o. 42-297 Poraj, ul. Wschodnia 15 Zakład Przetwórstwa Mięsnego i Produkcji Konserw w Kamienicy Polskiej, ul. Konopnickiej 404 42-260 Kamienica Polska		x			30.04.2005
145.	24640307	P.P.H.U. „ROMAN” Eksport-Import Sp. z o.o. 42-200 Częstochowa, ul. Ks. Kordeckiego 85/87		x			31.01.2005
146.	24690306	P.P.H. „ROJBER”, Tomasz Rojek Sp.J., 40-479 Katowice, ul. Pszczyńska 10	x				31.01.2005
147.	24090304	Zakłady Mięsne „PORAJ” Marian Pucek, 42-360 Poraj, ul. Nadrzeczna 11	x	x			30.04.2005
148.	24100201	Warsztat Rzeźniczo – Wędliniarski, F. Szostok 43-211 Czarków, ul. Boczna 1	x	x	x		30.04.2005
149.	24120102	Zakład Wędliniarski Andrzej Stania, 44-266 Świerklany, ul. Zygmunta Starego 14, Zakład Uboju Zwierząt w Jankowicach, ul. Sportowa 2, 44-264 Jankowice	x				30.04.2005
150.	24080201	RSP „PRZEŁOM” – Masarnia 43-196 Mikołów – Bujaków, ul. Ks. Górka 144	x	x			30.04.2005
151.	24130301	Zakłady Mięsne Ryszard Wojtacha, 42-600 Tarnowskie Góry, ul. Nakielska 9/11		x			31.01.2005
152.	24150101	P.P.H.U Rzeźnictwo – Wędliniarstwo, Handel i Gastronomia, Tadeusz Kaczyna Zakład nr.1, 44-373 Wodzisław – Zawada, ul. Szybowa 1	x				30.10.2004
153.	24150304	PPUH „JANTAR” Sp. z o.o. Zakład Masarniczy 44-370 Pszów, ul. Ks. Skwary 3		x			30.10.2004
154.	24150103	PPH „ROMA” Romana Leks- Krzanowska 44-361 Syrynia ul. 3 Maja 74	x				30.04.2005
155.	24080307	Z.P.M. „KODRIN” Henryk Serafin, 43-176 Gostyń, ul. Tyska 56 a		x			30.10.2004
156.	24780302	Warsztat Wędliniarski, „Myrcik” Sp. J., 41-800 Zabrze, ul. Paderewskiego 28-30		x			30.10.2004
157.	24164003	P.P.H.U. „JAN*M*JAN” s.c., 42-400 Zawiercie, ul. Senatorska 13		x			31.01.2005
158.	24080305	Rzeźnictwo – Wędliniarstwo Grzegorz Zdrzałek 43-178 Ornontowice, ul. Leśna 2	x	x			30.04.2005
159.	28010103	Zakład Mięsny Bekon ul. Prusa 2, 11-210 Sępól	x				30.04.2005

160.	30050303	Waldi Zakład Przetwórstwa Mięsnego, 62-065 Grodzisk Wielkopolski, ul. Powstańców Chocieszyńskich 97	x	x	x		30.04.2005
161.	30050202	Zakład Mięso Wędliniarski Paweł Matysiak, 62-067 Rakoniew Garbary 2a	x	x			31.01.2005
162.	30050212	Waldi ZPM Sp.j Rzeźnia Ptazkowi, 62-065 Grodzisk Wielkopolski, Ptazkowo 1A	x				31.10.2004
163.	30050304	ZPM Szajek, 62-066 Garnowo, ul. Poznańska 50b	x	x	x		31.01.2005
164.	30260103	Przedsiębiorstwo Prywatne WOJ.-MAR Rzeźnia w Manieczkach, 63-112 Brodnica, Manieczki, ul. Borecka 5.	x				31.10.2004
165.	30280102	PPH ROMEX Pachela Łęgowo, Rzeźnia Wągrowiec, 62-100 Wągrowiec, ul. Skocka 14	x				31.01.2005
166.	30020207	Zakład Rzeźniczo Wędliniarski 64-980 Trzcianka, Osiedle Domańskiego 39	x	x			31.01.2005
167.	32040306	Masarnia i Ubojnia, Bernard Uchman, 72-132 Mosty 52E	x	x			31.01.2005
168.	32040202	ZPM Grupa „Farmer” , Ignacy Zaniewski, 72-200 Nowogard	x	x			31.01.2005
169.	32150201	Rzeźnictwo i Wędliniarstwo Elżbieta i Stanisław Zimorodzy 78-400 Szczecinek Dalecino 41A	x	x			30.04.2005
Fresh Poultry Meat – Meat Products							
170.	04010501	Zakład Przemysłu Mięsnego "Drobalex" s.c. w Rudnikach	x	x			31.01.2005
171.	10143902	F.H. "Alma" Ubój i Dzielenie Drobiu w Cieniach	x				30.04.2005
172.	12100401	PPH Drobeksan w Nowym Sączu Ubojnia Drobiu	x				31.01.2005
173.	14323901	Ejko E. Kolczyńska, J. Kolczyński w Radonicach	x				31.10.2004
174.	16064301	Ubojnia i Handel Drobiem "Ko - Ko" Sp.j. w Świerczowie	x				31.01.2005
175.	16610501	Opolskie Zakłady Drobiarskie w Opolu	x	x			30.04.2005
176.	20110501	Spółdzielnia Producentów Drobiu "Eko-Gril" w Sokółce	x				31.10.2004
177.	24063903	„Matyja” Jolanta Matyja Ubojnia Drobiu, Bór	x				31.10.2004
178.	24690401	Firma Produkcyjno – Handlowa Hybro sp. z o.o. w Katowicach	x				30.04.2005
179.	28070503	Zakład Drobiarski "Lech Drob" w Zalewie	x				31.10.2004
180.	30180601	Drop S.A. W Ostrowiu Wlkp.	x	x			31.01.2005
181.	10010501	PPHU "Kusy", Przetwórstwo Mięsne, Spółka Jawna, 97-400 Bełchatów, Korczew 6a	x	x			30.04.2005
182.	10050501	Grupa Producentów Drobiu „BOBROWNIKI" Sp. z o.o., Bobrowniki, 99-418 Bełchów	x				30.04.2005

183.	10100531	Zakłady Drobiarskie, "DROB-BOGS", Jacek Bogusławski Kaleń 5 97-320 Wolbórz	x				30.04.2005
184.	10160404	Specjalistyczne Gospodarstwo Rolne Mariola Tonder 97-217 Lubochnia Dabrowa 54	x				30.04.2005
185.	22053901	Ubojnia Drobiu Jerzy Piotrowski, Pępowo ul. Gdańska 118 83-330 Żukowo	x				30.04.2005
186.	22053905	A&B DROB Sp. z o. o. ul. Pod Elżbietowo 9 83-330 Żukowo	x				30.04.2005
187.	22120501	PUH – Ubojnia Drobiu, „Hubart”, Piotr i Maria Powęzka Bruskowo Wielkie 24 76-206 Słupsk 8	x	x			31.01.2005
188.	24010402	Ubojnia Drobiu „Jolguś” 42- 583 Bobrowniki , ul. Akacyjowa 203	x				30.04.2005
189.	24010401	Ubojnia Drobiu Kazimierz Daniliszyn, 42-580 Wojkowice ul. Gieryskiego 2	x				31.10.2004
190.	24700401	PPH „ Szendera” S. Szendera 41-408 Mysłowice, ul. Morgowska 5b	x				31.10.2004
191.	28090401	Zbigniew Jaworski Przedsiębiorstwo Wielobranżowe HASPO	x				31.10.2004
192.	30293903	Ubojnia Drobiu Florian Merda, Kopanica „Jaromierz	x				30.04.2005
193.	30193901	Rzeźnia Drobiu Krystyna Skowrońska, Chrustowo43, Ujście	x				31.10.2004
194.	30290401	PPHU Indrol sp.j. Rostarzewo, Wolsztyńska 68	x				31.10.2004
195.	30210504	Ubojnia Drobiu Krystyna Hamrol, Dębienko , Stęszew	x				31.01.2005
196.	30240501	Zakład Drobiarski ROWEX sp z o.o. Ostroróg	x				30.04.2005
Cold Stores							
197.	16611101	Przedsiębiorstwo, Przemysłu Chłodniczego, „FRIGOPOL” S.A.				x	30.04.2005
198.	16611102	Chłodnia Olsztyn Sp. z o.o. Oddział Opole				x	30.04.2005
199.	24121101	POLARIS, Chłodnie Śląskie Sp. z o.o., Chłodnia				x	30.04.2005
200.	14251101	Zakład Przetwórstwa Spożywczego „MAKÓW” Sp. z o. o., Chłodnia Składowa Maków, ul. Lipowa 91 26-640 Skaryszew				x	30.04.2005

Part 2

No	Veterinary approval number	Name and address of establishment	Sector: Milk	Date of compliance
			Activity of the establishments	
			Milk and milk based products	
1.	02251601	Okręgowa Spółdzielnia Mleczarska w Zgorzelcu	x	31.10.2004
2.	06071601	Okręgowa Spółdzielnia Mleczarska; 23-200 Kraśnik,	x	31.01.2005
3.	06081601	Okręgowa Spółdzielnia Mleczarska w Lubartowie	x	31.01.2005
4.	06081602	Spółdzielnia Mleczarska "Michowianka"; Michów	x	31.01.2005
5.	06641601	Zamojska Spółdzielnia Mleczarska; Zamość	x	31.01.2005
6.	10031601	Okręgowa Spółdzielnia Mleczarska Łask	x	30.04.2005
7.	12051604	Spółdzielnia Mleczarska w Łużnej	x	31.10.2004
8.	12101602	Zakład Produkcji Mleczarskiej Z.J.J.Dominik Sp.j.	x	31.01.2005
9.	12631604	„MLEKTAR” S.A.	x	31.01.2005
10.	14021601	Ciechanowska Spółdzielnia Mleczarska w Ciechanowie	x	30.04.2005
11.	14031601	Okręgowa Spółdzielnia Mleczarska w Garwolinie	x	30.04.2005
12.	14091601	„Mleko” spółka z o.o. w Lipsku	x	31.01.2005
13.	14151602	Okręgowa Spółdzielnia Mleczarska, Zakład Produkcyjny Ostrołęka	x	30.04.2005
14.	16091601	„JAL” Zakład Produkcyjno Usługowy Sp.j.	x	31.10.2004
15.	24091601	Okręgowa Spółdzielnia Mleczarska w Myszkowie	x	31.01.2005
16.	28621604	„Olmlek” Sp. z o. o., Olsztyn	x	31.01.2005
17.	30211602	Bukowsko Grodziska SM ZP w Buku	x	30.04.2005
18.	30641601	Mleczarnia Naramowice Sp.z o.o. w Poznaniu	x	30.04.2005
19.	32091601	Spółdzielnia Mleczarska „Mlekosz” w Koszalinie Serownia w Bobolicach	x	30.04.2005
20.	32611601	Spółdzielnia Mleczarska „Mlekosz” Zakład Mleczarski w Koszalinie	x	30.04.2005
21.	04041602	Spółdzielnia Mleczarska w Listwie, 86-230 Lisewo ul. Chełmińska 48	x	30.04.2005
22.	04141602	Spółdzielnia Mleczarska ul. Podgórna 11, 86-140 Drzycim	x	31.01.2005
23.	10081603	Łódzka Spółdzielnia Mleczarska Oddział Produkcyjny Puczniew	x	31.04.2005

24.	10111602	Spółdzielnia Mleczarska 99-220 Wartkowice ul.Spółdzieleza 3	x	30.04.2005
25.	12071601	OSM w Limanowej Ul. Starodworska 6 Zakład produkcyjny Limanowa	x	31.03.2005
26.	12071603	OSM w Limanowej Zakład Produkcyjny Tymbark	x	30.04.2005
27.	16011603	Okręgowa Spółdzielnia Mleczarska w Brzegu Oddział Produkcyjny w Lewinie, Brzeskim ul.Marii Konopnickiej 1, 49-340 Lewin Brzeski	x	30.04.2005
28.	22011601	Zakład Produkcyjno-Handlowy "SER-MILK" J. Kazubska, S. Kazubski, Zieliń 1, 77-235 Trzebielino	x	30.04.2005
29.	22051601	Okręgowa Spółdzielnia Mleczarska 83-300 Kartuzy ul. Mściwoja III	x	30.04. 2005
30.	30631601	OSM Rawicz Zakład Produkcyjno Handlowy w Lesznie	x	31.10.2004
31.	32011601	Okręgowa Spółdzielnia Mleczarska, 78 – 200 Białogard, ul. Chocimska 2	x	30.04.2005
32.	32151603	Mleczarnia , Irena Kostyla 78-445 Łubowo, ul. Strzelecka 5	x	30.04.2005
33.	3216 1601	Okręgowa Spółdzielnia Mleczarska, 78 – 200 Białogard. Topialnia Serów Rąbino	x	30.04.2005
34.	06141601	Spółdzielnia Mleczarska "Kurów", 24 - 170 Kurów,ul. I- ej Armii Wojska Polskiego 66	x	30.04.2005
35.	14361601	Rolnicza Spółdzielnia Mleczarska „Rolmlecz” w Radomiu, Zakład Mleczarski w Zwoleniu, ul. Puławska 88, 26-700 Zwoleń	x	30.04.2005

Part 3

No	Veterinary approval number	Name and address of establishment	Sector: Fish	Date of compliance
			Activity of the establishments	
			Fish and fish products	
1.	02251801	Firma Produkcyjno Handlowa „HELENA”	x	30.09.2004
2.	06621801	P.P.H. „AMIKA” Zakład Przetwórstwa Rybnego	x	31.01.2005
3.	14251802	PPH „MARK” M.K. Szczęsny	x	31.10.2004
4.	22021802	R.M. Jacek Schomburg Zakład w Brusach	x	30.04.2005
5.	24091801	„SONA”, Sp. z o.o.	x	30.04.2005
6.	26611801	PPH „HORN”, Sp. z o.o.	x	31.10.2004

7.	28141802	Gospodarstwo Rybackie Sp. z o.o. w likwidacji Przetwórnia Ryb w Rusi	x	31.10.2004
8.	32161803	Zakład Przetwórstwa Spożywczego „SOLAR” Sp. Jawna, E. i M. Dziobak	x	30.04.2005
9.	32161807	Przedsiębiorstwo Wielobranżowe „HEST”	x	31.10.2004
10.	02641801	„REX” P. P. H. i U. Przetwórnia Artykułów Spożywczych i Ryb, Roman Boniewski, ul. Łanowa 2, 52-311 Wrocław	x	30. 04.2005
11.	12061804	Zakład Przetwórstwa Rybnego „KRAK – FISH”, Marek Piekara, Antoni Solecki, S.J. Poskwitów 136	x	31.01.2005
12.	22051804	Handel i Przetwórstwo Ryb „Belona”, Helena Wenta ul. Piwna 21 83-340 Sierakowice	x	30.04.2005
13.	22061801	Rybołówstwo Morskie, Jacek Schomburg, z siedzibą w Helu Zakład w Karsinie, ul. Długa 29, 83-440 Karsin	x	30.04.2005
14.	22081811	PHU Przetwórstwo Rybne BOJA, 84-300 Lębork, ul. Majkowskiego 2	x	30.04.2005
15.	22111820	Zakład Rybny „ARPOL” 84 – 120 Władysławowo, ul. Portowa 5	x	30.04.2005
16.	22111844	Przetwórstwo Ryb oraz Handel Obwoźny Halina Szymańska 84-120 Władysławowo, ul. Róży Wiatrów 24	x	30.04.2005
17.	22141803	Przetwórnia Ryb "Kamila" Kolonia Ostrowicka 83-135 Mała Karczma	x	30.04.2005
18.	22151804	„REDRYB” mgr Helena Truszkowska, 84-240 Reda, ul. Spółdzielcza 13	x	30.04.2005
19.	22151805	Firma Produkcyjno-Handlowa „MAS”, Warszkowo Młyn, 84-106 Leśniewo	x	30.04.2005
20.	22151814	DanPol fish Sp.z o.o., ul. Robakowska 75, 84-241 Gościcino	x	30.04.2005
21.	32151801	„Rybpol” Spółka Jawna 78-422 Gwda Wielka, Strażacko	x	30.04.2005
22.	06621801	Przedsiębiorstwo Produkcyjno – Handlowe „AMIKA” Zakład Przetwórstwa Rybnego 22-100 Chełm ul. Rejowiecka 169	x	31.01.2005
23.	24141801	„ADMIRAL” Sp. z o.o. 43-143 Łędziny, ul. Pokoju 20	x	31.10.2004
24.	24141802	„BIG _ FISH” Sp. z o.o. Zakład Produkcyjny, 43-143 Łędziny, ul. Pokoju 5	x	31.01. 2005

COMMISSION DECISION**of 29 April 2004****adopting a transitional measure in favour of certain establishments in the milk sector in Hungary**

(notified under document number C(2004) 1711)

(Text with EEA relevance)

(2004/459/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 Slovakia³⁰, 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 Slovakia³¹, and in particular Article 42 thereof,

Whereas:

- (1) In Hungary twenty-one milk processing establishments have difficulties in complying on 1 May 2004 with the relevant structural requirements laid down in Annex B 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 products³².
- (2) Accordingly these twenty-one establishments need time to finalize their upgrading process in order to be in full compliance with the relevant structural requirements laid down in Directive 92/46/EEC.
- (3) These twenty-one 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 opinion from the Hungarian Animal health and Food Control Department, as regards the finalisation of their upgrading process.
- (4) For Hungary, the detailed information regarding the shortcomings for each establishment is available.

³⁰ OJ L 236, 23.9.2003, p. 17

³¹ OJ L 236, 23.9.2003, p. 33

³² 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 Hungary to that resulting from the application of the Community veterinary legislation, it is justified therefore at the request of Hungary, to grant a transitional period for those twenty-one 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 Hungary 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 Hungary 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,
 - 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 establishments in transition

	Veterinary approval number	Name and address of establishment	Sector: Milk	Date of compliance
			Activity of the establishments	
			Milk and milk based products	
1.	01501	Cheesio Kft., Véménd, Baranya	X	30.04.2005
2.	02502	Cosinus Gamma Kft. Sajtüzem, Kunszentmiklós, Bács	X	30.04.2005
3.	03503	Tejfeldolgozó és Sajtészítő Üzem, Gyomaendrőd, Békés	X	30.04.2005
4.	04504	Abaújtej Közös Vállalat tejüzeme, Forró, Borsod	X	30.04.2005
5.	05505	BOPPE Kft., Hódmezővásárhely Csongrád	X	30.04.2005
6.	05506	Ujfalusi Mihály Bio-kecsketej üzem, Csongrád	X	30.04.2005
7.	06507	Győzelem Mgsz. Sajtüzem, Lajoskomárom, Fejér	X	30.04.2005
8.	06508	Tejmix Kft., Kápolnásnyék-Pettend, Fejér	X	30.04.2005
9.	09509	Egertej kft., Eger, Heves	X	30.04.2005
10.	12510	Naszálytej Rt., Vác, Pest	X	30.04.2005
11.	12511	Dabastej kft., Dabas, Pest	X	30.04.2005
12.	12512	Csipkó Istvánné tejüzeme, Pest	X	30.04.2005
13.	13513	Drávatej kft., Barcs, Somogy	X	30.04.2005
14.	14514	Tiszatej Kft., Rakamaz, Szabolcs	X	30.04.2005
15.	14515	Farmtej Kft., Kemece, Szabolcs	X	30.04.2005
16.	15516	Jásztej Rt., Jászapáti, Jász	X	30.04.2005
17.	15517	Kuntej Rt., Tiszafüred, Jász	X	30.04.2005
18.	16518	Dámtej Kft., Tamási, Tolna	X	30.04.2005
19.	17519	Tejfeldolgozó és Kereskedelmi Kft., Körmend, Vas	X	30.04.2005
20.	18520	Gici sajt kft., Gic, Veszprém	X	30.04.2005
21.	20521	Soma's Trade Kft., Budapest	X	30.04.2005

COMMISSION DECISION**of 29 April 2004****amending Appendix A to Annex VIII to the 2003 Act of Accession to include certain establishments in the meat, milk and fish sectors in Latvia in the list of establishments in transition***(notified under document C(2004) 1712)***(Text with EEA relevance)**

(2004/460/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, Poland, Slovenia and Slovakia³³, 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 Slovakia³⁴, and in particular Annex VIII, Chapter 4, Section B, Subsection I, point 1, paragraph (d) thereto,

Whereas:

- (1) Annex VIII, Chapter 4, Section B, Subsection I, point 1, paragraph (a) to the 2003 Act of Accession provides that the 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 meat³⁵, in Annex I to Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat³⁶, 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 origin³⁷, 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 preparations³⁸, in Annex B 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 products³⁹ and in the Annex to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and

³³ OJ L 236, 23.9.2003, p. 17

³⁴ OJ L 236, 23.9.2003, p. 33

³⁵ OJ 121, 29.7.1964, p. 2012. Directive as last amended by the 2003 Act of Accession.

³⁶ OJ L 55, 8.3.1971, p.23. Directive as amended by Regulation (EC) No 807/2003

³⁷ OJ L 26, 31.1.1977, p. 85. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36.)

³⁸ OJ L 368, 31.12.1994, p. 10. Directive as amended by Regulation (EC) No 806/2003

³⁹ OJ L 268, 14.9.1992, p. 1. Directive as amended by Regulation (EC) No 807/2003

the placing on the market of fishery products⁴⁰ are not to apply to establishments in Latvia listed in Appendix A to Annex VIII to the Act of Accession until 31 December 2006, subject to certain conditions.

- (2) In Latvia, twelve more high capacity meat establishments, one more poultry establishment, thirteen more milk processing establishments and thirteen more fish processing establishments have difficulties in complying with the structural requirements laid down in Annex I to Directive 64/433/EEC, in Annex I to Directive 71/118/EEC, in Annexes A and B to Directive 77/99/EEC, in Annex I to Directive 94/65/EC, in Annex B to Directive 92/46/EEC and in the Annex to Directive 91/493/EEC, by 1 May 2004.
- (3) Accordingly those thirty-nine establishments need time to finalize their upgrading process in order to be in full compliance with the relevant structural requirements laid down in Directives 64/433/EEC, 71/118/EEC, 77/99/EEC, 94/65/EC, 92/46/EEC and 91/493/EEC.
- (4) The thirty-nine 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 short time and have received a favourable opinion from the Latvian Food and Veterinary Service, as regards the finalisation of their upgrading process.
- (5) For Latvia, the detailed information regarding the shortcomings for each establishment is available.
- (6) In order to facilitate the transition from the existing regime in Latvia to that resulting from the application of the Community veterinary legislation, it is justified therefore upon the request of Latvia, to grant the thirty-nine establishments a transitional period.
- (7) Due to the advanced stage of upgrading of the thirty-nine establishments, the transitional period should be limited to a maximum of 12 months.
- (8) The Standing Committee on the Food Chain and Animal Health has been informed of the measures provided for in this Decision,

HAS ADOPTED THIS DECISION:

Article 1

- (1) The establishments listed in the Annex to this Decision are added to the Appendix A referred to in Chapter 4, Section B, Subsection I, point 1 to Annex VIII to the 2003 Act of Accession.
- (2) For the establishments listed in the Annex, the rules foreseen in Annex VIII, Chapter 4, Section B, Subsection I, point 1, paragraph (b) to the Act of Accession are applicable.

⁴⁰

OJ L 268, 24.9.1991, p. 1. Directive as amended by Regulation (EC) No 806/2003

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, milk and fish establishments in transition

Part 1

No	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.	002625	Ardeks, Limited liability company, Darza street 19, Saldus, LV 3801		X	X	31.12.2004
2.	LV 07 G	Jelgavas galas kombinats, Holding company, Savienibas street 8, Jelgava, LV 3001	X	X	X	31.12.2004
3.	002029	Kompeksim Nakotne, Limited liability company, "Nakotne" Gludas parish, Jelgavas district LV 3013	X			31.12.2004
4.	LV 09 G	Lido, Limited liability company Kengaraga street 3, Riga, LV 1063		X	X	31.12.2004
5.	000054	Zalites, Farm „Zalites”, Otanku parish, Liepajas district, LV 3474	X			31.12.2004
6.	LV 33 G	Vilattrans, Sole proprietor enterprises, "Silakrogs", Ropazu parish, Rigas district, LV 2135			X	31.12.2004
7.	LV 26 G	Ruks Cesu galas kombinats, Joint Stock Company, Miera street 19, Cesis, LV 4101		X	X	31.12.2004
8.	005583	BLC Limited liability company Jurkalnes street 4, Riga, LV 1046		X	X	31.12.2004
9.	005579	Forevers, Limited liability company, Maskavas street 433, Riga, LV 1063	X	X	X	31.12.2004
10.	007226	Rubus, Limited liability company, "Bunci", Salaspils, Rigas district, LV 2219 Abelu street 4, Salaspils, Rigas district, LV 2169	X	X	X	31.12.2004
11.	001441	Savati, Limited liability company, Jurkalnes street 47a, Riga, LV 1046		X	X	31.12.2004
12.	007483	AIBI, Ltd, Inesu parish, Cesu district, LV 4123	X			31.12.2004
13.	LV 02 G	Balticovo, Joint Stock Company Iecava, Bauskas district, LV 3913	X ⁽⁴¹⁾			31.12.2004

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Fresh poultry meat establishment

Part 2

No	Veterinary approval number	Name and address of establishment	Sector: Milk	Date of compliance
			Activity of the establishments	
			Milk and milk based products	
1.	007490	Smiltenes piens Rauna's dairy plant, Holding company Cesu street 2a, Rauna, Cesis district, LV – 4131	x	31.12.2004
2.	005808	Rankas piens Jaunpiebalga's dairy plant, Holding company Sporta street 4, Jaunpiebalga, Cesis district, LV - 4125	x	31.12.2004
3.	LV 002P	Straupe, Milk co-operative association "Pienotava", Straupe parish, Cesis district, LV - 4152	x	31.12.2004
4.	LV 005P	Valmieras piens Rujienas pienotava, Holding company Upes street 5, Rujiena, Valmiera district, LV – 4240	x	31.12.2004
5.	000530	DK Daugava, Ltd, Serene parish, Aizkraukle district, LV - 5123	x	31.12.2004
6.	006697	Ozols Kalnu dairy plant, Ltd Briezkalni", Nigrande parish, Saldus district, LV - 3899	x	31.12.2004
7.	LV 007P	Kraslavas piens Holding company, Izvaltas street 2, Kraslava, LV – 5601	x	31.12.2004
8.	002137	Latgales piens Holding company Muitas street 3, Daugavpils, LV – 5403	x	31.12.2004
9.	LV 015P	Zemgales piens Holding company, Viestura street 14, Jelgava, LV – 3001	x	31.12.2004
10.	004344	Neretas pienotava Milk co-operative association, Dzirnavu street 6, Nereta parish, Aizkraukle district, LV - 5118	x	31.12.2004
11.	002864	Ludzas piensaimnieks Holding company Rupniecibas street 2, Ludza LV – 5701	x	31.12.2004
12.	LV 003P	Druvas partika Holding company, Kuldigas soseja 4, Saldus parish, Saldus district LV – 3862	x	31.12.2004
13.	010934	Licisi Farm, "Licisi", Cenas parish, Jelgava district, LV – 3042	x	31.12.2004

Part 3

No	Veterinary approval number	Name and address of establishment	Sector: Fish	Date of compliance
			Activity of the establishments	
			Fish and fish products	
1.	LV 72 Z	Svani, Limited liability company "Patversme", Balozi, Rigas district, LV-2112	x	31.12.2004
2.	LV 38 Z	Roja F.C.T., Limited liability company, "Kroni", Valdemarpils parish, Talsu district, LV-3260	x	31.12.2004
3.	LV 93 Z	Kurzemes partika, Limited liability company, "Komplekss", Kandavas parish, Tukuma district, LV-3120	x	31.12.2004
4.	LV 46 Z	Ulmes, Limited liability company, Plienciem, Engures parish, Tukuma district, LV-3116	x	31.12.2004
5.	LV 04 Z	Ventspils ZKK, Joint-stock Company, Enkuru street 12, Ventspils, LV-3601	x	31.12.2004
6.	LV 48 Z	Korall Plus, Joint-stock Company, Rujienas street 31, Mazsalaca, Valmieras district, LV-4215	x	31.12.2004
7.	009432	Taimins, Limited liability company, "Reproduktors", Laucienas parish, Talsu district, LV-3285	x	31.12.2004
8.	LV 115 Z	Zila laguna, Limited liability company, Kalkunes street 2, Kalkunes parish, Daugavpils district, LV-5412	x	31.12.2004
9.	LV 64 Z	Ventspils zvejas osta, Limited liability company, Mednu street 40, Ventspils, LV-3601	x	31.12.2004
10.	LV 85 Z	Dunte Plus, Limited liability company, "Varzas", Skultes parish, Limbazu district, LV-4025	x	31.12.2004
11.	LV 60 Z	Berzciems, Limited liability company, Berzciems, Engures parish, Tukuma district, LV-3112	x	31.12.2004
12.	LV 77 Z	Alants, Sole proprietor enterprises, "Airi", Lapmezciema parish, Tukuma district, LV-3118	x	31.12.2004
13.	LV 58 Z	Zvani, Limited liability company Ezeru street 29, Talsi, LV-3201	x	31.12.2004

COMMISSION DECISION**of 29 April 2004****laying down a questionnaire to be used for annual reporting on ambient air quality assessment under Council Directives 96/62/EC and 1999/30/EC and under Directives 2000/69/EC and 2002/3/EC of the European Parliament and of the Council***(notified under document number C(2004) 1714)***(Text with EEA relevance)**

(2004/461/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to [Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management](#)⁴², and in particular Article 12(1) thereof,

Whereas:

- (1) Directive 96/62/EC establishes the framework for assessment and management of ambient air quality and provides that detailed arrangements are to be laid down for the reporting of information on air quality.
- (2) Council Directive 1999/30/EC of 22 April 1999 relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air⁴³ lays down limit values to be met on a certain target date.
- (3) Commission Decision 2001/839/EC laying down a questionnaire to be used for annual reporting on ambient air quality assessment under Directives 96/62/EC and 1999/30/EC⁴⁴ provided a model on the basis of which Member States were to provide the information on air quality required under those Directives.
- (4) Directive 2000/69/EC of the European Parliament and of the Council of 16 April 2000 relating to limit values for benzene and carbon monoxide in ambient air⁴⁵ lays down limit values to be met on a certain target date. Directive 2002/3/EC of the European Parliament and of the Council of 12 February 2002 relating to ozone in ambient air⁴⁶ lays down target values, long-term objectives, information and alert

⁴² OJ L 296, 21.11.1996, p. 55. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p.1).

⁴³ OJ L 163, 29.6.1999, p.41. Directive as amended by Decision 2001/744/EC (OJ L 278, 23.10.2001, p. 35).

⁴⁴ OJ L 319, 4.12.2001, p.45.

⁴⁵ OJ L 313, 13.12.2000, p.12.

⁴⁶ OJ L 67, 9.3.2002, p.14.

thresholds which create certain obligations. Regular reporting by Member States is an integral element of those Directives, read in conjunction with Directive 96/62/EC and indispensable for checking compliance with those obligations.

- (5) Moreover, a number of items set out in Article 11 of Directive 96/62/EC with regard to the pollutants covered by Directives 1999/30/EC, 2002/69/EC and 2002/3/EC must be reported on an annual basis.
- (6) According to Directive 1999/30/EC, provisions on reporting under Council Directive 80/779/EEC on air quality limit values and guide values for sulphur dioxide and suspended particulates⁴⁷, Council Directive 82/884/EEC of 3 December 1982 on a limit value for lead in the air⁴⁸ and Council Directive 85/203/EEC of 7 March 1982 on air quality standards for nitrogen dioxide⁴⁹ are repealed with effect from 19 July 2001, although the limit values under these Directives remain in force until 2005 for Directives 80/779/EEC and 82/884/EEC, and 2010 for Directive 85/203/EEC and reporting on exceedences of these limit values continues according to Article 9(6) of Directive 1999/30/EC.
- (7) In order to ensure that the required information is supplied in the correct format, Member States should be required to submit it on the basis of a standardised questionnaire.
- (8) The questionnaire laid down by Decision 2001/839/EC should be extended to cover also the annual reporting obligations resulting from Directives 2000/69/EC and 2002/3/EC, while at the same time introducing some amendments related to Directive 1999/30/EC, which are made for clarification and in order to ensure a better assessment of the reports.
- (9) Decision 2001/839/EC should be replaced in the interests of clarity.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee instituted by Article 12 (2) of Directive 96/62/EC,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall use the questionnaire set out in the Annex as a basis for forwarding the information to be provided on an annual basis in accordance with Articles 11(1) and 12(1) of Directive 96/62/EC and the following provisions:

- Articles 3(1), (3) and (4), 4(1), 5(1), (2), (4) and (5), 6, 7(1), (2) and (3), and 9(6) of Directive 1999/30/EC,
- Articles 3(1), 4, and 5(1), (2), (3) and (5) of Directive 2000/69/EC and
- Articles 3(1) and (2), 4(1) and (2), 5, 9 (1) and (3), and 10 (1)(a) and (2)(b) of Directive 2002/3/EC.

⁴⁷ OJ L 229, 30.8.1980, p.30.

⁴⁸ OJ L 378, 31.12.1982, p.15.

⁴⁹ OJ L 87, 27.3.1985, p.1.

Article 2

Decision 2001/839/EC is hereby repealed.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, [29 April 2004](#).

For the Commission
Margot WALLSTRÖM
Member of the Commission

ANNEX*Reporting Questionnaire**on*

Council Directive 96/62/EC on ambient air quality assessment and management and Council Directive 1999/30/EC relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air as well as Directives 2000/69/EC relating to limit values for benzene and carbon monoxide in ambient air and 2002/3/EC relating to ozone in ambient air of the European Parliament and the Council

MEMBER STATE:

CONTACT ADDRESS:

REFERENCE YEAR:

COMPILATION DATE:

The following forms distinguish between items that are legally required to report and items that are voluntary to report for the Member State. Voluntary items are printed in italic.

Many of the forms below contain an indefinite number of rows or columns to be filled in. In the form description, the number of empty rows or columns to be filled in is then limited to three and a dashed borderline indicates that the form should be extended as needed.

In addition to the forms, which are to be filled in by the Member State, some tables are also provided. The tables provide information such as fixed codes that are not to be changed by the Member State.

List of forms

- | | |
|---------|--|
| Form 1 | Contact body and address |
| Form 2 | Delimitation of zones and agglomerations |
| Form 3 | Stations and measuring methods used for assessment under 1999/30/EC and 2000/69/EC |
| Form 4 | Stations used for assessment of ozone, including nitrogen dioxide and nitrogen oxides in relation to ozone |
| Form 5 | Stations and measuring methods used for the assessment of recommended volatile organic compounds |
| Form 6 | Stations and measurement methods used for the assessment of other ozone precursor substances |
| Form 7 | Methods used to sample and measure PM ₁₀ and PM _{2,5} and ozone precursor substances: optional additional codes to be defined by the Member State |
| Form 8 | List of zones and agglomerations where levels exceed or do not exceed limit values or limit values plus margin of tolerance |
| Form 9 | List of zones and agglomerations where levels exceed or do not exceed target values or long term objectives for ozone |
| Form 10 | List of zones and agglomerations where levels exceed or do not exceed upper assessment thresholds or lower assessment thresholds, including information on the application of supplementary assessment methods |
| Form 11 | Individual exceedences of limit values and limit values plus the margin of tolerance |
| Form 12 | Reasons for individual exceedences: optional additional codes to be defined by the Member State |
| Form 13 | Individual exceedences of ozone thresholds |
| Form 14 | Exceedence of ozone target values |
| Form 15 | Annual statistics of ozone |

- Form 16 Annual average concentrations of ozone precursor substances
- Form 17 Monitoring data on 10 minutes mean SO₂ levels
- Form 18 Monitoring data on 24hr mean PM_{2,5} levels
- Form 19 Tabular results of and methods used for supplementary assessment
- Form 20 List of references to supplementary assessment methods referred to in Form 19
- Form 21 Exceedence of limit values for SO₂ due to natural sources
- Form 22 Natural SO₂ sources: optional additional codes to be defined by Member State
- Form 23 Exceedence of limit values of PM₁₀ due to natural events
- Form 24 Exceedence of limit values of PM₁₀ due to winter sanding
- Form 25 Consultations on transboundary pollution
- Form 26 Exceedences of limit values laid down in Directives 80/779/EEC, 82/884/EEC and 85/203/EEC
- Form 27 Reasons for exceedences of limit values laid down in Directives 80/779/EEC, 82/884/EEC and 85/203/EEC: optional additional codes to be defined by the Member State

List of tables

- Table 1 Methods used to sample and measure PM₁₀ and PM_{2,5} and ozone precursor substances: standard codes
- Table 2 Reasons for individual exceedences: standard codes
- Table 3 Statistical parameters to be used in concentration maps
- Table 4 Natural SO₂ sources: standard codes
- Table 5 Natural events causing limit value exceedences for PM₁₀: standard codes

Form 1 Contact body and address

<i>Name of the contact body</i>	
<i>Postal address</i>	
<i>Name of contact person</i>	
<i>Telephone of contact person</i>	
<i>Fax of contact person</i>	
<i>Email address of contact person</i>	
<i>Comments for clarification if needed</i>	

Note to Form 1:

The Member State is asked to fill in the contact body, and if possible, the contact person at national level, that the Commission may approach on details regarding this questionnaire if needed.

Form 2 Delimitation of zones and agglomerations (96/62/EC Articles 5 and 11(1b))

	Zones		
Full zone name			
Zone code			
Pollutant(s), possibly separate protection targets, to which the zone applies			
Type (ag/nonag)			
Area (km ²)			
Population			
Border coordinate pairs			
Border coordinate pairs			
Border coordinate pairs			

Notes to Form 2:

- (1) The Member State should give not only the zone name, but also a unique zone code.
- (2) The Member State should indicate the pollutant(s) to which the zone applies using the codes: 'S' for SO₂, 'N' for NO₂/NO_x, 'P' for PM₁₀, 'L' for lead, 'B' for benzene, 'C' for carbon monoxide and 'O' for ozone, separated by a semicolon, or 'A' if the zone applies to all these pollutants. If zones have been separately defined for health, ecosystem and vegetation protection, the Member State should use the following

codes: 'SH' for SO₂ health protection, 'SE' for SO₂ ecosystem protection, 'NH' for NO₂ health protection, 'NV' for NO_x vegetation protection.

- (3) It should be indicated whether the zone is an agglomeration (code: 'ag') or not (code: 'nonag').
- (4) Optionally, the Member States may add the area and population size of the zone for further processing of the data at European level.
- (5) For further processing, the Member State is requested to fill in the zone borders in a standard format (polygons, using the geographical coordinates according to ISO 6709: geographical longitude and latitude). The Member State is requested to provide separately a map of the zones (as an electronic file or on paper) to facilitate the correct interpretation of the zone data. The Member State must provide at least either the zone borders in Form 2 or a map.

**Form 3 Stations and measuring methods used for assessment under 1999/30/EC
(Annex IX) and 2000/69/EC (Annex VII)**

EoI station code	Local station code	Zone code(s)	Use for Directive					Use for Directive / Measuring method code for PM ₁₀ and PM _{2,5}		Correction factor or equation used		Function of station
			SO ₂	NO ₂	NO _x	Lead	Benzene	CO	PM ₁₀	PM _{2,5}	PM ₁₀	

Notes to Form 3:

- (1) In Form 3 and other forms in this questionnaire, 'EoI station code' refers to the code that is used for the exchange of data under the Exchange of Information Decision 97/101/EC. 'Local station code' is the code used within the Member State or region.
- (2) The Member State is requested to identify in the third column the zone(s) applying to ozone in which the station is located. If more than one zone is concerned, the codes should be separated by a semicolon.
- (3) The Member State is requested to use the columns headed by 'SO₂', 'NO₂', 'NO_x', 'Lead', 'Benzene' and 'CO' for indicating whether the measurement is used for assessment under Directive 1999/30/EC or 2000/69/EC respectively, ticking with 'y' if used and leaving the cell empty if not used. It should be noted that ticking NO_x implies that the station is sited at a location where the limit value for vegetation applies. If the station is in the immediate vicinity of specific sources of lead as referred to in Annex IV to Directive 1999/30/EC, the Member State is requested to tick with 'SS' instead of 'y'.
- (4) The Member State should use the columns headed by 'PM₁₀' and 'PM_{2,5}' for indicating whether the measurement is used for assessment under Directive

1999/30/EC and indicate at the same time which measurement method is used. If the measurement is used for assessment under the Directive, the Member State should fill in the measuring method code (see Note 5); if the measurement is not used for assessment under the Directive, the cell should be left empty. For PM_{2,5} levels formal assessment under Article 6 of Directive 96/62/EC is not required.

- (5) The measurement method code for PM₁₀ and PM_{2,5} can be indicated by one of the standard codes provided by this questionnaire (see Table 1) or a code defined by the Member State that refers to a separate list of methods described by the Member State (see Form 7). The description defined by the Member State may also be a reference to a separate document added to the questionnaire. If the measurement method has been changed during the year, the Member State is requested to fill in both method codes: first the method that was used for the longest time in the year, followed by the other one, separated by a semicolon.
- (6) When the measurement method for PM₁₀ or PM_{2,5} is not the reference method, respectively the provisional reference method, set out in Directive 1999/30/EC, Annex IX, the Member State is requested to fill in the correction factor by which the measured concentrations have been multiplied to obtain the concentrations reported in this questionnaire or to fill in the corresponding correction equation. If a correction equation has been applied, a free format can be used in which the measured concentration should be denoted by 'CM' and the reported concentration by 'CR', preferably using the format $CR = f(CM)$. If the results of the method have been demonstrated to be equivalent without the application of a correction, the Member State is requested to indicate this by entering the value '1' for the correction factor or equation.
- (7) 'Function of station' indicates whether the station is sited at a location where (a) the limit values for health, the SO₂ limit value for ecosystems and the NO_x limit value for vegetation apply (code 'HEV'), (b) only the limit values for health and the SO₂ limit value for ecosystems apply (code 'HE'), (c) only the limit value for health and the NO_x limit value for vegetation apply (code 'HV') or (d) only the limit values for health apply (code 'H').

Form 4 Stations used for assessment of ozone, including nitrogen dioxide and nitrogen oxides in relation to ozone (2002/3/EC Annex III, IV, VI)

EoI station code	Local station code	Zone code	Type of station	Use in relation to Directive 2002/3/EC		
				O ₃	NO ₂	NO _x

Notes to Form 4:

- (1) The Member State is requested to identify in the third column the zone in which the station is located.
- (2) The Member State should use the columns headed by 'O₃', 'NO₂' and 'NO_x' for indicating whether the measurement is used for assessment under Directive

2002/3/EC, ticking with 'y' if used and leaving the cell empty if not used. The column headed by 'NO₂' indicates measurement as mentioned in 2002/3/EC, Article 9(1), the column headed by 'NO_x' indicates measurement as mentioned in 2002/3/EC, Article 9(3).

- (3) 'Type of station' is defined according to 2002/3/EC, Annex IV. The following codes should be used: 'U' for urban, 'S' for suburban, 'R' for rural and 'RB' for rural background.

Form 5 Stations and measurement methods used for the assessment of recommended volatile organic compounds (2002/3/EC Annex VI)

	Stations		
EoI station code			
<i>Local station code</i>			
Zone code applying to ozone			
Ethane			
Ethylene			
Acetylene			
Propane			
Propene			
n-Butane			
i-Butane			
1-Butene			
trans-2-Butene			
cis-2-Butene			
1,3-Butadiene			
n-Pentane			
i-Pentane			
1-Pentene			
2-Pentene			
Isoprene			
n-Hexane			
i-Hexane			
n-Heptane			

n-Octane			
i-Octane			
Benzene			
Toluene			
Ethyl benzene			
m+p-Xylene			
o-Xylene			
1,2,4-Trimeth.benzene			
1,2,3-Trimeth.benzene			
1,3,5-Trimeth.benzene			
Formaldehyde			
Total non-methane hydrocarbons			

Notes to Form 5:

- (1) The Member State should indicate in Form 5 for each station and for each substance assessed under 2002/3/EC Article 9(3) the measurement method by one of the standard codes provided by this questionnaire (see Table 1) or a code defined by the Member State (Form 7).
- (2) Whereas reporting obligations of ozone precursor substances must include "appropriate volatile organic compounds", the list presented in Form 5 is only a recommendation according to Annex VI of Directive 2002/3/EC.

Form 6 Stations and measurement methods used for the assessment of other ozone precursor substances (2002/3/EC Annex VI)

	Stations		
EoI station code			
<i>Local station code</i>			
Zone code applying to ozone			

Note to Form 6:

In the leftmost column of Form 6 the Member State should indicate ozone precursor substances assessed under 2002/3/EC Article 9(3) other than those described in Form 5. The Member State should indicate in Form 6 for each station and each substance the measurement

method by one of the standard codes provided by this questionnaire (see Table 1) or a code defined by the Member State (Form 7). Note (2) of Form 5 applies for Form 6 accordingly.

Table 1 Methods used to sample and measure PM₁₀, PM_{2,5} and ozone precursor substances: standard codes ¹⁾

<i>Method code</i>	<i>Description</i>
M1	PM ₁₀ or PM _{2,5} : Beta-absorption
M2	PM ₁₀ or PM _{2,5} : Gravimetry for PM ₁₀ and/or PM _{2,5} – continuous measurement
M2dxxx	PM ₁₀ or PM _{2,5} : Gravimetry for PM ₁₀ and/or PM _{2,5} – random measurement; xxx should be the number of measured days. Example: random sampling on 180 days of the year is indicated by M2d180.
M3	PM ₁₀ or PM _{2,5} : Oscillating microbalance for PM ₁₀ and/or PM _{2,5}
M4	Lumped sum NMHC: automated, semi-continuous monitoring, NMHC calculated from Total HC minus methane; FID
M5	Lumped sum NMHC: automated semi-continuous monitoring, after chromatographic separation of NMHC from methane; FID
M6	Individual VOC: automated sampling and on line analysis; cryogenic sample pre-concentration, GC/FID (MS) detection
M7	Individual VOC: whole air canister sampling; off line analysis by GC/FID (MS)
M8	Individual VOC: active solid adsorbent sampling; off line analysis by GC/FID (MS) after solvent or thermal desorption
M9	Individual VOC: diffusive solid adsorbent sampling; off line analysis by GC/FID (MS) after solvent or thermal desorption
M10subcode ²⁾	Formaldehyde: sampling with DNPH; off line analysis of hydrazones by HPLC with UV detection (360 nm).
M11subcode ²⁾	Formaldehyde: sampling with HMP; off line analysis of oxazolidine by GC-NPD
M12subcode ²⁾	Formaldehyde: sampling with bisulfite and chromotropic acid; off line analysis by spectrometry (580 nm)

¹⁾ DNPH: Dinitrophenylhydrazine; FID: Flame Ionisation Detection; GC: Gas Chromatography; HC: hydrocarbons; HMP: Hydroxy-methyl-piperidine; HPLC: High Pressure Liquid Chromatography; MS: Mass Spectrometer; NMHC: Non-methane hydrocarbons; NPD: Nitrogen and Phosphorus Detector; UV: Ultra Violet; VOC: Volatile Organic Compounds.

²⁾ For sampling with impinger: use subcode 'IM'; active sampling on sorbent: subcode 'AS'; diffusive sampling: subcode 'DI'. Example: 'M10AS'.

Form 7 Methods used to sample and measure PM₁₀, PM_{2,5} and ozone precursor substances: optional additional codes to be defined by the Member State (1999/30/EC Annex IX and 2002/3/EC Annex VI)

<i>Method code</i>	<i>Description</i>

Form 8 List of zones and agglomerations where levels exceed or do not exceed limit values (LV) or limit values plus margin of tolerance (LV + MOT) (96/62/EC Articles 8, 9 and 11, 1999/30/EC Annexes I, II, III and IV, 2000/69/EC Annexes I and II)

- Form 8a List of zones in relation to limit value exceedences for SO₂

Zone code	LV for health (1hr mean)			LV for health (24hr mean)		LV for ecosystems (annual mean)		LV for ecosystems (winter mean)	
	>LV + MOT	≤LV + MOT; >LV	≤LV	>LV	≤LV	>LV	≤LV	>LV	≤LV

- Form 8b List of zones in relation to limit value exceedences for NO₂/NO_x

Zone code	LV for health (1hr mean)			LV for health (annual mean)			LV for vegetation	
	>LV + MOT	≤LV + MOT; >LV	≤LV	>LV + MOT	≤LV + MOT; >LV	≤LV	>LV	≤LV

- Form 8c List of zones in relation to limit value exceedences for PM₁₀

Zone code	LV (24hr mean) Stage 1			LV (annual mean) Stage 1			LV (24hr mean) Stage 2		LV (annual mean) Stage 2		
	>LV + MOT	≤LV + MOT; >LV	≤LV	>LV + MOT	≤LV + MOT; >LV	≤LV	>LV	≤LV	>LV + MOT	≤LV + MOT; >LV	≤LV

- Form 8d List of zones in relation to limit value exceedences for lead

Zone code	LV			
	>LV + MOT	≤LV + MOT; >LV	≤LV	SS

- Form 8e List of zones in relation to limit value exceedences for benzene

Zone code	LV			
	>LV + MOT	≤LV + MOT; >LV	≤LV	Art 3(2)

- Form 8f List of zones in relation to limit value for carbon monoxide

Zone code	LV		
	>LV + MOT	≤LV + MOT; >LV	≤LV

Notes to Form 8:

(1) The column headings have the following meaning:

- >LV + MOT: above the limit value plus the margin of tolerance;
- ≤LV + MOT; >LV: below or equal to the limit value plus the margin of tolerance but above the limit value;
- ≤LV: below or equal to the limit value;
- >LV: above the limit value;
- SS: due to specific sources, see Note 7.
- Art 3(2) extension period granted, see Note 8.

- (2) '>LV + MOT' should be read as '>LV' when the margin of tolerance has decreased to 0 %. In that case the column headed by '≤LV + MOT; >LV' should not be used.
- (3) If the column heading describes the status of the zone, tick with 'y'.
- (4) If exceedence has been concluded from model calculations solely, tick with 'm' instead of 'y'.
- (5) For thresholds for ecosystems and vegetation, tick only when exceedence occurred in areas where these limit values apply. For zones in which no areas exist where these limit values apply, tick column '≤LV' by 'n'.
- (6) The winter mean is defined as the period from 1 October of the year preceding the reference year to 31 March of the reference year.
- (7) If the exceedence status indicated in Form 8d is solely due to exceedence in an area in the immediate vicinity of specific sources designated according to Annex IV to Directive 1999/30/EC, the Member State is requested to indicate this by ticking column 'SS' by 'y'.

- (8) In Form 8e, 'LV' refers to the limit value specified in Directive 2000/69/EC Annex I. For zones for which the Commission has granted an extension period for benzene according to Article 3(2) to Directive 2000/69/EC, the Member State is requested to indicate this by ticking column 'Art3(2)' by 'y'.

Form 9 List of zones and agglomerations where levels exceed or do not exceed target values or long term objectives for ozone (2002/3/EC, Annex I)

Zone code	Thresholds for health			Thresholds for vegetation		
	>TV	≤TV; >LTO	≤LTO	>TV	≤TV; >LTO	≤LTO

Notes to Form 9:

The column headings have the following meaning:

>TV: above the target value for ozone;

≤TV; >LTO : below or equal to the target value but above the long term objective for ozone;

≤LTO: below or equal to the long term objective for ozone.

- (1) If the column heading describes the status of the zone, tick with 'y'.
- (2) If exceedence has been concluded from model calculations solely, tick with 'm' instead of 'y'.
- (3) The status is to be assessed over 3 years for the health target value and over 5 years for the vegetation target value.

Form 10 List of zones and agglomerations where levels exceed or do not exceed upper assessment thresholds (UAT) or lower assessment thresholds (LAT), including information on the application of supplementary assessment methods (96/62/EC Article 6, 1999/30/EC Article 7(3) and Annex V, 2000/69/EC Article 5(3) and Annex III, 2002/3/EC Article 9(1) and Annex VII)

- Form 10a List of zones in relation to assessment threshold exceedences and supplementary assessment for SO₂

Zone code	UAT and LAT related to health LV (24hr mean)			UAT and LAT related to ecosystems LV (winter mean)			SA
	>UAT	≤UAT; >LAT	≤LAT	>UAT	≤UAT; >LAT	≤LAT	

- Form 10b List of zones in relation to assessment threshold exceedences and supplementary assessment for NO₂/NO_x

Zone code	UAT and LAT related to health LV (1hr mean)			UAT and LAT related to health LV (annual mean)			UAT and LAT related to vegetation LV			SA
	>UAT	≤UAT; >LAT	≤LAT	>UAT	≤UAT; >LAT	≤LAT	>UAT	≤UAT; >LAT	≤LAT	

- Form 10c List of zones in relation to assessment threshold exceedences and supplementary assessment for PM₁₀

<i>Zone code</i>	<i>UAT and LAT (24hr mean)</i>			<i>UAT and LAT (annual mean)</i>			<i>SA</i>
	<i>>UAT</i>	<i>≤UAT; >LAT</i>	<i>≤LAT</i>	<i>>UAT</i>	<i>≤UAT; >LAT</i>	<i>≤LAT</i>	

- Form 10d List of zones in relation to assessment threshold exceedences and supplementary assessment for lead

<i>Zone code</i>	<i>UAT and LAT</i>			<i>SA</i>
	<i>>UAT</i>	<i>≤UAT; >LAT</i>	<i>≤LAT</i>	

- Form 10e List of zones in relation to assessment threshold exceedences and supplementary assessment for benzene

<i>Zone code</i>	<i>UAT and LAT</i>			<i>SA</i>
	<i>>UAT</i>	<i>≤UAT; >LAT</i>	<i>≤LAT</i>	

- Form 10f List of zones in relation to assessment threshold exceedences and supplementary assessment for carbon monoxide

<i>Zone code</i>	<i>UAT and LAT</i>			<i>SA</i>
	<i>>UAT</i>	<i>≤UAT; >LAT</i>	<i>≤LAT</i>	

- Form 10g List of zones in relation to supplementary assessment for ozone

<i>Zone code</i>	<i>SA</i>

Notes to Form 10:

(1) The column headings have the following meaning:

>UAT: above the upper assessment threshold;

≤UAT; >LAT: below or equal to upper assessment threshold, but above the lower assessment threshold;

≤LAT: below or equal to the lower assessment threshold;

SA: supplementary assessment, see Note 6.

(2) If the column heading describes the status of the zone, tick with 'y'.

(3) If exceedence has been concluded from model calculations solely, tick with 'm' instead of 'y'.

(4) For thresholds for ecosystems, tick only when exceedence occurred in areas where the limit values for ecosystems apply.

(5) Exceedence of UAT and LAT is judged on the basis of the reference year and the preceding four years in accordance with the specification in Annex V(II) of Directives 1999/30/EC and Annex III(II) of 2000/69/EC respectively. ity

- (6) The Member State is requested to indicate in the column 'SA' whether information from fixed measuring stations has been supplemented by information from other sources as referred to in Article 7(3) of Directive 1999/30/EC, Article 5(3) of Directive 2000/69/EC and Article 9(1) of Directive 2002/3/EC.

Form 11 Individual exceedences of limit values and limit values plus margin of tolerance (MOT) (96/62/EC Article 11(1) (a) (i) and (ii), 1999/30/EC Annexes I, II, IV and V and 2000/69/EC Annexes I and II)

- Form 11a Exceedence of SO₂ limit value plus MOT for health (1hr mean)

Zone code	<i>EoI station code</i>	Month	Day of month	Hour	Level ($\mu\text{g}/\text{m}^3$)	Reason code(s)

- Form 11b Exceedence of SO₂ limit value for health (24hr mean)

Zone code	<i>EoI station code</i>	Month	Day of month	Level ($\mu\text{g}/\text{m}^3$)	Reason code(s)

- Form 11c Exceedence of SO₂ limit value for ecosystems (annual mean)

Zone code	EoI station code	Level (µg/m ³)	Reason code(s)

- Form 11d Exceedence of SO₂ limit value for ecosystems (winter mean)

Zone code	EoI station code	Level (µg/m ³)	Reason code(s)

- Form 11e Exceedence of NO₂ limit value plus MOT for health (1hr mean)

Zone code	EoI station code	Month	Day of month	Hour	Level (µg/m ³)	Reason code(s)

- Form 11f Exceedence of NO₂ limit value plus MOT for health (annual mean)

Zone code	EoI station code	Level (µg/m ³)	Reason code(s)

- Form 11g Exceedence of NO_x limit value for vegetation

Zone code	EoI station code	Level (µg/m ³)	Reason code(s)

- Form 11h Exceedence of PM₁₀ limit value plus MOT (stage 1; 24hr mean)

Zone code	EoI station code	Month	Day of month	Level (µg/m ³)	Reason code(s)

- Form 11i Exceedence of PM₁₀ limit value plus MOT (stage 1; annual mean)

<i>Zone code</i>	<i>EoI station code</i>	<i>Level (µg/m³)</i>	<i>Reason code(s)</i>

- Form 11j Exceedence of lead limit value plus MOT

<i>Zone code</i>	<i>EoI station code</i>	<i>Level (µg/m³)</i>	<i>Reason code(s)</i>

- Form 11k Exceedence of benzene limit value plus MOT

<i>Zone code</i>	<i>EoI station code</i>	<i>Level (µg/m³)</i>	<i>Reason code(s)</i>	<i>Article 3(2)</i>

- Form 11I Exceedence of carbon monoxide limit value plus MOT

Zone code	<i>EoI station code</i>	Month	Day of month	Level ($\mu\text{g}/\text{m}^3$)	Reason code(s)

Notes to Form 11:

- (1) Identifying the station by filling in the EoI station code is not mandatory, but highly recommended.
- (2) The phrase 'limit value plus MOT' should be read as 'limit value' when the margin of tolerance has decreased to 0%.
- (3) 'Month' and 'Day of month' should be indicated by its number (1-12 and 1-31 respectively). 'Hour' should be indicated as '1' for the hour between 00:00h and 01:00h etc.
- (4) All exceedences of the limit value plus the margin of tolerance at a station are reported if the total number of exceedences is above the allowed number. If the total number of exceedences at a station is lower than or equal to the allowed number, no exceedences are reported.
- (5) The reason of exceedence can be indicated by one or several standard codes provided by this questionnaire (see Table 2) or a code defined by the Member State that refers to a separate list of reasons described by the Member State (Form 12). If more than one reason is indicated, the codes should be separated by a semicolon. The description given by the Member State could also be a reference to a separate document added to the questionnaire.
- (6) For exceedences in zones for which the Commission has, according to Directive 2000/69/EC Article 3(2), granted a time-limited extension, the Member State is requested to enter 'y' in the column headed by 'Article 3(2)'.
- (7) If no exceedences above the number of allowed exceedences have been observed, the Member State is requested to enter 'No exceedences' in the left cell of the first row.

Table 2 Reasons for individual exceedences: standard codes

<i>Reason code</i>	<i>Description</i>
<i>S1</i>	<i>Heavily trafficked urban centre</i>
<i>S2</i>	<i>Proximity to a major road</i>
<i>S3</i>	<i>Local industry including power production</i>
<i>S4</i>	<i>Quarrying or mining activities</i>
<i>S5</i>	<i>Domestic heating</i>
<i>S6</i>	<i>Accidental emission from industrial source</i>
<i>S7</i>	<i>Accidental emission from non-industrial source</i>
<i>S8</i>	<i>Natural source(s) or natural event(s)</i>
<i>S9</i>	<i>Winter sanding of roads</i>
<i>S10</i>	<i>Transport of air pollution originating from sources outside the Member State</i>
<i>S11</i>	<i>Local petrol station</i>
<i>S12</i>	<i>Parking facility</i>
<i>S13</i>	<i>Benzene storage</i>

Form 12 Reasons for individual exceedences: optional additional codes to be defined by the Member State (96/62/EC Article 11(1) (a) (i) and (ii) and 1999/30/EC Annexes I, II, IV and V, 2000/69/EC Annexes I and II)

<i>Reason code</i>	<i>Description</i>

Form 13 Individual exceedences of ozone thresholds (2002/3/EC, Article 10(2b) and Annex III)

- Form 13a Exceedence of ozone information threshold value

<i>Zone code</i>	<i>EoI station code</i>	<i>Month</i>	<i>Day of month</i>	<i>Maximum 1-hour mean ozone concentration ($\mu\text{g}/\text{m}^3$) during exceedence period</i>	<i>Reason code(s)</i>	<i>Starting time of the exceedence period</i>	<i>Total number of exceedence hours</i>	<i>1-hour mean NO₂ concentration ($\mu\text{g}/\text{m}^3$) during maximum ozone concentration</i>

- Form 13b Exceedence of ozone alert threshold value

Zone code	<i>EoI station code</i>	Month	Day of month	Maximum 1-hour mean ozone concentration ($\mu\text{g}/\text{m}^3$) during exceedence period	<i>Reason code(s)</i>	<i>Starting time of the exceedence period</i>	Total number of exceedence hours	1-hour mean NO_2 concentration ($\mu\text{g}/\text{m}^3$) during maximum ozone concentration

- Form 13c Exceedence of ozone long term objective for health protection

Zone code	<i>EoI station code</i>	Month	Day of month	Daily maximum 8-hour mean concentration ($\mu\text{g}/\text{m}^3$)	<i>Reason code(s)</i>

Notes to Form 13:

- (1) For 'Reason code(s)' see Note 5 to Form 11.
- (2) 13a and 13b: An exceedence period is a continuous period on a single calendar day during which a threshold was continuously exceeded. A period cannot include hours of more than a single calendar day. If more than one exceedence period occurs on a calendar day, each period must be reported separately.
- (3) The requirement to report NO_2 measurements is restricted to a minimum of 50% of the O_3 sampling point (Article 9(1) of 2003/3/EC)

Form 14 Exceedence of ozone target values (2002/3/EC, Article 10(2b) and Annex III)

- Form 14a Stations where the ozone target value for human health is exceeded

Zone code	EoI station code	Number of exceedence days per calendar year averaged over three years	If a full and consecutive set of data of 3 year was not used:calendar year(s) taken into account

- Form 14b Stations where the ozone target value for vegetation is exceeded

Zone code	EoI station code	AOT40 (May-July) ($\mu\text{g}/\text{m}^3$) averaged over five years	If a full and consecutive set of data of 5 year was not used: calendar years taken into account (at least 3 year)

Notes to Form 14:

- (1) The data should be consistent with the requirements in Directive 2002/3/EC, Annex I(II), Footnotes b and c. If the three or five year averages could not be determined on the basis of a full and consecutive set of annual data, each year taken into account in the calculation should be indicated in the rightmost column, separated by a semicolon from other years.
- (2) Form 14a: All exceedences of the target value at a station are reported if the total number of exceedences is above the allowed number. If the total number of exceedences at a station is lower than or equal to the allowed number, no exceedences are reported.

Form 15 Annual statistics of ozone (2002/3/EC, Article 10(2b) and Annex III)

Zone code	EoI station code	AOT40 for vegetation protection ($\mu\text{g}/\text{m}^3\cdot\text{h}$)		AOT40 for forest protection ($\mu\text{g}/\text{m}^3\cdot\text{h}$)		Annual average
		Value	Number of valid data	Value	Number of valid data	

Note to Form 15:

The number of valid data for AOT40 refers to the hourly data available in the relevant period (for vegetation protection between 8:00 and 20:00 from May to July, maximum 1104 hours; for forest protection between 8:00 and 20:00 from April-September, maximum 2196 hours).

**Form 16 Annual average concentrations of ozone precursor substances (2002/3/EC
Article 10(2b) and Annex VI)**

- Form 16a Annual average concentrations of recommended volatile organic compounds

	Stations		
EoI station code			
Ethane			
Ethylene			
Acetylene			
Propane			
Propene			
n-Butane			
i-Butane			
1-Butene			
trans-2-Butene			
cis-2-Butene			
1.3-Butadiene			
n-Pentane			
i-Pentane			
1-Pentene			
2-Pentene			
Isoprene			
n-Hexane			
i-Hexane			
n-Heptane			
n-Octane			
i-Octane			
Benzene			
Toluene			
Ethyl benzene			

m+p-Xylene			
o-Xylene			
1,2,4-Trimeth.benzene			
1,2,3-Trimeth.benzene			
1,3,5-Trimeth.benzene			
Formaldehyde			
Total non-methane hydrocarbons			

- Form 16b Annual average concentrations of other ozone precursor substances

	Stations		
EoI station code			

Notes to Form 16:

- (1) In the first line of Form 16a the Member State should report the EoI station codes and in the following lines the annual average concentration of ozone precursor substances assessed under Directive 2002/3/EC Article 9(3).
- (2) For ozone precursor substances other than those described in Form 16a and assessed under Directive 2002/3/EC Article 9(3), the Member State should fill in Form 16b following the structure of Form 16a, indicating these other substances in the first column.
- (3) Whereas reporting obligations of ozone precursor substances must include “appropriate volatile organic compounds”, the list presented in Form 16a is only a recommendation according to Annex VI of Directive 2002/3/EC.
- (4) Concentrations that have been reported under the Exchange of Information Decision 97/101/EC should not be reported in Form 16.

Form 17 Monitoring data on 10 minutes mean SO₂ levels (1999/30/EC Article 3(3))

<i>EoI</i> station code	The number of concentrations averaged over 10 minutes which have exceeded 500 µg/m ³	The number of days within the calendar year on which such exceedences occurred	The number of the days referred to in the previous column, on which hourly concentrations of sulphur dioxide simultaneously exceeded 350 µg/m ³	The maximum concentration averaged over 10 minutes recorded (µg/m ³)	Date on which the maximum concentration occurred	
					Month	Day of month

Note to Form 17:

Where it is not practicable for a Member State to record data on concentrations of sulphur dioxide averaged over 10 minutes this form does not have to be completed.

Form 18 Monitoring data on 24hr mean PM_{2,5} levels (1999/30/EC Article 5(2))

<i>EoI</i> station code	Arithmetic mean (µg/m ³)	Median (µg/m ³)	98 percentile (µg/m ³)	Maximum concentration (µg/m ³)

Form 19 Tabular results of and methods used for supplementary assessment (1999/30/EC Article 7(3) and Annex VIII(II), 2000/69/EC Article 5(3) and Annex VI(II) and 2002/3/EC Article 9(1) and Annex VII(II))

- Form 19a Results of and methods used for supplementary assessment for SO₂

Zone code	Above LV for health (1hr mean)				Above LV for health (24hr mean)				Above LV for ecosystems (annual mean)				Above LV for ecosystems (winter mean)			
	Area		Population exposed		Area		Population exposed		Area		Ecosystem area exposed		Area		Ecosystem area exposed	
	km ²	Method	Number	Method	km ²	Method	Number	Method	km ²	Method	km ²	Method	km ²	Method	km ²	Method

- Form 19b Results of and methods used for supplementary assessment for NO₂/NO_x

Zone code	Above LV for health (1hr mean)						Above LV for health (annual mean)						Above LV for vegetation			
	Area		Road length		Population exposed		Area		Road length		Population exposed		Area		Vegetation area exposed	
	km ²	Method	km	Method	Number	Method	km ²	Method	km	Method	Number	Method	km ²	Method	km ²	Method

- Form 19c.1 Results of and methods used for supplementary assessment for PM₁₀ (Stage 1)

<i>Zone code</i>	<i>Above LV (24hr mean)</i>						<i>Above LV (annual mean)</i>					
	<i>Area</i>		<i>Road length</i>		<i>Population exposed</i>		<i>Area</i>		<i>Road length</i>		<i>Population exposed</i>	
	<i>km²</i>	<i>Method</i>	<i>km</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>	<i>km²</i>	<i>Method</i>	<i>km</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>

- Form 19c.2 Results of and methods used for supplementary assessment for PM₁₀ (Stage 2)

<i>Zone code</i>	<i>Above LV (24hr mean)</i>						<i>Above LV (annual mean)</i>					
	<i>Area</i>		<i>Road length</i>		<i>Population exposed</i>		<i>Area</i>		<i>Road length</i>		<i>Population exposed</i>	
	<i>km²</i>	<i>Method</i>	<i>km</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>	<i>km²</i>	<i>Method</i>	<i>km</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>

- Form 19d Results of and methods used for supplementary assessment for lead

<i>Zone code</i>	<i>Above LV</i>					
	<i>Area</i>		<i>Road length</i>		<i>Population exposed</i>	
	<i>km²</i>	<i>Method</i>	<i>km</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>

- Form 19e Results of and methods used for supplementary assessment for benzene

<i>Zone code</i>	<i>Above LV</i>					
	<i>Area</i>		<i>Road length</i>		<i>Population exposed</i>	
	<i>km²</i>	<i>Method</i>	<i>km</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>

- Form 19f Results of and methods used for supplementary assessment for carbon monoxide

<i>Zone code</i>	<i>Above LV</i>					
	<i>Area</i>		<i>Road length</i>		<i>Population exposed</i>	
	<i>km²</i>	<i>Method</i>	<i>km</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>

- Form 19g Results of and methods used for supplementary assessment for ozone

<i>Zone code</i>	<i>Above TV for health</i>				<i>Above LTO for health</i>				<i>Above TV for ecosystems</i>				<i>Above LTO for ecosystems</i>			
	<i>Area</i>		<i>Population exposed</i>		<i>Area</i>		<i>Population exposed</i>		<i>Area</i>		<i>Ecosystem area exposed</i>		<i>Area</i>		<i>Ecosystem area exposed</i>	
	<i>km²</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>	<i>km²</i>	<i>Method</i>	<i>Number</i>	<i>Method</i>	<i>km²</i>	<i>Method</i>	<i>km²</i>	<i>Method</i>	<i>km²</i>	<i>Method</i>	<i>km²</i>	<i>Method</i>

Notes to Form 19:

- (1) 'Method' is a code defined by the Member State that refers to a separate list of references (Form 20) on publications or reports in which the supplementary method is documented. Form 20 is part of the report to the Commission; the publications or reports referred to are not to be sent to the Commission.

- (2) Form 19 can be complemented by maps showing concentration distributions. It is recommended that the Member State, if possible, compiles maps showing concentration distributions within each zone and agglomeration. It is recommended to provide concentration iso-lines of the parameters in which the air quality thresholds are expressed (see Table 3) using iso-lines at intervals of 10% of the threshold.
- (3) The information should refer to the appropriate averaging period for the long term objectives (1 year), the target value for health (3 years) and the target value for vegetation (5 years).

Table 3 Statistical parameters to be used in concentration maps

<i>Pollutant</i>	<i>Parameters</i>
<i>SO₂</i>	<i>99.7 percentile of 1h means; 98.9 percentile of 24h means; annual mean; winter mean</i>
<i>NO₂</i>	<i>99.8 percentile of 1h means</i>
<i>NO₂/NO_x</i>	<i>Annual mean</i>
<i>PM₁₀</i>	<i>90.1 percentile of 24h means (stage 1); 97.8 percentile of 24h means (stage 2)</i>
<i>PM₁₀ and PM_{2,5}</i>	<i>Annual mean</i>
<i>Lead</i>	<i>Annual mean</i>
<i>Benzene</i>	<i>Annual mean</i>
<i>Carbon monoxide</i>	<i>Maximum daily 8-hour mean</i>
<i>Ozone</i>	<i>92.9 percentile of daily 8-hour means averaged over the last 3 years; maximum daily 8-hour mean in reference year; AOT40 (May to July) averaged over the last 5 years</i>

**Form 20 List of references to supplementary assessment methods referred to in Form 19
(1999/30/EC Article 7(3) and Annex VIII(II))**

<i>Method</i>	<i>Full reference</i>

Form 21 Exceedence of limit values of SO₂ due to natural sources (1999/30/EC Article 3(4))**- Form 21a SO₂ limit value for health (1hr mean)**

<i>Zone</i>	<i>EoI station code</i>	<i>Number of exceedences measured</i>	<i>Natural source code(s)</i>	<i>Estimated number of exceedences after subtraction of natural contribution</i>	<i>Reference to justification</i>

- Form 21b SO₂ limit value for health (24hr mean)

<i>Zone</i>	<i>EoI station code</i>	<i>Number of exceedences measured</i>	<i>Natural source code(s)</i>	<i>Estimated number of exceedences after subtraction of natural contribution</i>	<i>Reference to justification</i>

- Form 21c SO₂ limit value for ecosystems (annual mean)

Zone	EoI station code	Annual mean concentration	Natural source code(s)	Estimated annual mean concentration after subtraction of natural contribution	Reference to justification

- Form 21d SO₂ limit value for ecosystems (winter mean)

Zone	EoI station code	Winter mean concentration	Natural source code(s)	Estimated annual mean concentration after subtraction of natural contribution	Reference to justification

Note to Form 21:

The natural source can be indicated by one or several standard codes provided by this questionnaire (see Table 4) or a code defined by the Member State that refers to a separate list of natural sources described by the Member State (Form 22).

Table 4 Natural SO₂ sources: standard codes

Natural source code	Description
A1	Volcanism inside the Member State
A2	Volcanism outside the Member State
B	Coastal wetlands
C1	Natural fires inside the Member State
C2	Natural fires outside the Member State

**Form 22 Natural SO₂ sources: optional additional codes to be defined by Member State
(1999/30/EC Article 3(4))**

<i>Natural source code</i>	<i>Description</i>

**Form 23 Exceedence of limit values of PM₁₀ due to natural events
(1999/30/EC Article 5(4))**

**- Form 23a Contribution of natural events to exceedence of the PM₁₀ limit value
(stage 1; 24hr mean)**

<i>Zone</i>	<i>EoI station code</i>	<i>Number of exceedences measured</i>	<i>Natural event code(s)</i>	<i>Estimated number of exceedences after subtraction of natural contribution</i>	<i>Reference to justification</i>

**- Form 23b Contribution of natural events to exceedence of the PM₁₀ limit value
(stage 1; annual mean)**

<i>Zone</i>	<i>EoI station code</i>	<i>Annual mean concentration</i>	<i>Natural event code(s)</i>	<i>Estimated annual mean concentration after subtraction of natural contribution</i>	<i>Reference to justification</i>

Note to Form 23:

The natural event can be indicated by one or several standard codes provided by this questionnaire (see Table 5).

Table 5 Natural events causing limit value exceedences for PM₁₀: standard codes

<i>Natural event code</i>	<i>Description</i>
<i>A1</i>	<i>Volcanic eruption inside the Member State</i>
<i>A2</i>	<i>Volcanic eruption outside the Member State</i>
<i>B1</i>	<i>Seismic activity inside the Member State</i>
<i>B2</i>	<i>Seismic activity outside the Member State</i>
<i>C1</i>	<i>Geothermal activity inside the Member State</i>
<i>C2</i>	<i>Geothermal activity outside the Member State</i>
<i>D1</i>	<i>Wild-land fire inside the Member State</i>
<i>D2</i>	<i>Wild-land fire outside the Member State</i>
<i>E1</i>	<i>High wind event inside the Member State</i>
<i>E2</i>	<i>High wind event outside the Member State</i>
<i>F1</i>	<i>Atmospheric resuspension inside the Member State</i>
<i>F2</i>	<i>Atmospheric resuspension outside the Member State</i>
<i>G1</i>	<i>Transport of natural particles from dry regions inside the Member State</i>
<i>G2</i>	<i>Transport of natural particles from dry regions outside the Member State</i>

**Form 24 Exceedence of limit values of PM₁₀ due to winter sanding
(1999/30/EC Article 5(5))**

**- Form 24a Contribution of winter sanding to exceedence of the PM₁₀ limit value
(stage 1; 24hr mean)**

Zone	EoI station code	Number of exceedences measured	Estimated number of exceedences after subtraction of winter sanding contribution	Reference to justification

**- Form 24b Contribution of winter sanding to exceedence of the PM₁₀ limit value
(stage 1; annual mean)**

Zone	EoI station code	Annual mean	Estimated annual mean concentration after subtraction of winter sanding contribution	Reference to justification

Form 25 Consultations on transboundary pollution (96/62/EC Article 8(6))

- Form 25a General

<i>Has the Member State consulted other Member States on significant air pollution originating in other Member States? Please tick with 'y' if yes or 'n' if no:</i>	<i>(y or n)</i>
--	-----------------

- Form 25b Specification per Member State

If yes, please:	A T	B E	C Y	C Z	D E	D K	E E	E S	FI	F R	G R	H U	IE	IT	L T	L U	L V	M T	N L	P L	P T	S E	S K	SI	U K
– tick the MS or country concerned																									
– tick if the agenda(s) of the consultations has/have been added to this report																									
– tick if the minutes of the consultations have been added to this report																									

Note to Form 25b:

Tick only if yes, using 'y'.

Form 26 Exceedences of limit values laid down in Directives 80/779/EEC, 82/884/EEC and 85/203/EEC to be reported under 1999/30/EC Article 9(6)

Pollutant	Limit value exceeded	Monitoring method used	<i>EoI station code</i>	Measured value ($\mu\text{g}/\text{m}^3$)	Reason code(s)	Measures taken

Notes to Form 26:

- (1) The numerical value of the limit value exceeded should be indicated in the second column.
- (2) For SO₂ and suspended particulates it should be indicated whether the black-smoke or the gravimetric method was used.
- (3) Identifying the station is not mandatory, but highly recommended.
- (4) The reason for exceedence can be indicated by one or several standard codes provided by this questionnaire (see Table 5) or a code defined by the Member State that refers to a separate list of reasons described by the Member State (Form 27). If more than one reason is indicated, the codes should be separated by a semicolon. The description given by the Member State could also be a reference to a separate document added to the questionnaire.

Form 27 Reasons for exceedences of limit values laid down in Directives 80/779/EEC, 82/884/EEC and 85/203/EEC: optional additional codes to be defined by the Member State (1999/30/EC Article 9(6))

<i>Reason code</i>	<i>Description</i>

COMMISSION DECISION**of 29 April 2004****amending Appendix A to Annex X to the 2003 Act of Accession to include certain establishments in the meat sector in Hungary in the list of establishments in transition***(notified under document number C(2004) 1715)***(Text with EEA relevance)**

(2004/462/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 Slovakia⁵⁰, 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 Slovakia⁵¹, and in particular Annex X, Chapter 5, Section B, point 1, paragraph (d) thereto,

Whereas:

- (1) Annex X, Chapter 5, Section B, point 1, paragraph (a) to the 2003 Act of Accession provides that the 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 meat⁵² are not to apply to establishments in Hungary listed in Appendix A to Annex X to the Act of Accession until 31 December 2006, subject to certain conditions.
- (2) In Hungary, fifteen more high capacity meat establishments have difficulties in complying with the structural requirements laid down in Annex I to Directive 64/433/EEC, by 1 May 2004.
- (3) Accordingly those fifteen establishments need time to finalize their upgrading process in order to be in full compliance with the relevant structural requirements laid down in Directives 64/433/EEC.
- (4) The fifteen 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 short time and have received a favourable opinion from the

⁵⁰ OJ L 236, 23.9.2003, p. 17

⁵¹ OJ L 236, 23.9.2003, p. 33

⁵² OJ 121, 29.7.1964, p. 2012. Directive as last amended by the 2003 Act of Accession.

Hungarian Animal health and Food Control Department, as regards the finalisation of their upgrading process.

- (5) For Hungary, the detailed information regarding the shortcomings for each establishment is available.
- (6) In order to facilitate the transition from the existing regime in Hungary to that resulting from the application of the Community veterinary legislation, it is justified therefore upon the request of Hungary, to grant the fifteen establishments a transitional period.
- (7) Due to the advanced stage of upgrading of the fifteen establishments, the transitional period should be limited to a maximum of 12 months.
- (8) The Standing Committee on the Food Chain and Animal Health has been informed of the measures provided for in this Decision.

HAS ADOPTED THIS DECISION:

Article 1

- (3) The establishments listed in the Annex to this Decision are added to the Appendix A referred to in Chapter 5, Section B, point 1 of Annex X to the 2003 Act of Accession.
- (4) For the establishments listed in the Annex to this Decision the rules foreseen in Annex X, Chapter 5, Section B, point 1, paragraph (b) of the Act of Accession are applicable.

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

No	Veterinary approval number	Name and address of establishment	Sector: Meat			Date of compliance
			Activity of the establishments			
			Fresh meat, Slaughter, Cutting	Meat products	Cold store	
1.	02522	Halász Gábor, Ballószög	x			31.12.2004
2.	02523	Fejes és Társa Kft., Kecel	x			30.05.2004
3.	02524	Zvertyelhús Kft., Kisszállás	x			31.12.2004
4.	03525	Atalante Kft., Kaszaper	x			30.03.2005
5.	04526	Agrár COOP kft, Mezőkövesd	x			30.04.2005
6.	06527	MUR HÚS- M KFt, Martonvásár	x			30.04.2005
7.	06528	Kalória Kft., Szabadbattyány	x			30.04.2005
8.	08529	Hajdú-Hús 2000 Kft., Debrecen	x			31.05.2004
9.	08530	Szoboszlóhús Kft., Hajdúhadház	x			01.08.2004
10.	08531	IMKI-Food Kft., Biharnagybajom	x			01.08.2004
11.	11532	Agro Produkt kft , Pásztó	x			01.11.2004
12.	13533	Carnarium kft, Juta	x			30.04.2005
13.	13534	Kapos-Ternero kft., Hetes	x			30.04.2005
14.	14535	Borkesz Hús kft, Kisvárd	x			31.03.2005
15.	16536	Hús Trió kft, Simontornya	x			30.03.2005

COMMISSION DECISION**of 29 April 2004****amending the Appendix to Annex XIV to the 2003 Act of Accession to include certain establishments in the meat sector in Slovakia in the list of establishments in transition***(notified under document number C(2004) 1730)***(Text with EEA relevant)**

(2004/463/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 Slovakia⁵³, 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 Slovakia⁵⁴, and in particular Annex XIV, Chapter 5, Section B, paragraph (d) thereto,

Whereas:

- (1) Annex XIV, Chapter 5, Section B, paragraph (a) to the 2003 Act of Accession provides that the 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 meat⁵⁵ and 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 origin⁵⁶ are not to apply to establishments in Slovakia listed in the Appendix to Annex XIV to the Act of Accession until 31 December 2006, subject to certain conditions.
- (2) In Slovakia, nine more high capacity meat establishments have difficulties in complying with the structural requirements laid down in Annex I to Directive 64/433/EEC and in Annexes A and B to Directive 77/99/EEC, by 1 May 2004.

⁵³ OJ L 236, 23.9.2003, p. 17

⁵⁴ OJ L 236, 23.9.2003, p. 33

⁵⁵ OJ 121, 29.7.1964, p. 2012. Directive as last amended by the 2003 Act of Accession.

⁵⁶ OJ L 26, 31.1.1977, p. 85. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36.)

- (3) Accordingly those nine establishments need time to finalize their upgrading process in order to be in full compliance with the relevant structural requirements laid down in Directives 64/433/EEC and 77/99/EEC .
- (4) The nine 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 short time and have received a favourable opinion from the Slovak Food and Veterinary Service, as regards the finalisation of their upgrading process.
- (5) For Slovakia, the detailed information regarding the shortcomings for each establishment is available.
- (6) 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 upon the request of Slovakia, to grant the nine establishments a transitional period
- (7) Due to the advanced stage of upgrading of the nine establishments, the transitional period should be limited to a maximum of 12 months.
- (8) The Standing Committee on the Food Chain and Animal Health has been informed of the measures provided for in this Decision,

HAS ADOPTED THIS DECISION:

Article 1

- (1) The establishments listed in the Annex to this Decision are added to the Appendix referred to in Chapter 5, Section B to Annex XIV to the 2003 Act of Accession.
- (2) For the establishments listed in Annex to this Decision, the rules foreseen in Annex XIV, Chapter 5, Section B, paragraph (b) of the Act of Accession are applicable

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

No	Veterinary approval number	Name and address of establishment	Sector: Meat			Date of compliance
			Activity of the establishments			
			Fresh meat, Slaughter, Cutting	Meat products	Cold store	
1.	TN 6-31	Jakub Ilavský, s.r.o. 913 11 Trenč. Stankovce 273	x	x		31.12.2004
2.	TN 6-30	Jakub Ilavský, s.r.o. Sedličná 54 913 11 Trenč. Stankovce 273		x		31.12.2004
3.	PE 6-10	COLAGEN SLOVAKIA, s.r.o. Kúpeľná 193 958 04 Partizánske	x	x		31.03.2005
4.	MI 6-1	Mäso ZEMPLÍN a.s. Užhorodská č. 86 071 01 Michalovce		x		16.04.2005
5.	MY 6-1	Peter Fabuš-FABUŠ Mäsopriemysel Myjava Šimonovičova 481 907 01 Myjava	x	x		15.12.2004
6.	PU 6-1	Púchovský mäsový priemysel a.s. Vsetínska 1354/15 020 39 Púchov	x	x	x	30.04.2005
7.	KN 6-4	JATKA Hurbanovo s.r.o 947 01 Hurbanovo	x	x		30.09.2004
8.	MA 6-30	BERTO-Ignác Bertovič Hlavná 1 900 66 Vysoká pri Morave	x	x		28.02.2005
9.	CA 6-31	K.B.K. spol. s.r.o. A. Hlinku 27 022 01 Čadca		x		15.02.2005

COMMISSION DECISION**of 29 April 2004****adopting a transitional measures in favour of certain animal by-product establishments
in Latvia***(notified under document number C(2004) 1739)***(Text with EEA relevance)**

(2004/464/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) Regulation (EC) No 1774/2002⁵⁷ lays down health rules concerning animal by-products not intended for human consumption. It provides for structural requirements to be applied in establishments treating Category 1, 2 and 3 material;
- (2) In order to facilitate the transition from the existing regime in Latvia to that resulting from the application of the Community veterinary legislation, transitional measures foreseen in Annex VIII to the Act of Accession provide for supplementary time for establishments to correct their structural shortcomings, but limit the activities of the said establishments to the processing of category 3 material as defined in Regulation (EC) No 1774/2002;
- (3) Commission Decision 2004/.../EC⁵⁸ amending the Appendix B to Annex VIII to the 2003 Act of Accession to include certain animal by-products establishments in Latvia in the list of establishments in transition has included six additional establishments to the list in the Appendix;

⁵⁷ OJ L 273, 10.10.2002, p. 1.

⁵⁸ C(2004)1737.

- (4) For those establishments, and one establishment already listed, it appears appropriate to derogate from the activity limitation in order to avoid in particular the negative sanitary consequences which could emerge if the establishments were to suspend their activities;
- (5) 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;
- (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

By derogation to Annex VIII, Chapter 4, Section B, Subsection I, point 2, paragraph (b) to the Act of Accession, the establishments listed in the Annex to this Decision may continue to process category 1 or category 2 material as defined in Regulation (EC) No 1774/2002, as specified in the Annex, and until the 31 December 2004 at the latest.

Article 2

This Decision shall apply subject to and as from the date of 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

	Veterinary approval number	Name and address of establishment	Category of material authorised to be treated		Date of compliance
			Category 1	Category 2	
1.	018409	Balticovo, Holding company Iecavas parish, Bauskas district, LV - 3913		X	31.12.2004
2.	018675	GP Adazi, Holding company Adazu parish, Rigas district, LV - 2164	x	X	31.12.2004
3.	D18728	R- Soft Razotajs LTD "Abava", Pures parish, Tukuma district, LV - 3124			31.12.2004
4.	018674	Putnu fabrika "Kekava" Holding company Kekavas parish, Rigas district LV - 2123		X	31.12.2004
5.	018191	Saldus galas kombinats LTD Saldus parish, Saldus district, LV - 3862	x	X	31.12.2004
6.	019196	Lielzeltini LTD Ceraukstes parish, Bauskas district, LV - 3908		X	31.12.2004
7.	007525	Trials Valmiera SH sub.branch LTD Rupniecibas street 1, Valmiera, LV - 4201	x	X	31.12.2004