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EN

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

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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2290/2000

of 9 October 2000

establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Bulgaria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part [1], provides for certain concessions for certain agricultural products originating in Bulgaria.

(2) Improvements to the preferential agreements of the Europe Agreement with Bulgaria were provided for in the Protocol adjusting trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture including improvements to the existing preferential arrangements [2]. The Council approved the abovementioned Protocol on behalf of the Community by Decision 1999/278/EC [3].

(3) In accordance with the directives adopted by the Council on 30 March 1999, the Commission and Bulgaria concluded on 18 May 2000 negotiations on a new Additional Protocol to the Europe Agreement.

(4) The new Additional Protocol, which provides for additional agricultural concessions, will be based on Article 21(5) of the Europe Agreement, establishing that the Community and Bulgaria are to examine in the Association Council, product by product and on an orderly and reciprocal basis, the possiiblity of granting each other further concessions.

(5) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of a new Additional Protocol to the Europe Agreement with Bulgaria.

(6) It is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Europe Agreement with Bulgaria.

(7) Bulgaria will also undertake all the necessary legislative provisions, on an autonomous and transitional basis, in order to implement simultaneously the commitments made by Bulgaria as a result of the conclusion of the negotiations.

(8) The measures necessary for the implementation of this Regulation should be in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [4].

(9) Commission Regulation (EC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code [5] codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations,

HAS ADOPTED THIS REGULATION:

Article 1

1. The arrangements for import into the Community applicable to certain agricultural products originating in Bulgaria as set out in Annexes A(a) and A(b) to this Regulation shall replace those set out in Annex X to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part.

[1] OJ L 358, 31.12.1994, p. 3.
[2] OJ L 112, 29.4.1999, p. 3.
[3] OJ L 112, 29.4.1999, p. 1.
[4] OJ L 184, 17.7.1999, p. 23.
[5] OJ L 253, 11.10.1993, p. 1. Regulation at last amended by Commission Regulation (EC) No 1662/1999 (OJ L 197, 29.7.1999, p. 25).

2. On the entry into force of the new Additional Protocol adjusting the Europe Agreement referred to in paragraph 1, the concessions provided for in that Protocol shall replace those referred to in Annexes A(a) and A(b) to this Regulation.

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 3(2).

Article 2

1. Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

2. Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2000 under the concessions provided for in Annex X to the Europe Agreement in accordance with the provisions of Council Regulation (EC) No 3066/95 [1] before the entry into force of this Regulation shall be fully counted against the quantities provided for in the Annex A(b) to this Regulation.

Article 3

1. The Commission shall be assisted by the committee instituted by Article 23 of Council Regulation (EEC) No 1766/92 on the common organisation of the market in cereals [2], or, where appropriate, the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets, hereinafter referred to as the 'Committee'.

2. Where reference is made to this paragraph, the procedure laid down in Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

Article 4

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

It shall apply from 1 July 2000.

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

Done at Luxembourg, 9 October 2000.

For the Council

The President

H. VÉDRINE

[1] OJ L 328, 30.12.1995, p. 31. Regulation at last amended by Council Regulation (EC) No 2435/1998 (OJ L 303, 13.11.1998, p. 1).

[2] OJ L 181, 1.7.1992, p. 21.

ANNEX A(a)

Customs duties on imports applicable in the Community to products originating in Bulgaria and listed below shall be abolished

CN codes [1]	CN codes [1]	CN codes [1]	CN codes [1]	CN codes [1]
0101 20 10	0604 91 29	0807 19 00	1209 91 10	1513 29 19
0104 20 10	0604 91 41	0808 20 90	1209 91 90	1513 29 30
0106 00 10	0604 91 49	0810 40 30	1209 99 91	1513 29 50
0106 00 20	0604 91 90	0810 40 50	1209 99 99	1513 29 91
	0604 99 90	0810 40 90	1210 10 00	1513 29 99
0205 00 11		0810 50 00	1210 20 10	1514 10 10
0205 00 19	0701 10 00	0810 90 85	1210 20 90	1514 10 90
0205 00 90	0701 90 10	0811 90 70	1212 10 10	1514 90 10
0206 80 91	0703 10 11	0811 90 85	1212 10 99	1514 90 90
0206 90 91	0703 10 19	0812 10 00	1214 90 10	1515 11 00
0207 27 91	0703 10 90	0812 90 40		1515 19 10
0207 35 91	0703 20 00	0812 90 50	1302 19 05	1515 19 90
0207 36 89	0703 90 00	0812 90 60		1515 21 10
0208 10 11	0708 10 00	0812 90 95	1502 00 90	1515 21 90
0208 10 19	0709 51 30	0813 10 00	1503 00 19	1515 29 10
0208 20 00	0709 51 50	0813 20 00	1503 00 90	1515 29 90
0208 90 10	0709 51 90	0813 30 00	1504 10 10	1515 30 90
0208 90 50	0709 52 00	0813 40 10	1504 10 99	1515 50 11
0208 90 60	0709 60 99	0813 40 30	1504 20 10	1515 50 19
0208 90 80	0709 90 40	0813 40 95	1504 30 10	1515 50 91
0210 90 10	0709 90 50	0813 50 15	1507 10 10	1515 50 99
0210 90 79	0710 80 59	0813 50 19	1507 10 90	1515 90 29
	0711 10 00	0813 50 39	1507 90 10	1515 90 39
0407 00 90	0711 30 00	0813 50 91	1507 90 90	1515 90 40
0410 00 00	0711 90 10	0813 50 99	1508 10 90	1515 90 51
	0711 90 70	0814 00 00	1508 90 10	1515 90 59
0601 10 10	0712 20 00		1508 90 90	1515 90 60
0601 10 20	0712 90 05	0901 12 00	1509 10 10	1515 90 91
0601 10 30	0712 90 50	0901 21 00	1509 10 90	1515 90 99
0601 10 40	0712 90 90	0901 22 00	1509 90 00	1516 20 95
0601 10 90	0713 50 00	0902 10 00	1510 00 10	1516 20 96
0601 20 30	0713 90 10	0904 12 00	1510 00 90	1516 20 98
0601 20 90	0713 90 90	0904 20 10	1511 10 90	1518 00 31
0602 10 90	0714 20 10	0904 20 90	1511 90 11	1518 00 39
0602 20 90	0714 20 90	0905 00 00	1511 90 19	1522 00 91
0602 30 00	0714 90 90	0907 00 00	1511 90 91	
0602 40 10		0910 20 90	1511 90 99	1602 31 11
0602 40 90	0802 12 90	0910 40 13	1512 11 99	1602 31 19
0602 90 10	0802 21 00	0910 40 19	1512 19 99	1602 31 30
0602 90 30	0802 22 00	0910 40 90	1512 21 10	1602 31 90
0602 90 41	0802 31 00	0910 91 90	1512 21 90	
0602 90 45	0802 32 00	0910 99 99	1512 29 10	2001 90 20
0602 90 49	0802 40 00		1512 29 90	2005 70 10
0602 90 51	0802 50 00	1006 10 10	1513 11 10	2005 70 90
0602 90 59	0802 90 50	1007 00 10	1513 11 91	2005 90 10
0602 90 70	0802 90 60		1513 11 99	2008 19 11
0602 90 91	0802 90 85	1106 10 00	1513 19 11	2008 19 13
0602 90 99	0804 20 10	1106 30 90	1513 19 19	2008 19 51
0603 10 10	0804 20 90		1513 19 30	2008 19 59
0603 10 20	0806 20 11	1208 10 00	1513 19 91	2008 92 72
0603 10 30	0806 20 12	1209 11 00	1513 19 99	2009 11 19
0603 10 40	0806 20 18	1209 19 00	1513 21 11	2009 19 19
0603 10 50	0806 20 91	1209 21 00	1513 21 19	2009 20 19
0603 10 80	0806 20 92	1209 23 80	1513 21 30	2009 30 19
0603 90 00	0806 20 98	1209 29 50	1513 21 90	2009 40 19
0604 10 90	0807 11 00	1209 29 80	1513 29 11	
0604 91 21		1209 30 00		2302 50 00
				2306 90 19
				2308 90 90

[1] As defined in Commission Regulation (EC) No 2204/1999 of 12 October 1999, amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, OJ L 278, 28 October 1999.

ANNEX A(b)

Imports into the Community of the following products originating in Bulgaria shall be subject to the concessions set out below.

(MFN = most favoured nation duty)

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
	0101 19 90	Live horses, other than for slaughter	67	Unlimited		
09.4598	0102 90 05	Live bovine animals of a live weight not exceeding 80 kg	20	178 000 head	0	(3)
09.4537	0102 90 21 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of a live weight exceeding 80 kg but not exceeding 300 kg	20	153 000 head	0	(3)
09.4563	ex 0102 90	Heifers and cows not for slaugther of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % *ad valorem*	7 000 head	0	(4)
09.4575	0104 10 30 0104 10 80 0104 20 90	Live sheep or goats	free	7 000	0	(5)
	0204	Meat of sheep or goats				
09.4651	0201 0202	Meat of bovines, fresh, chilled or frozen	20	250	0	
09.4671	ex 0203	Meat of domestic swine, fresh, chilled or frozen	free	1 500	500	(6), (9)
	0210 11 0210 12 0210 19	Meat of swine, salted, in brine, dried or smoked				
	1601 00	Sausages and similar products				
	1602 41 1602 42 1602 49	Prepared or preserved meat, meat offal or blood of swine				
09.4672	ex 0207	Meat and edible offal, of the poultry of heading No 0105, excluding 0207 27 91, 0207 35 91, 0207 36 89	free	6 050	0	
09.4660	0406	Cheese and curd	free	5 500	300	(9)
09.4656	0408 91 80 0408 99 80	Whole eggs, dried Other whole eggs, not in shell	20	750	0	
09.5561	0409 00 00	Natural honey	free	3 000	0	
09.6223	0701 90 50 0701 90 90	Potatoes	free 20	3 125	0	

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
09.6225	0702 00 00	Tomatoes	free	6 250	100	(8), (9)
09.6231	ex 0707 00 05 0707 00 90	Cucumbers, from 1 November to 15 May Gherkins	20	8 375	0	(8)
	ex 0707 00 05	Cucumbers, from 16 May to 31 October	80	unlimited		(8)
09.6233	0709 60 10	Sweet peppers	free	2 000	0	
	ex 0709 30 00	Aubergines, from 1 January to 31 March	56	unlimited		
	ex 0709 40 00	Celery, other than celeriac, from 1 January to 31 March	56			
	ex 0709 90 90	Other, except parsley, from 1 January to 31 March	56			
09.6161	0710 21 00 0710 22 00 0710 29 00 0710 80 51 0710 80 69 0710 80 85 0710 80 95	Frozen vegetables	free	4 000	0	
	0711 40 00	Cucumbers and gherkins	80	unlimited		
09.4725	0711 90 40 2003 10 20 2003 10 30	Mushrooms of the genus *Agaricus*	8,4 % *ad valorem*	1 750	0	
	ex 0712 30 00	Mushrooms, except cultivated mushrooms	37	unlimited		
09.6245	0806 10	Fresh grapes	20	625	0	(8)
09.6247	0808 10	Apples	free	1 125	400	(8), (9)
09.6249	0808 20 10 0808 20 50	Pears	20	3 125	0	(8) (8)
09.6253	0809 10 00	Abricots	20	750	0	(8)
	0809 20 05	Sour cherries	73	unlimited		(8)
09.5731	0809 20	Cherries	free	1 000	0	(8)
09.6255	0809 30	Peaches	20	1 000	0	(8)
09.6162	0809 40 05	Plums	free	9 375	0	(8)
	0809 40 90	Sloes	47	unlimited		
09.6261	0810 10 00	Strawberries	20	2 090	0	(7)
	0810 20 10 0810 30 10 0810 30 30	Raspberries Blackcurrants Redcurrants	41 41 41	unlimited		(7) (7) (7)

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
	0811 10 90	Strawberries	36	unlimited		(7)
	0811 20 31	Raspberries	39			(7)
	0811 20 59	Blackberries and mulberries	53			
	0811 20 90	Other berries	33			
	0811 90 50	Bilberries	47			
	ex 0811 90 95	Quinces	56			
09.5573	0812 90 10	Apricots, provisionally preserved	20	1 250	0	
09.4663	1001 90 99	Common wheat	20	2 750	0	
09.4664	1008 20 00	Millet	20	1 750	0	
09.6275	1512 11 91 1512 19 91	Sunflower-seed oil	free	500	0	
	1602 20 11	Goose or duck liver	69	unlimited		
	1602 20 19		69			
09.6277	1602 32 1602 39	Prepared or preserved meat of poultry	free	1 000	0	
09.6279	2001 10 00	Cucumbers, preserved	20	3 125	0	
09.6281	2002	Preserved or prepared tomatoes	free	16 500	200	(9)
09.5545	2003 10 20 2003 10 30	Mushrooms of the genus '*Agaricus*'	free	375	0	
09.5615	2003 10 80	Mushrooms, prepared or preserved otherwise than by vinegar or acetic acid	free	250	0	
	2007 99 10	Plum purée and paste	86	unlimited		(8)
	2007 99 31	Cherry jam	83			
09.6285	2007 99 33	Strawberry jam	20	250	0	(8)
	ex 2007 99 39	Fruit preparations, with sugar content >30 % by weight. Fruits within heading Nos 0801, 0803, 0804 (except figs and pineapples), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90	27	unlimited		(8)
	ex 2007 99 58	Fruit preparations, with sugar content exceeding 13 % but not exceeding 30 % by weight. Fruits within heading Nos 0801, 0803, 0804 (except figs and pineapples), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90				
	2007 99 93	Of tropical fruits				
	ex 2007 99 98	Other. Fruits within heading Nos 0801, 0803, 0804 (except figs and pineapples), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90				

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
09.6287	2008 50 71 2008 50 79 2008 50 92 2008 50 94	Apricots, preserved	20	500	0	
	2008 60 61	Sour cherries, containing added sugar, in immediate packing of a net content not exceeding 1 kg	70	unlimited		
09.6289	2008 60 69	Cherries, preserved	20	125	0	
09.6291	2008 70 79	Peaches, preseved	20	750	0	
09.6293	2008 80 70	Strawberries, preserved	20	650	0	
09.6295	2008 99 55	Plums, preserved	20	250	0	
09.6297	2009 70 19	Apple juice, concentrated, other	20	5 500	0	
	2009 70 30 2009 70 93 2009 70 99	Apple juice of a density not exceeding 1,33 g/cm³ at 20 °C	48	unlimited		
09.4658	2309 90 31 2309 90 41	Preparations of a kind used in animal feeding	20	3 500	0	
09.6299	2401 10 60 2401 10 70 2401 20 60 2401 20 70	Tobacco	20	7 500	0	

(1) Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(3) The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic. Where it appears likely that total Community imports of live bovine animals may exceed 500 000 head in a given marketing year the Community may take the management measures needed to protect its market, not withstanding any other rights given under the Agreement.

(4) The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic.

(5) The Community may take into account, in the framework of its legislation and when appropriate, the supply needs of its market and the need to maintain its market balance.

(6) Excluding tenderloin presented alone.

(7) Subject to minimum import price arrangements contained in the Annex to the present Annex.

(8) The reduction applies only to the *ad valorem* part of the duty.

(9) This concession is only applicable to products not benefiting from any kind of export subsidies.

Annex to Annex A(b)

Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed as follows for the following products for processing originating in Bulgaria:

CN Code	Description	Minimum import price (EUR/100 kg net)
ex 0810 10 00	Strawberries, fresh, intended for processing	51,4
ex 0810 20 10	Raspberries, fresh, intended for processing	63,1
ex 0810 30 10	Blackcurrants, fresh, intended for processing	38,5
ex 0810 30 30	Redcurrants, fresh, intended for processing	23,3
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit	75,0
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: other	57,6
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	99,5
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: other	79,6

2. The minimum import prices, as set out in point 1, will be respected on a consignment by consignment basis. In the case of a customs declaration value being lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.

3. If the import prices of a given product covered by this Annex show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the European Commission will inform the Bulgarian authorities in order to enable them to correct the situation.

4. At the request of either the Community or Bulgaria, the Association Committee shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Committee shall take the necessary decisions.

5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting will be organised three months before the beginning of each marketing year in the European Community. This consultation meeting will take place between the European Commission and the interested European producers' organisations for the products concerned, of the one part, and the authorities', producers' and exporters' organisations of all the associated exporting countries, of the other part.

   During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities to adapt supply to demand, will be discussed.

COMMISSION REGULATION (EC) No 2291/2000

of 16 October 2000

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 October 2000.

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

Done at Brussels, 16 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 337, 24.12.1994, p. 66.
[2] OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 16 October 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	052	107,2
	999	107,2
0707 00 05	052	94,1
	628	139,3
	999	116,7
0709 90 70	052	79,6
	999	79,6
0805 30 10	052	70,6
	388	57,1
	524	55,0
	528	61,8
	999	61,1
0806 10 10	052	96,5
	064	81,9
	400	223,4
	632	44,3
	999	111,5
0808 10 20, 0808 10 50, 0808 10 90	039	84,3
	388	55,5
	400	58,4
	800	169,1
	999	91,8
0808 20 50	052	94,6
	064	59,3
	999	76,9

(1) Country nomenclature as fixed by Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 2292/2000
of 16 October 2000
closing an invitation to tender for the supply of fishery products as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

By Regulation (EC) No 2018/2000 [2], the Commission issued an invitation to tender for the supply of fishery products as food aid. The conditions of the supply, as regards lot A should be reviewed and the invitation to tender for this lot should consequently be closed,

HAS ADOPTED THIS REGULATION:

Article 1

For lot A of the Annex to Regulation (EC) No 2018/2000 the invitation to tender is closed.

Article 2

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

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

Done at Brussels, 16 October 2000.

For the Commission
Franz FISCHLER
Member of the Commission

[1] OJ L 166, 5.7.1996, p. 1.
[2] OJ L 241, 26.9.2000, p. 34.

COMMISSION REGULATION (EC) No 2293/2000

of 16 October 2000

setting the maximum amount of compensatory aid resulting from the conversion rates for the Swedish krona and the pound sterling applicable on 1 August 2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro [1], and in particular Article 5(2) thereof,

Whereas:

(1) Article 5(1) of Regulation (EC) No 2799/98 provides that compensatory payments may be made in cases where the exchange rate applicable on the date of the operative event is below that previously applicable. However, that provision is not applicable to amounts to which a rate lower than the new rate was applicable during the 24 months immediately before the new rate took effect.

(2) The exchange rates for the Swedish krona and the pound sterling applicable on the operative event date of 1 August 2000 were lower than those previously applicable.

(3) The compensatory aid is to be determined and paid in accordance with Regulation (EC) No 2799/98 and Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture [2], as amended by Regulation (EC) No 1410/1999 [3].

(4) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum amounts of the first tranche of compensatory aid which may be paid as a result of the reduction recorded on the operative event date of 1 August 2000 in the exchange rates for the Swedish krona and the pound sterling compared to the exchange rates previously applicable are listed in the Annex.

Article 2

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

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

Done at Brussels, 16 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 349, 24.12.1998, p. 1.

[2] OJ L 349, 24.12.1998, p. 36.

[3] OJ L 164, 30.3.1999, p. 53.

ANNEX

Maximum amounts of the first tranche of compensatory aid expressed in million EUR

Measures		Sweden	United Kingdom
Type	Regulation		
Per hectare aid, fibre flax	(EEC) No 1308/70	0,003992	0,748098
Production aid, hemp	(EEC) No 1308/70	0	0,102258

COMMISSION REGULATION (EC) No 2294/2000

of 16 October 2000

derogating from Article 31(10) of Council Regulation (EC) No 1255/1999 on the common organisation of the market in milk and milk products as regards proof of arrival at destination in the case of differentiated refunds and laying down detailed rules for the application of the lowest export refund rate for certain milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], as last amended by Regulation (EC) No 1670/2000 [2], and in particular Article 31(10) and (14) thereof,

Whereas:

(1) The third indent of Article 31(10) of Regulation (EC) No 1255/1999 stipulates that in the case of differentiated refunds the refund is to be paid on presentation of proof that the products have reached the destination indicated on the licence or another destination for which a refund was fixed. Exceptions to that rule are possible provided that conditions are laid down offering equivalent guarantees.

(2) In the event that export refunds are differentiated according to destination, Article 18(1) and (2) of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products [3], as amended by Regulation (EC) No 1557/2000 [4], stipulates that part of the refund, calculated using the lowest rate for the refund, is to be paid on application by the exporter once proof is furnished that the product has left the customs territory of the Community.

(3) Under special arrangements with certain third countries, the refund rate applicable to the export of certain milk products to those countries may be lower, in some cases by a large amount, than the refund normally applied. It is also possible that a refund may not be fixed so the lowest rate of the refund is also the result of the lack of fixing of a refund.

(4) Article 20a(8) of Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products [5], as last amended by Regulation (EC) No 1961/2000 [6], provides for a differentiation of the refund for certain milk powders falling within Combined Nomenclature code 0402 intended for export to the Dominican Republic.

(5) The special arrangements for exports to the Dominican Republic of certain products which may benefit from special treatment on import into that country guarantee that products to which a refund has been applied intended for other destinations or for that destination but outside the special arrangements, may not be imported into the Dominican Republic under the special arrangements laid down in the Memorandum of Understanding between the European Community and the Dominican Republic.

(6) Those special arrangements must therefore be taken into account when applying the above provisions of Regulations (EC) No 1255/1999 and (EC) No 800/1999 so that exporters are not burdened with unnecessary costs in their trade with third countries. To that end, when the lowest refund rate is determined, no account is to be taken of the rates fixed under the conditions and for the particular destination in question.

(7) The tariff quota for the destination Dominican Republic applies from 1 July 2000 so operators should be allowed to benefit from that derogation from the same date.

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

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from the third indent of Article 31(10) of Regulation (EC) No 1255/1999 and without prejudice to Article 20a(14) of Regulation (EC) No 174/1999, proof of arrival at destination shall not be required for the products referred to in Article 20a(3) and (11) of Regulation (EC) No 174/1999.

[1] OJ L 160, 26.6.1999, p. 48.
[2] OJ L 193, 29.7.2000, p. 10.
[3] OJ L 102, 17.4.1999, p. 11.
[4] OJ L 179, 18.7.2000, p. 6.
[5] OJ L 20, 27.1.1999, p. 8.
[6] OJ L 234, 16.9.2000, p. 10.

Article 2

The special refund referred to in Article 20a(8) of Regulation (EC) No 174/1999, the rate of which is lower than the lowest rate fixed for other destinations, shall not be taken into account in determining the lowest refund rate within the meaning of Article 18(2) of Regulation (EC) No 800/1999.

Article 3

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

It shall apply to export licences requested from 1 July 2000.

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

Done at Brussels, 16 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2295/2000

of 16 October 2000

amending Regulation (EEC) No 2921/90 on aid for the production of casein and caseinates from skimmed milk

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], as last amended by Regulation (EC) No 1670/2000 [2], and in particular Article 15 thereof,

Whereas:

(1) Article 2(1) of Commission Regulation (EEC) No 2921/90 [3], as last amended by Regulation (EC) No 1236/2000 [4], sets the aid for skimmed milk processed into casein or casinates. Given the market trend for these products and that for skimmed milk powder the aid should be decreased.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2(1) of Regulation (EEC) No 2921/90 the amount 'EUR 5,78' is replaced by 'EUR 4,90'.

Article 2

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

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

Done at Brussels, 16 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 160, 26.6.1999, p. 48.
[2] OJ L 193, 29.7.2000, p. 10.
[3] OJ L 279, 11.10.1990, p. 22.
[4] OJ L 141, 15.6.2000, p. 7.

COMMISSION REGULATION (EC) No 2296/2000

of 16 October 2000

fixing, for September 2000, the specific exchange rate for the amount of the reimbursement of storage costs in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector [1], as amended by Commission Regulation (EC) No 1527/2000 [2],

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro [3],

Having regard to Commission Regulation (EEC) No 1713/93 of 30 July 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector [4], as last amended by Regulation (EC) No 1642/1999 [5], and in particular Article 1(3) thereof,

Whereas:

(1) Article 1(2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EC) No 2038/1999 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural conversion rates applicable during the month of storage. That specific rate must be fixed each month for the previous month. However, in the case of the reimbursable amounts applying from 1 January 1999, as a result of the introduction of the agrimonetary arrangements for the euro from that date, the fixing of the conversion rate should be limited to the specific exchange rates prevailing between the euro and the national currencies of the Member States that have not adopted the single currency.

(2) Application of these provisions will lead to the fixing, for September 2000, of the specific exchange rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific exchange rate to be used for converting the amount of the reimbursement of the storage costs referred to in Article 8 of Regulation (EC) No 2038/1999 into national currency for September 2000 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 October 2000.

It shall apply with effect from 1 September 2000.

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

Done at Brussels, 16 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 252, 25.9.1999, p. 1.
[2] OJ L 175, 14.7.2000, p. 59.
[3] OJ L 349, 24.12.1998, p. 1.
[4] OJ L 159, 1.7.1993, p. 94.
[5] OJ L 195, 28.7.1999, p. 3.

ANNEX

to the Commission Regulation of 16 October 2000 fixing, for September 2000, the exchange rate for the amount of the reimbursement of storage costs in the sugar sector

	Specific exchange rate	
EUR 1 =	7,46206	Danish kroner
	338,519	Greek drachma
	8,40834	Swedish kroner
	0,608830	Pound sterling

COMMISSION REGULATION (EC) No 2297/2000

of 16 October 2000

fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip [1], as last amended by Regulation (EC) No 1300/97 [2], and in particular Article 5 (2) (a) thereof,

Whereas:

Pursuant to Article 2 (2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip [3], as last amended by Regulation (EC) No 2062/97 [4], those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. Whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 17 October 2000.

It shall apply from 18 to 31 October 2000.

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

Done at Brussels, 16 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 382, 31.12.1987, p. 22.
[2] OJ L 177, 5.7.1997, p. 1.
[3] OJ L 72, 18.3.1988, p. 16.
[4] OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 16 October 2000 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 18 to 31 October 2000

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	18,54	14,46	31,85	15,80
Community import prices	**Uniflorous (bloom) carnations**	**Multiflorous (spray) carnations**	**Large-flowered roses**	**Small-flowered roses**
Israel	—	—	10,40	9,63
Morocco	—	—	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

DIRECTIVE 2000/54/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16(1) of Directive 89/391/EEC)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 137(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee [1],

After consulting the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty [2],

Whereas:

(1) Council Directive 90/679/EEC of 26 November 1990 on the protection of workers from risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) [3] has been substantially amended on a number of occasions [4]. For the sake of clarity and rationality Directive 90/679/EEC should be codified.

(2) Compliance with the minimum requirements designed to guarantee a better standard of safety and health as regards the protection of workers from the risks related to exposure to biological agents at work is essential to ensure the safety and health of workers.

(3) This Directive is an individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work [5]. The provisions of that Directive are therefore fully applicable to the exposure of workers to biological agents, without prejudice to more stringent and/or specific provisions contained in this Directive.

(4) More precise knowledge of the risks involved in exposure to biological agents can be obtained through the keeping of records.

(5) The list and classification of the biological agents must be examined regularly and revised on the basis of new scientific data.

(6) For a number of biological agents details additional to their classification should be given.

(7) Employers must keep abreast of new developments in technology with a view to improving the protection of workers' health and safety.

(8) Preventive measures should be taken for the protection of the health and safety of workers exposed to biological agent.

(9) This Directive constitutes a practical aspect of the realisation of the social dimension of the internal market.

(10) Pursuant to Council Decision 74/325/EEC [6] the Advisory Committee on Safety, Hygiene and Health Protection at Work should be consulted by the Commission with a view to the formulation of proposals in this field. It was so consulted over the formulation of proposals for the Council directives embodied in this Directive.

(11) This Directive is without prejudice to the obligations of the Member States concerning the deadlines for transposition as set out in Annex VIII, Part B,

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER I

GENERAL PROVISIONS

Article 1

Objective

1. This Directive has as its aim the protection of workers against risks to their health and safety, including the prevention of such risks, arising or likely to arise from exposure to biological agents at work.

It lays down particular minimum provisions in this area.

[1] OJ C 75, 15.3.2000, p. 15.
[2] Opinion of the European Parliament of 13 June 2000 (not yet published in the Official Journal) and Council Decision of 17 July 2000.
[3] OJ L 374, 31.12.1990, p. 1. Directive as last amended by Commission Directive 97/65/EC (OJ L 335, 6.12.1997, p. 17).
[4] See Annex VIII, part A.
[5] OJ L 183, 29.6.1989, p. 1.
[6] OJ L 185, 9.7.1974, p. 15; Decision as last amended by the 1994 Act of Accession.

2. Directive 89/391/EEC shall apply fully to the whole area referred to in paragraph 1, without prejudice to more stringent and/or specific provisions contained in this Directive.

3. This Directive shall apply without prejudice to the provisions of Council Directive 90/219/EEC [1] and of Council Directive 90/220/EEC [2].

Article 2

Definitions

For the purpose of this Directive:

(a) 'biological agents' shall mean micro-organisms, including those which have been genetically modified, cell cultures and human endoparasites, which may be able to provoke any infection, allergy or toxicity;

(b) 'micro-organism' shall mean a microbiological entity, cellular or non-cellular, capable of replication or of transferring genetic material;

(c) 'cell culture' shall mean the *in-vitro* growth of cells derived from multicellular organisms.

'Biological agents' shall be classified into four risk groups, according to their level of risk of infection:

1. group 1 biological agent means one that is unlikely to cause human disease:

2. group 2 biological agent means one that can cause human disease and might be a hazard to workers; it is unlikely to spread to the community; there is usually effective prophylaxis or treatment available;

3. group 3 biological agent means one that can cause severe human disease and present a serious hazard to workers; it may present a risk of spreading to the community, but there is usually effective prophylaxis or treatment available;

4. group 4 biological agent means one that causes severe human disease and is a serious hazard to workers; it may present a high risk of spreading to the community; there is usually no effective prophylaxis or treatment available.

Article 3

Scope — Determination and assessment of risks

1. This Directive shall apply to activities in which workers are or are potentially exposed to biological agents as a result of their work.

2. In the case of any activity likely to involve a risk of exposure to biological agents, the nature, degree and duration of workers' exposure must be determined in order to make it possible to assess any risk to the workers' health or safety and to lay down the measures to be taken.

In the case of activities involving exposure to several groups of biological agents, the risk shall be assessed on the basis of the danger presented by all hazardous biological agents present.

The assessment must be renewed regularly and in any event when any change occurs in the conditions which may affect workers' exposure to biological agents.

The employer must supply the competent authorities, at their request, with the information used for making the assessment.

3. The assessment referred to in paragraph 2 shall be conducted on the basis of all available information including:

(a) classification of biological agents which are or may be a hazard to human health, as referred to in Article 18;

(b) recommendations from a competent authority which indicate that the biological agent should be controlled in order to protect workers' health when workers are or may be exposed to such a biological agent as a result of their work;

(c) information on diseases which may be contracted as a result of the work of the workers;

(d) potential allergenic or toxigenic effects as a result of the work of the workers;

(e) knowledge of a disease from which a worker is found to be suffering and which has a direct connection with his work.

Article 4

Application of the various Articles in relation to assessment of risks

1. If the results of the assessment referred to in Article 3 show that the exposure and/or potential exposure is to a group 1 biological agent, with no identifiable health risk to workers, Articles 5 to 17 and Article 19 shall not apply.

However, point 1 of Annex VI should be observed.

2. If the results of the assessment referred to in Article 3 show that the activity does not involve a deliberate intention to work with or use a biological agent but may result in the workers' being exposed to a biological agent, as in the course of the activities for which an indicative list is given in Annex I, Articles 5, 7, 8, 10, 11, 12, 13 and 14 shall apply unless the results of the assessment referred to in Article 3 show them to be unnecessary.

[1] Council Directive 90/219/EEC of 23 April 1990 on the contained use of genetically modified micro-organisms (OJ L 117, 8.5.1990, p. 1). Directive as last amended by Directive 98/81/EC (OJ L 330, 5.12.1998, p. 13).

[2] Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms (OJ L 117, 8.5.1990, p. 15). Directive as last amended by Directive 97/35/EC (OJ L 169, 27.6.1997, p. 72).

CHAPTER II

EMPLOYERS' OBLIGATIONS

Article 5

Replacement

The employer shall avoid the use of a harmful biological agent if the nature of the activity so permits, by replacing it with a biological agent which, under its conditions of use, is not dangerous or is less dangerous to workers' health, as the case may be, in the present state of knowledge.

Article 6

Reduction of risks

1. Where the results of the assessment referred to in Article 3 reveal a risk to workers' health or safety, workers' exposure must be prevented.

2. Where this is not technically practicable, having regard to the activity and the risk assessment referred to in Article 3, the risk of exposure must be reduced to as low a level as necessary in order to protect adequately the health and safety of the workers concerned, in particular by the following measures which are to be applied in the light of the results of the assessment referred to in Article 3:

(a) keeping as low as possible the number of workers exposed or likely to be exposed;

(b) design of work processes and engineering control measures so as to avoid or minimise the release of biological agents into the place of work;

(c) collective protection measures and/or, where exposure cannot be avoided by other means, individual protection measures;

(d) hygiene measures compatible with the aim of the prevention or reduction of the accidental transfer or release of a biological agent from the workplace;

(e) use of the biohazard sign depicted in Annex II and other relevant warning signs;

(f) drawing up plans to deal with accidents involving biological agents;

(g) testing, where it is necessary and technically possible, for the presence, outside the primary physical confinement, of biological agents used at work;

(h) means for safe collection, storage and disposal of waste by workers including the use of secure and identifiable containers, after suitable treatment where appropriate;

(i) arrangements for the safe handling and transport of biological agents within the workplace.

Article 7

Information for the competent authority

1. Where the results of the assessment referred to in Article 3 reveal risk to workers' health or safety, employers shall, when requested, make available to the competent authority appropriate information on:

(a) the results of the assessment;

(b) the activities in which workers have been exposed or may have been exposed to biological agents;

(c) the number of workers exposed;

(d) the name and capabilities of the person responsible for safety and health at work;

(e) the protective and preventive measures taken, including working procedures and methods;

(f) an emergency plan for the protection of workers from exposure to group 3 or a group 4 biological agent which might result from a loss of physical containment.

2. Employers shall inform forthwith the competent authority of any accident or incident which may have resulted in the release of a biological agent and which could cause severe human infection and/or illness.

3. The list referred to in Article 11 and the medical record referred to in Article 14 shall be made available to the competent authority in cases where the undertaking ceases activity, in accordance with national laws and/or practice.

Article 8

Hygiene and individual protection

1. Employers shall be obliged, in the case of all activities for which there is a risk to the health or safety of workers due to work with biological agents, to take appropriate measures to ensure that:

(a) workers do not eat or drink in working areas where there is a risk of contamination by biological agents;

(b) workers are provided with appropriate protective clothing or other appropriate special clothing;

(c) workers are provided with appropriate and adequate washing and toilet facilities, which may include eye washes and/or skin antiseptics;

(d) any necessary protective equipment is:

— properly stored in a well-defined place,

— checked and cleaned if possible before, and in any case after, each use,

— is repaired, where defective, or is replaced before further use;

(e) procedures are specified for taking, handling and processing samples of human or animal origin.

2. Working clothes and protective equipment, including protective clothing referred to in paragraph 1, which may be contaminated by biological agents, must be removed on leaving the working area and, before taking the measures referred to in the second subparagraph, kept separately from other clothing.

The employer must ensure that such clothing and protective equipment is decontaminated and cleaned or, if necessary, destroyed.

3. Workers may not be charged for the cost of the measures referred to in paragraphs 1 and 2.

Article 9

Information and training of workers

1. Appropriate measures shall be taken by the employer to ensure that workers and/or any workers' representatives in the undertaking or establishment receive sufficient and appropriate training, on the basis of all available information, in particular in the form of information and instructions, concerning:

(a) potential risks to health;

(b) precautions to be taken to prevent exposure;

(c) hygiene requirements;

(d) wearing and use of protective equipment and clothing;

(e) steps to be taken by workers in the case of incidents and to prevent incidents.

2. The training shall be:

(a) given at the beginning of work involving contact with biological agents,

(b) adapted to take account of new or changed risks, and

(c) repeated periodically if necessary.

Article 10

Worker information in particular cases

1. Employers shall provide written instructions at the workplace and, if appropriate, display notices which shall, as a minimum, include the procedure to be followed in the case of:

(a) a serious accident or incident involving the handling of a biological agent;

(b) handling a group 4 biological agent.

2. Workers shall immediately report any accident or incident involving the handling of a biological agent to the person in charge, or to the person responsible for safety and health at work.

3. Employers shall inform forthwith the workers and/or any workers' representatives of any accident or incident which may have resulted in the release of a biological agent and which could cause severe human infection and/or illness.

In addition, employers shall inform the workers and/or any workers' representatives in the undertaking or establishment as quickly as possible when a serious accident or incident occurs, of the causes thereof and of the measures taken or to be taken to rectify the situation.

4. Each worker shall have access to the information on the list referred to in Article 11 which relates to him personally.

5. Workers and/or any workers' representatives in the undertaking or establishment shall have access to anonymous collective information.

6. Employers shall provide workers and/or their representatives, at their requst, with the information provided for in Article 7(1).

Article 11

List of exposed workers

1. Employers shall keep a list of workers exposed to group 3 and/or group 4 biological agents, indicating the type of work done and, whenever possible, the biological agent to which they have been exposed, as well as records of exposures, accidents and incidents, as appropriate.

2. The list referred to in paragraph 1 shall be kept for at least 10 years following the end of exposure, in accordance with national laws and/or practice.

In the case of those exposures which may result in infections:

(a) with biological agents known to be capable of establishing persistent or latent infections;

(b) that, in the light of present knowledge, are undiagnosable until illness develops many years later;

(c) that have particularly long incubation periods before illness develops;

(d) that result in illnesses which recrudesce at times over a long period despite treatment, or

(e) that may have serious long-term sequelae,

the list shall be kept for an appropriately longer time up to 40 years following the last known exposure.

3. The doctor referred to in Article 14 and/or the competent authority for health and safety at work, and any other person responsible for health and safety at work, shall have access to the list referred to in paragraph 1.

Article 12

Consultation and participation of workers

Consultation and participation of workers and/or their representatives in connection with matters covered by this Directive shall take place in accordance with Article 11 of Directive 89/391/EEC.

Article 13

Notification to the competent authority

1. Prior notification shall be made to the competent authority of the use for the first time of:

(a) group 2 biological agents;

(b) group 3 biological agents;

(c) group 4 biological agents.

The notification shall be made at least 30 days before the commencement of the work.

Subject to paragraph 2, prior notification shall also be made of the use for the first time of each subsequent group 4 biological agent and of any subsequent new group 3 biological agent where the employer himself provisionally classifies that biological agent.

2. Laboratories providing a diagnostic service in relation to group 4 biological agents shall be required only to make an initial notification of their intention.

3. Renotification must take place in any case where there are substantial changes of importance to safety or health at work to processes and/or procedures which render the notification out of date.

4. The notification referred to in paragraphs 1, 2 and 3 shall include:

(a) the name and address of the undertaking and/or establishment;

(b) the name and capabilities of the person responsible for safety and health at work;

(c) the results of the assessment referred to in Article 3;

(d) the species of the biological agent;

(e) the protection and preventive measures that are envisaged.

CHAPTER III

MISCELLANEOUS PROVISIONS

Article 14

Health surveillance

1. The Member States shall establish, in accordance with national laws and practice, arrangements for carrying out relevant health surveillance of workers for whom the results of the assessment referred to in Article 3 reveal a risk to health or safety.

2. The arrangements referred to in paragraph 1 shall be such that each worker shall be able to undergo, if appropriate, relevant health surveillance:

(a) prior to exposure;

(b) at regular intervals thereafter.

Those arrangements shall be such that it is directly possible to implement individual and occupational hygiene measures.

3. The assessment referred to in Article 3 should identify those workers for whom special protective measures may be required.

When necessary, effective vaccines should be made available for those workers who are not already immune to the biological agent to which they are exposed or are likely to be exposed.

When employers make vaccines available, they should take account of the recommended code of practice set out in Annex VII.

If a worker is found to be suffering from an infection and/or illness which is suspected to be the result of exposure, the doctor or authority responsible for health surveillance of workers shall offer such surveillance to other workers who have been similarly exposed.

In that event, a reassessment of the risk of exposure shall be carried out in accordance with Article 3.

4. In cases where health surveillance is carried out, an individual medical record shall be kept for at least 10 years following the end of exposure, in accordance with national laws and practice.

In the special cases referred to in Article 11(2) second subparagraph, an individual medical record shall be kept for an appropriately longer time up to 40 years following the last known exposure.

5. The doctor or authority responsible for health surveillance shall propose any protective or preventive measures to be taken in respect of any individual worker.

6. Information and advice must be given to workers regarding any health surveillance which they may undergo following the end of exposure.

7. In accordance with national laws and/or practice:

(a) workers shall have access to the results of the health surveillance which concern them, and

(b) the workers concerned or the employer may request a review of the results of the health surveillance.

8. Practical recommendations for the health surveillance of workers are given in Annex IV.

9. All cases of diseases or death identified in accordance with national laws and/or practice as resulting from occupational exposure to biological agents shall be notified to the competent authority.

Article 15

Health and veterinary care facilities other than diagnostic laboratories

1. For the purpose of the assessment referred to in Article 3, particular attention should be paid to:

(a) uncertainties about the presence of biological agents in human patients or animals and the materials and specimens taken from them;

(b) the hazard represented by biological agents known or suspected to be present in human patients or animals and materials and specimens taken from them;

(c) the risks posed by the nature of the work.

2. Appropriate measures shall be taken in health and veterinary care facilities in order to protect the health and safety of the workers concerned.

The measures to be taken shall include in particular:

(a) specifying appropriate decontamination and disinfection procedures, and

(b) implementing procedures enabling contaminated waste to be handled and disposed of without risk.

3. In isolation facilities where there are human patients or animals who are, or who are suspected of being, infected with group 3 or group 4 biological agents, containment measures shall be selected from those in Annex V column A, in order to minimise the risk of infection.

Article 16

Special measures for industrial processes, laboratories and animal rooms

1. The following measures must be taken in laboratories, including diagnostic laboratories, and in rooms for laboratory animals which have been deliberately infected with group 2, 3 or 4 biological agents or which are or are suspected to be carriers of such agents.

(a) Laboratories carrying out work which involves the handling of group 2, 3 or 4 biological agents for research, development, teaching or diagnostic purposes shall determine the containment measures in accordance with Annex V, in order to minimise the risk of infection.

(b) Following the assessment referred to in Article 3, measures shall be determined in accordance with Annex V, after fixing the physical containment level required for the biological agents according to the degree of risk.

Activities involving the handling of a biological agent must be carried out:

— only in working areas corresponding to at least containment level 2, for a group 2 biological agent,

— only in working areas corresponding to at least containment level 3, for a group 3 biological agent,

— only in working areas corresponding to at least containment level 4, for a group 4 biological agent.

(c) Laboratories handling materials in respect of which there exist uncertainties about the presence of biological agents which may cause human disease but which do not have as their aim working with biological agents as such (i.e. cultivating or concentrating them) should adopt containment level 2 at least. Containment levels 3 or 4 must be used, when appropriate, where it is known or it is suspected that they are necessary, except where guidelines provided by the competent national authorities show that, in certain cases, a lower containment level is appropriate.

2. The following measures concerning industrial processes using group 2, 3 or 4 biological agents must be taken:

(a) The containment principles set out in the second subparagraph of paragraph 1(b) should also apply to industrial processes on the basis of the practical measures and appropriate procedures given in Annex VI.

(b) In accordance with the assessment of the risk linked to the use of group 2, 3 or 4 biological agents, the competent authorities may decide on appropriate measures which must be applied to the industrial use of such biological agents.

3. For all activities covered by paragraphs 1 and 2 where it has not been possible to carry out a conclusive assessment of a biological agent but concerning which it appears that the use envisaged might involve a serious health risk for workers, activities may only be carried out in workplaces where the containment level corresponds at least to level 3.

Article 17

Use of data

The Commission shall have access to the use made by the competent national authorities of the information referred to in Article 14(9).

Article 18

Classification of biological agents

1. Community classification shall be on the basis of the definitions in the second paragraph of Article 2, points 2 to 4 (groups 2 to 4).

2. Pending Community classification Member States shall classify biologial agents that are or may be a hazard to human health on the basis of the definition in the second paragraph of Article 2, points 2 to 4 (groups 2 to 4).

3. If the biological agent tobe assessed cannot be classified clearly in one of the groups defined in the second paragraph of Article 2, it must be classified in the highest risk group among the alternatives.

Article 19

Annexes

Purely technical adjustments to the Annexes in the light of technical progress, changes in international regulations or specifications and new findings in the field of biological agents shall be adopted in accordance with the procedure laid down in Article 17 of Directive 89/391/EEC.

Article 20

Notifying the Commission

Member States shall communicate to the Commission the provisions of national law which they adopt in the field governed by this Directive.

Article 21

Repeal

Directive 90/679/EEC, amended by the Directives referred to in Annex VIII, part A is repealed, without prejudice to the obligations of the Member States in respect of the deadlines for transposition laid down in Annex VIII, part B.

References to the repealed Directive shall be construed as references to this Directive and shall be correlated in accordance with the correlation table set out in Annex IX.

Article 22

Entry into force

This Directive enters into force on the twentieth day following its publication in the *Official Journal of the European Communities*.

Article 23

Addresses

This Directive is addressed to the Member States.

Done at Brussels, 18 September 2000.

For the European Parliament	*For the Council*
The President	*The President*
N. FONTAINE	H. VÉDRINE

ANNEX I

INDICATIVE LIST OF ACTIVITIES

(Article 4(2))

1. Work in food production plants.
2. Work in agriculture.
3. Work activities where there is contact with animals and/or products of animal origin.
4. Work in healthcare, including isolation and post-mortem units.
5. Work in clinical, veterinary and diagnostic laboratories, excluding diagnostic microbiological laboratories.
6. Work in refuse disposal plants.
7. Work in sewage purification installations.

ANNEX II

BIOHAZARD SIGN

(Article 6(2)(e))

ANNEX III

COMMUNITY CLASSIFICATION

Article 2, second paragraph, and Article 18

INTRODUCTORY NOTES

1. In line with the scope of the Directive, only agents which are known to infect humans are to be included in the classified list.

   Where appropriate, indicators are given of the toxic and allergic potential of these agents.

   Animal and plant pathogens which are known not to affect man are excluded.

   In drawing up this list of classified biological agents consideration has not been given to genetically modified micro-organisms.

2. The list of classified agents is based on the effect of those agents on healthy workers.

   No specific account is taken of particular effects on those whose susceptibility may be affected for one or other reason such as pre-existing disease, medication, compromised immunity, pregnancy or breast feeding.

   Additional risk to such workers should be considered as part of the risk assessment required by the Directive.

   In certain industrial processes, certain laboratory work or certain work with animals involving actual or potential exposure to biological agents of groups 3 or 4, any technical precautions taken must comply with Article 16 of the Directive.

3. Biological agents which have not been classified for inclusion in groups 2 to 4 of the list are not implicitly classified in group 1.

   For agents where more than one species is known to be pathogenic to man, the list will include those species which are known to be the most frequently responsible for diseases, together with a more general reference to the fact that other species of the same genus may affect health.

   When a whole genus is mentioned in the classified list of biological agents, it is implicit that the species and strains known to be non-pathogenic are excluded.

4. Where a strain is attenuated or has lost known virulence genes, then the containment required by the classification of its parent strain need not necessarily apply, subject to assessment appropriate for risk in the workplace.

   This is the case, for example, when such a strain is to be used as a product or part of a product for prophylactic or therapeutic purposes.

5. The nomenclature of classified agents used to establish this list reflects and is in conformity with the latest international agreements of the taxonomy and nomenclature of agents at the time the list was prepared.

6. The list of classified biological agents reflects the state of knowledge at the time that it was devised.

   It will be updated as soon as it no longer reflects the latest state of knowledge.

7. Member States are to ensure that all viruses which have already been isolated in humains and which have not been assessed and allocated in this Annex are classified in group 2 as a minimum, except where Member States have proof that they are unlikely to cause disease in humans.

8. Certain biological agents classified in group 3 which are indicated in the appended list by *two asterisks (**)*, may present a limited risk of infection for workers because they are not normally infectious by the airborne route.

   Member States shall assess the containment measures to be applied to such agents, taking account of the nature of specific activities in question and of the quantity of the agent involved, with a view to determining whether, in particular circumstances, some of these measures may be dispensed with.

9. The requirements as to containment consequent on the classification of parasites apply only to stages in the life cycle of the parasite in which it is liable to be infectious to humans at the workplace.

10. This list also gives a separate indication in cases where the biological agents are likely to cause allergic or toxic reactions, where an effective vaccine is available, or wher it is advisable to keep a list of exposed workers for more than 10 years.

These indications are shown by the following letters:

A: Possible allergic effects

D: List of workers exposed to this biological agent to be kept for more than 10 years after the end of last known exposure

T: Toxin production

V: Effective vaccine available

The application of preventive vaccination should take account of the code of practice given in Annex VII.

BACTERIA

and similar organisms

NB: For biological agents appearing on this list, 'spp.' refers to other species which are known pathogens in humans.

Biological agent	Classification	Notes
Actinobacillus actinomycetemcomitans	2	
Actinomadura madurae	2	
Actinomadura pelletieri	2	
Actinomyces gerencseriae	2	
Actinomyces israelii	2	
Actinomyces pyogenes	2	
Actinomyces spp.	2	
Arcanobacterium haemolyticum (Corynebacterium haenolyticum)	2	
Bacillus anthracis	3	
Bacteroides fragilis	2	
Bartonella bacillifonnis	2	
Bartonella quintana (Rochalimaea quintana)	2	
Bartonella (Rochalinea) spp.	2	
Bordetella bronchiseptica	2	
Bordetella parapertussis	2	
Bordetella pertussis	2	V
Borrelia burgdorferi	2	
Borrelia duttonii	2	
Borrelia recurrentis	2	
Borrelia spp.	2	
Brucella abortus	3	
Brucella canis	3	
Brucella melitensis	3	
Brucella suis	3	
Burkholderia mallei (Pseudomonas mallei)	3	
Burkholderia pseudomallei (Pseudomonas pseudomallei)	3	
Campylobacter fetus	2	
Campylobacter jejuni	2	
Campylobacter spp.	2	
Cardiobacterium hominis	2	
Chlamydia pneumoniae	2	
Chlamydia trachomatis	2	
Chlamydia psittaci (avian strains)	3	
Chlamydia psittaci (other strains)	2	
Clostridium botulinum	2	T
Clostridium perfringens	2	
Clostridium tetani	2	T, V
Clostridium spp.	2	
Corynebacterium diphtheriae	2	T, V
Corynebacterium minutissimum	2	
Corynebacterium pseudotuberculosis	2	
Corynebacterium spp.	2	
Coxiella burnetii	3	
Edwardsiella tarda	2	
Ehrlichia sennetsu (Rickettsia sennetsu)	2	
Ehrlichia spp.	2	
Eikenella corrodens	2	

Biological agent	Classification	Notes
Enterobacter aerogenes/cloacae	2	
Enterobacter spp.	2	
Enterococcus spp.	2	
Erysipelothrix rhusiopathiae	2	
Escherichia coli (with the exception of non-pathogenic strains)	2	
Escherichia coli, verocytotoxigenic strains (e.g. O157:H7 or O103)	3 (**)	
Flavobacterium meningosepticum	2	
Fluoribacter bozemanae (Legionella)	2	
Francisella tularensis (Type A)	3	
Francisella tularensis (Type B)	2	
Fusobacterium necrophorum	2	
Gardnerella vaginalis	2	
Haemophilus ducreyi	2	
Haemophilus influenzae	2	
Haemophilus spp.	2	
Helicobacter pylori	2	
Klebsiella oxytoca	2	
Klebsiella pneumoniae	2	
Klebsiella spp.	2	
Legionella pneumophila	2	
Legionella spp.	2	
Leptospira interrogans (all serovars)	2	
Listeria monocytogenes	2	
Listeria ivanovii	2	
Morganella morganii	2	
Mycobacterium africanum	3	V
Mycobacterium avium/intracellulare	2	
Mycobacterium bovis (except BCG strain)	3	V
Mycobacterium chelonae	2	
Mycobacterium fortuitum	2	
Mycobacterium kansasii	2	
Mycobacterium leprae	3	
Mycobacterium malmoense	2	
Mycobacterium marinum	2	
Mycobacterium microti	3 (**)	
Mycobacterium paratuberculosis	2	
Mycobacterium scrofulaceum	2	
Mycobacterium simiae	2	
Mycobacterium szulgai	2	
Mycobacterium tuberculosis	3	V
Mycobacterium ulcerans	3 (**)	
Mycobacterium xenopi	2	
Mycoplasma caviae	2	
Mycoplasma hominis	2	
Mycoplasma pneumoniae	2	
Neisseria gonorrhoeae	2	
Neisseria meningitidis	2	V
Nocardia asteroides	2	
Nocardia brasiliensis	2	
Nocardia farcinica	2	
Nocardia nova	2	

Biological agent	Classification	Notes
Nocardia otitidiscaviarum	2	
Pasteurella multocida	2	
Pasteurella spp.	2	
Peptostreptococcus anaerobius	2	
Plesiomonas shigelloides	2	
Porphyromonas spp.	2	
Prevotella spp.	2	
Proteus mirabilis	2	
Proteus penneri	2	
Proteus vulgaris	2	
Providencia alcalifaciens	2	
Providencia rettgeri	2	
Providencia spp.	2	
Pseudomonas aeruginosa	2	
Rhodococcus equi	2	
Rickettsia akari	3 (**)	
Rickettsia canada	3 (**)	
Rickettsia conorii	3	
Rickettsia montana	3 (**)	
Rickettsia typhi (Rickettsia mooseri)	3	
Rickettsia prowazekii	3	
Rickettsia rickettsii	3	
Rickettsia tsutsugamushi	3	
Rickettsia spp.	2	
Salmonella arizonae	2	
Salmonella enteritidis	2	
Salmonella typhimurium	2	
Salmonella paratyphi A, B, C	2	V
Salmonella typhi	3 (**)	V
Salmonella (other serovars)	2	
Serpulina spp.	2	
Shigella boydii	2	
Shigella dysenteriae (Type 1)	3 (**)	T
Shigella dysenteriae, other than Type 1	2	
Shigella flexneri	2	
Shigella sonnei	2	
Staphylococcus aureus	2	
Streptobacillus moniliformis	2	
Streptococcus pneumoniae	2	
Streptococcus pyogenes	2	
Streptococcus suis	2	
Streptococcus spp.	2	
Treponema carateum	2	
Treponema pallidum	2	
Treponema pertenue	2	
Treponema spp.	2	
Vibrio cholerae (including El Tor)	2	
Vibrio parahaemolyticus	2	
Vibrio spp.	2	
Yersinia enterocolitica	2	
Yersinia pestis	3	V
Yersinia pseudotuberculosis	2	
Yersinia spp.	2	

(**) See paragraph 8 of the introductory notes.

VIRUSES (*)

Biological agent	Classification	Notes
Adenoviridae	2	
Arenaviridae		
LCM-Lassa-virus complex (old world arena viruses):		
Lassa virus	4	
Lymphocytic (strains)	3	
Lymphocytic choriomeningitis virus (other strains)	2	
Mopeia virus	2	
Other LCM-Lassa complex viruses	2	
Tacaribe-Virus-complex (new world arena viruses):		
Guanarito virus	4	
Junin virus	4	
Sabia virus	4	
Machupo virus	4	
Flexal virus	3	
Other Tacaribe complex viruses	2	
Astroviridae	2	
Bunyaviridae		
Belgrade (also known as Dobrava)	3	
Bhanja	2	
Bunyamwera virus	2	
Germiston	2	
Oropouche virus	3	
Sin Nombre (formerly Muerto Canyon)	3	
California encephalitis virus	2	
Hantaviruses:		
Hantaan (Korean haemorrhagic fever)	3	
Seoul virus	3	
Puumala virus	2	
Prospect Hill virus	2	
Other hantaviruses	2	
Nairoviruses:		
Crimean-Congo haemorrhagic fever	4	
Hazara virus	2	
Phleboviruses:		
Rift Valley fever	3	V
Sandfly fever	2	
Toscana virus	2	
Other *bunyaviridae* known to be pathogenic	2	
Caliciviridae		
Hepatitis E virus	3 (**)	
Norwalk virus	2	
Other *Caliciviridae*	2	
Coronaviridae	2	
Filoviridae		
Ebola virus	4	
Marburg virus	4	
Flaviviridae		
Australia encephalitis (Murray Valley encephalitis)	3	
Central European tick-borne encephalitis virus	3 (**)	V
Absettarov	3	
Hanzalova	3	
Hypr	3	
Kumlinge	3	
Dengue virus type 1-4	3	
Hepatitis C virus	3 (**)	D

Biological agent	Classification	Notes
Hepatitis G virus	3 (**)	D
Japanese B encephalitis	3	V
Kyasanur Forest	3	V
Louping ill	3 (**)	
Omsk (a)	3	V
Powassan	3	
Rocio	3	
Russian spring-summer encephalitis (TBE) (a)	3	V
St Louis encephalitis	3	
Wesselsbron virus	3 (**)	
West Nile fever virus	3	
Yellow fever	3	V
Other flaviviruses known to be pathogenic	2	
Hepadnaviridae		
Hepatitis B virus	3 (**)	V, D
Hepatitis D virus (Delta) (b)	3 (**)	V, D
Herpesviridae		
Cytomegalovirus	2	
Epstein-Barr virus	2	
Herpesvirus simiae (B virus)	3	
Herpes simplex virus types 1 and 2	2	
Herpesvirus varicella-zoster	2	
Human B-lymphotropic virus (HBLV-HHV6)	2	
Human herpes virus 7	2	
Human herpes virus 8	2	D
Orthomyxoviridae		
Influenza viruses types A, B and C	2	V (c)
Tick-borne *orthomyxoviridae*: Dhori and Thogoto	2	
Papovaviridae		
BK and JC viruses	2	D (d)
Human papillomaviruses	2	D (d)
Paramyxoviridae		
Measles virus	2	V
Mumps virus	2	V
Newcastle disease virus	2	
Parainfluenza viruses types 1 to 4	2	
Respiratory syncytial virus	2	
Parvoviridae		
Human parvovirus (B 19)	2	
Picomaviridae		
Acute haemorrhagic conjunctivitis virus (AHC)	2	
Coxsackie viruses	2	
Echo viruses	2	
Hepatitis A virus (human enterovirus type 72)	2	V
Polioviruses	2	V
Rhinoviruses	2	
Poxviridae		
Buffalopox virus (e)	2	
Cowpox virus	2	
Elephantpox virus (f)	2	
Milkers' node virus	2	
Molluscum contagiosum virus	2	
Monkeypox virus	3	V
Orf virus	2	
Rabbitpox virus (g)	2	
Vaccinia virus	2	
Variola (major and minor) virus	4	V

Biological agent	Classification	Notes
Whitepox virus (‘*Variola* virus’)	4	V
Yatapox virus (Tana & Yaba)	2	
Reoviridae		
Coltivirus	2	
Human rotaviruses	2	
Orbiviruses	2	
Reuviruses	2	
Retroviridae		
Human immunodeficiency viruses	3 (**)	D
Human T-cell lymphotropic viruses (HTLV), types 1 and 2	3 (**)	D
SIV (h)	3 (**)	
Rhabdoviridae		
Rabies virus	3 (**)	V
Vesicular stomatitis virus	2	
Togaviridae		
Alphaviruses		
Eastern equine encephalomyelitis	3	V
Bebaru virus	2	
Chikungunya virus	3 (**)	
Everglades virus	3 (**)	
Mayaro virus	3	
Mucambo virus	3 (**)	
Ndumu virus	3	
O'nyong-nyong virus	2	
Ross River virus	2	
Semliki Forest virus	2	
Sindbis virus	2	
Tonate virus	3 (**)	
Venezuelan equine encephalomyelitis	3	V
Western equine encephalomyelitis	3	V
Other known alphaviruses	2	
Rubivirus (rubella)	2	V
Toroviridae	2	
Unclassified viruses		
Equine morbillivirus	4	
Hepatitis viruses not yet identified	3 (**)	D
Unconventional agents associated with the transmissible spongiform encephalopathies (TSEs)		
Creutzfeldt-Jakob disease	3 (**)	D (d)
Variant Creutzfeldt-Jakob disease	3 (**)	D (d)
Bovine spongiform encephalopathy (BSE) and other related animal TSEs (i)	3 (**)	D (d)
Gerstmann-Sträussler-Scheinker syndrome	3 (**)	D (d)
Kuru	3 (**)	D (d)

(*) See paragraph 7 of the introductory notes.
(**) See paragraph 8 of the introductory notes.
(a) Tick-borne encephalitis.
(b) Hepatitis D virus is pathogenic in workers only in the presence of simultaneous or secondary infection caused by hepatitis B virus. Vaccination against hepatitis B virus will therefore protect workers who are not affected by hepatitis B virus against hepatitis D virus (Delta).
(c) Only for types A and B.
(d) Recommended for work involving direct contact with these agents.
(e) Two viruses are identified: one a buffalopox type and the other a variant of the Vaccinia virus.
(f) Variant of cowpox virus.
(g) Variant of Vaccinia.
(h) At present there is no evidence of disease in humans caused by the other retroviruses of simian origin. As a precaution containment level 3 is recommended for work with them.
(i) There is no evidence in humans of infections caused by the agents responsible for other animal TSEs. Nevertheless, the containment measures for agents categorised in risk group 3 (**) are recommended as a precaution for laboratory work, except for laboratory work relating to an identified agent of scrapie where containment level 2 is sufficient.

PARASITES

Biological agent	Classification	Notes
Acanthamoeba castellani	2	
Ancylostoma duodenale	2	
Angiostrongylus cantonensis	2	
Angiostrongylus costaricensis	2	
Ascaris lumbricoides	2	A
Ascaris suum	2	A
Babesia divergens	2	
Babesia microti	2	
Balantidium coli	2	
Brugia malayi	2	
Brugia pahangi	2	
Capillaria philippinensis	2	
Capillaria spp.	2	
Clonorchis sinensis	2	
Clonorchis viverrini	2	
Cryptosporidium parvum	2	
Cryptosporidium spp.	2	
Cyclospora cayetanensis	2	
Dipetalonema streptocerca	2	
Diphyllobothrium latum	2	
Dracunculus medinensis	2	
Echinococcus granulosus	3 (**)	
Echinococcus multilocularis	3 (**)	
Echinococcus vogeli	3 (**)	
Entamoeba histolytica	2	
Fasciola gigantica	2	
Fasciola hepatica	2	
Fasciolopsis buski	2	
Giardia lamblia (Giardia intestinalis)	2	
Hymenolepis diminuta	2	
Hymenolepis nana	2	
Leishmania brasiliensis	3 (**)	
Leishmania donovani	3 (**)	
Leishmania ethiopica	2	
Leishmania mexicana	2	
Leishmania peruviana	2	
Leishmania tropica	2	
Leishmania major	2	
Leishmania spp.	2	
Loa loa	2	
Mansonella ozzardi	2	
Mansonella perstans	2	
Naegleria fowleri	3	
Necator americanus	2	
Onchocerca volvulus	2	
Opisthorchis felineus	2	
Opisthorchis spp.	2	
Paragonimus westermani	2	

Biological agent	Classification	Notes
Plasmodium falciparum	3 (**)	
Plasmodium spp. (human and simian)	2	
Sarcocystis suihominis	2	
Schistosoma haematobium	2	
Schistosoma intercalatum	2	
Schistosoma japonicum	2	
Schistosoma mansoni	2	
Schistosoma mekongi	2	
Strongyloides stercoralis	2	
Strongyloides spp.	2	
Taenia saginata	2	
Taenia solium	3 (**)	
Toxocara canis	2	
Toxoplasma gondii	2	
Trichinella spiralis	2	
Trichuris trichiura	2	
Trypanosoma brucei brucei	2	
Trypanosoma brucei gambiense	2	
Trypanosoma brucei rhodesiense	3 (**)	
Trypanosoma cruzi	3	
Wuchereria bancrofti	2	

(**) See paragraph 8 of the introductory notes.

FUNGI

Biological agent	Classification	Notes
Aspergillus fumigatus	2	A
Blastomyces dermatitidis (Ajellomyces dermatitidis)	3	
Candida albicans	2	A
Candida tropicalis	2	
Cladophialophora bantiana (formerly: *Xylohypha bantiana, Cladosporium bantianum* or *trichoides*)	3	
Coccidioides inunitis	3	A
Cryptococcus neoformans var. *neofonnans (Filobasidiella neofonnans* var. *neofonnans)*	2	A
Cryptococcus neoformans var. *gattii (Filobasidiella bacillispora)*	2	A
Emmonsia parva var. *parva*	2	
Emmonsia parva var. *crescens*	2	
Epidermophyton floccosum	2	A
Fonsecaea compacta	2	
Fonsecaea pedrosoi	2	
Histoplasma capsulatum var. *capsulatum (Ajellomyces capsulatus)*	3	
Histoplasma capsulatum duboisii	3	
Madurella grisea	2	
Madurella mycetomatis	2	
Microsporum spp.	2	A
Neotestudina rosatii	2	
Paracoccidioides brasiliensis	3	
Penicillium marneffei	2	A
Scedosporium apiospermum (Pseudallescheria boydii)	2	
Scedosporium prolificans (inflatum)	2	
Sporothrix schenckii	2	
Trichophyton rubrum	2	
Trichophyton spp.	2	

ANNEX IV

PRACTICAL RECOMMENDATIONS FOR THE HEALTH SURVEILLANCE OF WORKERS

(Article 14(8))

1. The doctor and/or the authority responsible for the health surveillance of workers exposed to biological agents must be familiar with the exposure conditions or circumstances of each worker.

2. Health surveillance of workers must be carried out in accordance with the principles and practices of occupational medicine: it must include at least the following measures:

   — keeping records of a worker's medical and occupational history,

   — a personalised assessment of the worker's state of health.

   — where appropriate, biological monitoring, as well as detection of early and reversible effects.

   Further tests may be decided on for each worker when he is the subject of health surveillance, in the light of the most recent knowledge available to occupational medicine.

ANNEX V

INDICATIONS CONCERNING CONTAINMENT MEASURES AND CONTAINMENT LEVELS

(Articles 15(3) and 16(1)(a) and (b))

Preliminary note

The measures contained in this Annex shall be applied according to the nature of the activities, the assessment of risk to workers, and the nature of the biological agent concerned.

A. Containment measures	B. Containment levels		
	2	3	4
1. The workplace is to be separated from any other activities in the same building	No	Recommended	Yes
2. Input air and extract air to the workplace are to be filtered using (HEPA) or likewise	No	Yes, on extract air	Yes, on input and extract air
3. Access is to be restricted to nominated workers only	Recommended	Yes	Yes, via airlock
4. The workplace is to be sealable to permit disinfection	No	Recommended	Yes
5. Specified disinfection procedures	Yes	Yes	Yes
6. The workplace is to be maintained at an air pressure negative to atmosphere	No	Recommended	Yes
7. Efficient vector control, for example rodents and insects	Recommended	Yes	Yes
8. Surfaces impervious to water and easy to clean	Yes, for bench	Yes, for bench and floor	Yes, for bench, walls, floor and ceiling
9. Surfaces resistant to acids, alkalis, solvents, disinfectants	Recommended	Yes	Yes
10. Safe storage of a biological agent	Yes	Yes	Yes, secure storage
11. An observation window, or, alternative, is to be present, so that occupants can be seen	Recommended	Recommended	Yes
12. A laboratory is to contain own equipment	No	Recommended	Yes
13. Infected material including any animal is to be handled in a safety cabinet or isolation or other suitable containment	Where appropriate	Yes, where infection is by airborne route	Yes
14. Incinerator for disposal of animal carcases	Recommended	Yes (available)	Yes, on site

ANNEX VI

CONTAINMENT FOR INDUSTRIAL PROCESSES

(Article 4(1) and Article 16(2)(a))

Group 1 biological agents

For work with group 1 biological agents including life attenuated vaccines, the principles of good occupational safety and hygiene should be observed.

Groups 2, 3 and 4 biological agents

It may be appropriate to select and combine containment requirements from different categories below on the basis of a risk assessment related to any particular process or part of a process.

A. Containment measures	B. Containment levels		
	2	3	4
1. Viable organisms should be handled in a system which physically separates the process from the environment	yes	yes	yes
2. Exhaust gases from the closed system should be treated so as to:	minimise release	prevent release	prevent release
3. Sample collection, addition of materials to a closed system and transfer of viable organisms to another closed system, should be performed so as to:	minimise release	prevent release	prevent release
4. Bulk culture fluids should not be removed from the closed system unless the viable organisms have been:	Inactivated by validated means	Inactivated by validated chemical or physical means	Inactivated by validated chemical or physical means
5. Seals should be designed so as to:	minimise release	prevent release	prevent release
6. Closed systems should be located within a controlled area	optional	optional	yes, and purpose-built
(a) Biohazard signs should be posted	optional	yes	yes
(b) Access should be restricted to nominated personnel only	optional	yes	yes, via an airlock
(c) Personnel should wear protective clothing	yes, work clothing	yes	a complete change
(d) Decontamination and washing facilities should be provided for personnel	yes	yes	yes
(e) Personnel should shower before leaving the controlled area	no	optional	yes
(f) Effluent from sinks and showers should be collected and inactivated before release	no	optional	yes
(g) The controlled area should be adequately ventilated to minimise air contamination	optional	optional	yes
(h) The controlled area should be maintained at an air pressure negative to atmosphere	no	optional	yes
(i) Input air and extract air to the contolled area should be HEPA filtered	no	optional	yes
(j) The controlled area should be designed to contain spillage of the entire contents of the closed system	no	optional	yes
(k) The controlled area should be sealable to permit fumigation	no	optional	yes
(l) Effluent treatment before final discharge.	Inactivated by validated means	Inactivated by validated chemical or physical means	Inactivated by validated chemical or physical means

ANNEX VII

RECOMMENDED CODE OF PRACTICE ON VACCINATION

(Article 14(3))

1. If the assessment referred to in Article 3(2) reveals that there is a risk to the health and safety of workers due to their exposure to biological agents for which effective vaccines exist, their employers should offer them vaccination.
2. Vaccination should be carried out in accordance with national law and/or practice.

   Workers should be informed of the benefits and drawbacks of both vaccination and non-vaccination.
3. Vaccination must be offered free of charge to workers.
4. A vaccination certificate may be drawn up which should be made available to the worker concerned and, on request, to the competent authorities.

ANNEX VIII

PART A

Repealed Directive with its successive amendments

(referred to in Article 21)

Council Directive 90/679/EEC (OJ L 374, 31.12.1990, p. 1)

Council Directive 93/88/EEC (OJ L 268, 29.10.1993, p. 71)

Commission Directive 95/30/EC (OJ L 155, 6.7.1995, p. 41)

Commission Directive 97/59/EC (OJ L 282, 15.10.1997, p. 33)

Commission Directive 97/65/EC (OJ L 335, 6.12.1997, p. 17)

PART B

Deadlines for transposition into national law

(referred to in Article 21)

Directive	Deadline for transposition
90/679/EEC	28 November 1993
93/88/EEC	30 April 1994
95/30/EC	30 November 1996
97/59/EC	31 March 1998
97/65/EC	30 June 1998

ANNEX IX

CORRELATION TABLE

Directive 90/679/EEC	This Directive
Article 1	Article 1
Article 2, point (a)	Article 2, first paragraph, point (a)
Article 2, point (b)	Article 2, first paragraph, point (b)
Article 2, point (c)	Article 2, first paragraph, point (c)
Article 2, point (d)	Article 2, second paragraph
Article 3(1)	Article 3(1)
Article 3(2)(a)	Article 3(2), first subparagraph
Article 3(2)(b)	Article 3(2), second subparagraph
Article 3(2)(c)	Article 3(2), third subparagraph
Article 3(2)(d)	Article 3(2), fourth subparagraph
Article 3(3), first indent	Article 3(3)(a)
Article 3(3), second indent	Article 3(3)(b)
Article 3(3), third indent	Article 3(3)(c)
Article 3(3), fourth indent	Article 3(3)(d)
Article 3(3), fifth indent	Article 3(3)(e)
Article 4	Article 4
Article 5	Article 5
Article 6	Article 6
Article 7(1), first indent	Article 7(1)(a)
Article 7(1), second indent	Article 7(1)(b)
Article 7(1), third indent	Article 7(1)(c)
Article 7(1), fourth indent	Article 7(1)(d)
Article 7(1), fifth indent	Article 7(1)(e)
Article 7(1), sixth indent	Article 7(1)(f)
Article 7(2)	Article 7(2)
Article 7(3)	Article 7(3)
Article 8(1)(a) to (e)	Article 8(1)(a) to (e)
Article 8(2)(a)	Article 8(2), first subparagraph
Article 8(2)(b)	Article 8(2), second subparagraph
Article 8(3)	Article 8(3)
Article 9(1)(a) to (e)	Article 9(1)(a) to (e)
Article 9(2), first indent	Article 9(2)(a)
Article 9(2), second indent	Article 9(2)(b)
Article 9(2), third indent	Article 9(2)(c)
Article 10(1), first indent	Article 10(1)(a)
Article 10(1), second indent	Article 10(1)(b)
Article 10(2) to (6)	Article 10(2) to (6)
Article 11(1)	Article 11(1)
Article 11(2), second subparagraph, first indent	Article 11(2), second subparagraph, (a)
Article 11(2), second subparagraph, second indent	Article 11(2), second subparagraph, (b)
Article 11(2), second subparagraph, third indent	Article 11(2), second subparagraph, (c)
Article 11(2), second subparagraph, fourth indent	Article 11(2), second subparagraph, (d)
Article 11(2), second subparagraph, fifth indent	Article 11(2), second subparagraph, (e)
Article 11(3)	Article 11(3)
Article 12	Article 12
Article 13(1), first indent	Article 13(1)(a)
Article 13(1), second indent	Article 13(1)(b)

Directive 90/679/EEC	This Directive
Article 13(1), third indent	Article 13(1)(c)
Article 13(2) to (4)	Article 13(2) to (4)
Article 14(1)	Article 14(1)
Article 14(2), first indent	Article 14(2)(a)
Article 14(2), second indent	Article 14(2)(b)
Article 14(3) to (6)	Article 14(3) to (6)
Article 14(7), first indent	Article 14(7)(a)
Article 14(7), second indent	Article 14(7)(b)
Article 14(8)	Article 14(8)
Article 14(9)	Article 14(9)
Article 15	Article 15
Article 16(1)	Article 16(1)
Article 16(2)(a)	Article 16(2)(a)
Article 16(2)(b)	Article 16(2)(b)
Article 16(2)(c)	Article 16(3)
Article 17	Article 17
Article 18(1)	—
Article 18(2)	Article 18(1)
Article 18(3)	Article 18(2)
Article 18(4)	Article 18(3)
Article 19	Article 19
Article 20(1)	—
Article 20(2)	Article 20
—	Article 21
—	Article 22
—	Article 23
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
Annex IV	Annex IV
Annex V	Annex V
Annex VI	Annex VI
Annex VII	Annex VII
—	Annex VIII
—	Annex IX

CORRIGENDA

Corrigendum to Commission Directive 2000/42/EC of 22 June 2000 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively

(Official Journal of the European Communities L 158 of 30 June 2000)

On page 54, in the headings of the table:

for: 'Phorate Sum of phorate, its oxygen analogue and their sulfones expressed as phorate',

read: 'Phorate (sum of phorate, its oxygen analogue and their sulphoxides and sulphones expressed as phorate)';

on pages 57 to 64, in the headings of the table:

for: 'Phorate (sum of phorate, its oxygen analogue and their sulfones expressed as phorate)',

read: 'Phorate (sum of phorate, its oxygen analogue and their sulphoxides and sulphones expressed as phorate)';

in Annex II, in the column heading 'Of fat contained in meat, …':

for: 'ex 0201',

read: '0201';

in Annex III, in the column heading 'Of meat, …':

for: 'ex 0201',

read: '0201';

on page 61, under the heading 'Chlorothalonil', against '(ii) Bulb vegetables', 'Others':

for: '0,1 (*)',

read: '0,01 (*)';

on page 55, in the third line under 'Fenelvalerate and esfenelvalerate',:

for: 'sum of RR and SR isomers: 0207 poultry meat',

read: 'sum of RS and SR isomers: 0207 poultry meat';

on page 54, in the second footnote to the table:

for: '*NB*: For the convenience of the MRLs are indicated …',

read: '*NB*: For the convenience of the reader, MRLs are indicated …'.

NOTICE TO READERS

Owing to a technical problem occurring between the publication of Regulation (EC) No 2119/2000 (OJ L 252, 6.10.2000, p. 11) and that of Regulation (EC) No 2220/2000 (OJ L 253, 7.10.2000, p. 1), document Nos 2120/2000 to 2219/2000 have not been assigned.