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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (ECSC, EC, EURATOM) No 542/97
of 13 March 1997**

**laying down the weightings applicable from 1 July 1996 to the remuneration of
officials of the European Communities serving in third countries**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EC) No 2485/96⁽²⁾, and in particular the first subparagraph of Article 13 of Annex X thereto,

Having regard to the proposal from the Commission,

Whereas account should be taken of changes in the cost of living in countries outside the Community and weightings applicable to remuneration payable in the currency of the country of employment to officials serving in third countries should be determined with effect from 1 July 1996;

Whereas, under Annex X of the Staff Regulations, the Council sets the weightings every six months; whereas it will accordingly have to set new weightings for the coming half-years;

Whereas the weightings to apply with effect from 1 July 1996 in respect of which payment has been made on the basis of a previous regulation could lead to retrospective adjustments to remuneration (positive or negative);

Whereas provision should be made for back-payments in the event of an increase as a result of these weightings;

Whereas provision should be made for the recovery of sums overpaid in the event of a reduction as a result of these weightings for the period between 1 July 1996 and

the date of the Council decision setting the weightings to apply with effect from 1 July 1996;

Whereas, however, in order for the weightings applicable within the Community to reflect the remuneration and pensions of officials and other servants of the European Communities, provision should be made for any such recovery to apply solely to a period of no more than six months preceding the decision and for its effects to be spread over a period of no more than 12 months following the date of that decision,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 1996, the weightings applicable to remuneration paid in the currency of the country of employment of Community officials shall be as shown in the Annex.

The exchange rates for the calculation of such remuneration shall be those used for implementation of the general budget of the European Communities for the month preceding the date referred to in the first subparagraph.

Article 2

In accordance with the first subparagraph of Article 13 of Annex X to the Staff Regulations, the Council shall set weightings every six months. It shall accordingly set new weightings with effect from 1 January 1997.

The institutions shall make back payments in the event of an increase in remuneration as a result of these weightings.

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 338, 28. 12. 1996, p. 1.

For the period between 1 July 1996 and the date of the Council decision setting the weightings applicable with effect from 1 July 1996, the institutions shall make retrospective negative adjustments to remuneration in the event of a reduction as a result of these weightings.

Retrospective adjustments involving the recovery of sums overpaid shall, however, concern only a period of no more

than six months preceding the decision and this recovery shall be spread over no more than 12 months from the date of that decision.

Article 3

This Regulation shall enter into force on the 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, 13 March 1997.

For the Council

The President

J. VAN AARTSEN

ANNEX

Place of employment	Economic parities July 1996	Exchange rates June 1996 (**)	Weightings July 1996 (***)
Albania	2,2556249	3,6664956	61,52
Algeria (*)	0	1,7800246	0,00
Angola	2468615,215	1011910,183	243,96
Antigua and Barbuda	0,081068	0,0859623	94,31
Argentina	0,0299492	0,0318279	94,10
Australia	0,0333145	0,0399664	83,36
Bangladesh	0,7777071	1,329363	58,50
Barbados	0,0544729	0,063674	85,55
Belize	0,0456028	0,063674	71,62
Benin	11,1971251	16,4725649	67,97
Bolivia (*)	0	0	0,00
Bosnia-Herzegovina (*)	0	0	0,00
Botswana	0,0647352	0,1056	61,30
Brazil	0,0244446	0,0309521	78,98
Bulgaria	1,5568537	4,0390985	38,54
Burkina Faso	13,0420989	16,4725649	79,17
Burundi	7,4564554	8,9198109	83,59
Cameroon	15,1617187	16,4725649	92,04
Canada	0,0296948	0,0437082	67,94
Central African Republic	18,3698684	16,4725649	111,52
Chad	12,9296478	16,4725649	78,49
Chile	11,0214007	13,0191381	84,66
China	0,2073044	0,2651535	78,18
Colombia	23,1500329	34,0309682	68,03
Comoros	11,0233646	12,3543728	89,23
Congo	15,8847088	16,4725649	96,43
Costa Rica	4,2914188	6,5397947	65,62
Côte d'Ivoire	15,259141	16,4725649	92,63
Cyprus	0,0123438	0,0150657	81,93
Czech Republic	0,5561112	0,8873902	62,67
Djibouti	6,6312349	5,6580287	117,20
Dominican Republic	0,3064145	0,4097521	74,78
Egypt	0,0632051	0,1058896	59,69
Equatorial Guinea	13,2482031	16,4725649	80,43
Eritrea (*)	0	0	0,00
Estonia (*)	0	0	0,00
Ethiopia	0,0725413	0,2012113	36,05
Former Yugoslavia (*)	0	0,1605575	0,00
Fiji	0,0316962	0,0436567	72,60
Gabon	20,1557622	16,4725649	122,36
Gambia	0,2471755	0,3068708	80,55
Georgia	0,0261629	0,031837	82,18
Ghana	18,8697439	51,4588586	36,67
Grenada	0,0793511	0,0859623	92,31
Guinea	32,1593765	31,8684471	100,91
Guinea-Bissau	457,1247205	736,1059993	62,10
Guyana	2,6616635	4,4734723	59,50
Haiti (*)	0	0,5093984	0,00
Hong Kong	0,2497118	0,24833	100,56
Hungary	3,5476908	4,8503662	73,14
India	0,4445627	1,0951103	40,60
Indonesia	59,0410903	73,713696	80,10
Israel	0,1092398	0,103598	105,45
Jamaica	0,6155779	1,2351779	49,84
Japan	5,3131863	3,3998572	156,28
Jordan	0,0141788	0,0222084	63,84

Place of employment	Economic parities July 1996	Exchange rates June 1996 (**)	Weightings July 1996 (***)
Kazakhstan	0,0342607	0,031837	107,61
Kenya	1,1767997	1,8240187	64,52
Latvia (*)	0	0	0,00
Lebanon	47,0506759	49,3193924	95,40
Left Bank — Gaza Strip (*)	0	0	0,00
Lesotho	0,0703153	0,1392874	50,48
Liberia (*)	0	0,031837	0,00
Lithuania (*)	0	0	0,00
Madagascar	68,2662146	125,2348153	54,51
Malawi	0,1880859	0,4882336	38,52
Mali	13,9842377	16,4725649	84,89
Malta	0,009066	0,0116159	78,05
Mauritania	3,3068724	4,3023706	76,86
Mauritius	0,4316361	0,6136099	70,34
Mexico	0,1181044	0,2363899	49,96
Morocco	0,1961727	0,2803241	69,98
Mozambique	194,4173606	351,4938489	55,31
Namibia	0,0874029	0,1392874	62,75
Netherlands Antilles	0,0450799	0,0566701	79,55
New Caledonia	3,6821563	2,9949984	122,94
Niger	13,0819304	16,4725649	79,42
Nigeria	1,0355024	2,6266022	39,42
Norway	0,2576376	0,2080862	123,81
Pakistan	0,6604226	1,1055954	59,73
Papua New Guinea	0,0380214	0,0406058	93,64
Peru	0,0627747	0,0767578	81,78
Philippines	0,4918452	0,817929	60,13
Poland	716,1510829	849,5454932	84,30
Republic of Cape Verde	1,9902843	2,6755137	74,39
Romania	39,1804024	93,949643	41,70
Russia	0,0386537	0,031837	121,41
Rwanda (*)	0	9,6237128	0,00
Senegal	12,2688129	16,4725649	74,48
Sierra Leone	22,4305825	27,2643001	82,27
Slovakia	0,5873548	0,986096	59,56
Slovenia	3,6983593	4,4347865	83,39
Solomon Islands	0,0986771	0,1049043	94,06
Somalia (*)	0	83,4097923	0,00
South Africa (Pretoria)	0,0848823	0,1392874	60,94
South Africa (The Cape)	0,0892687	0,1392874	64,09
South Korea	23,5938015	24,7917493	95,17
Sri Lanka (*)	0	0	0,00
Sudan	1,0457249	3,7854412	27,62
Suriname	7,0786481	12,7985256	55,31
Swaziland	0,0610639	0,1392874	43,84
Switzerland	0,0489475	0,0399074	122,65
Syria	0,9122293	1,3371487	68,22
São Tomé and Príncipe (*)	0	0	0,00
Tanzania	8,3323384	18,5154326	45,00
Thailand	0,5818168	0,7861635	74,01
Togo	13,1436828	16,4725649	79,79
Tonga	0,0335283	0,0395695	84,73
Trinidad and Tobago	0,1006786	0,1885547	53,39
Tunisia	0,0191265	0,0305614	62,58
Turkey	1600,309282	2492,273951	64,21
Uganda	21,0489094	31,7803343	66,23
Ukraine	0,0343746	0,031837	107,97
United States of America (New York)	0,0297365	0,031837	93,40
United States of America (Washington)	0,0259319	0,031837	81,45
Uruguay	0,2185239	0,2476903	88,22

Place of employment	Economic parities July 1996	Exchange rates June 1996 (**)	Weightings July 1996 (***)
Vanuatu	3,4230266	3,5308241	96,95
Venezuela	6,573016	14,9195834	44,06
Vietnam	125,6336345	348,9305279	36,01
Western Samoa	0,0582731	0,0764584	76,22
Zaire	0 (*)	1089,324619	0,00
Zambia	22,644138	39,1711387	57,81
Zimbabwe	0,1460063	0,3101833	47,07

(*) Not available.

(**) Bfr 1 = local currency.

Georgia, Kazakhstan, Russia, Ukraine = US \$.

(***) Brussels = 100.

COUNCIL REGULATION (EC) No 543/97

of 17 March 1997

amending Regulation (EEC) No 1107/70 on the granting of aids for transport by rail, road and inland waterway

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 75 and 94 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,Having regard to the opinion of the Economic and Social Committee ⁽²⁾,Acting in accordance with the procedure referred to in Article 189c of the Treaty ⁽³⁾,

- (1) Whereas Council Regulation (EEC) No 1107/70 of 4 June 1970 on the granting of aids for transport by rail, road and inland waterway ⁽⁴⁾, provides the Member States with the possibility of developing combined transport by the granting of aid relating to investments in infrastructure, in fixed and mobile equipment necessary for transshipment and in transport equipment specifically geared to combined transport and used only in combined transport or aid concerning the running costs of an intra-Community combined transport service transiting through the territory of third countries;
- (2) Whereas the growing requirement for mobility is placing ever increasing demands and pressures on people and the environment; whereas, to take account of the present highly uneven spread of costs and pressures between the different modes of transport, the possibility must be created of support for environment-friendly forms of transport;
- (3) Whereas the current overall transport policy has not yet succeeded in creating the conditions for healthy competition between the various modes of transport; whereas no financial equilibrium has yet been achieved within the railway companies;
- (4) Whereas the development of combined transport reveals that the launching phase of this technique has not yet been completed in all regions of the Community; whereas the aid arrangements have accordingly to be extended;
- (5) Whereas, consequently, it is appropriate to maintain current aid arrangements in force until 31 December 1997; whereas the Council should take a decision, under the conditions provided for in the Treaty, on the arrangements to be applied thereafter or, if

necessary, on the conditions under which these aids should cease;

- (6) Whereas the possibility of granting aid for the running costs of combined transport services transiting through the territory of third countries has to be maintained only for Switzerland and the States of former Yugoslavia;
- (7) Whereas Decision 75/327/EEC ⁽⁵⁾, to which Article 4 of Regulation (EEC) No 1107/70 refers, was repealed by Article 13 of Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways ⁽⁶⁾; whereas Article 4 should therefore be deleted;
- (8) Whereas the categories of aid authorized for combined transport have been shown to operate satisfactorily and that it is possible, consequently, to simplify checks on these by exempting them from the procedure referred to in Article 93 (3) of the Treaty;
- (9) Whereas the laying down of rules relating to aids allocated by Member States for transport is a matter of exclusive Community competence and must take the form of a regulation;
- (10) Whereas it is appropriate to amend Regulation (EEC) No 1107/70 accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1107/70 is hereby amended as follows:

1. Article 3, item 1 (e), shall be amended as follows:

— in the first and third subparagraphs, 31 December 1995 shall be replaced by 31 December 1997,

⁽¹⁾ OJ No C 253, 29. 9. 1995, p. 22.⁽²⁾ OJ No C 39, 12. 2. 1996, p. 102.⁽³⁾ Opinion of the European Parliament of 29 February 1996 (OJ No C 78, 18. 3. 1996, p. 25), Council common position of 25 October 1996 (OJ No C 372, 9. 12. 1996, p. 1) and Decision of the European Parliament of 19 February 1997 (OJ No C 85, 17. 3. 1997).⁽⁴⁾ OJ No L 130, 15. 6. 1970, p. 1. Regulation as last amended by Regulation (EEC) No 3578/92 (OJ No L 364, 12. 12. 1992, p. 11).⁽⁵⁾ Council Decision 75/327/EEC of 20 May 1975 on the improvement of the situation of railway undertakings and the harmonization of the rules governing financial relations between such undertakings and the States (OJ No L 152, 12. 6. 1975, p. 3).⁽⁶⁾ OJ No L 237, 24. 8. 1991, p. 25.

— in the fourth indent of the first subparagraph, the words 'across Austria' shall be deleted;

Commission on an estimated basis at the beginning of each year, and, subsequently, in the form of a report, after the end of the financial year.'

2. Article 4 shall be deleted;

Article 2

3. Article 5 (2) shall be replaced by the following:

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

'2. Aid referred to in Article 3, item 1 (e) shall be exempt from the procedure provided for in Article 93 (3) of the Treaty; it shall be communicated to the

It shall apply with effect from 1 January 1996.

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

Done at Brussels, 17 March 1997.

For the Council

The President

J. VAN AARTSEN

COMMISSION REGULATION (EC) No 544/97

of 25 March 1997

introducing certificates of origin for garlic imported from certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables ⁽¹⁾, and in particular Article 31 (2) thereof,

Whereas Commission Regulation (EEC) No 1859/93 of 12 July 1993 on the application of the system of import licences for garlic imported from third countries ⁽²⁾, as amended by Regulation (EC) No 1662/94 ⁽³⁾, makes the release of garlic for free circulation in the Community subject to the presentation of an import licence;

Whereas, in recent years, particularly as a result of the introduction of a safeguard clause on the import of garlic originating in China, massive or sudden increases have been recorded in imports of this product from certain third countries that are not traditionally exporters to the Community;

Whereas, based on these observations and the information received by the Commission, there are well-founded grounds for doubting the true origin of the garlic imported from these countries; whereas, on this basis, the competent Commission staff have alerted the appropriate offices in the Member States; whereas, however, imports whose true origin remains doubtful have continued at a high rate;

Whereas, to improve controls and prevent any risk of a deflection of trade based on incorrect documents, imports of garlic from these countries should be made subject to the presentation of a certificate of origin issued by the competent national authorities, in accordance with Articles 56 to 62 of Commission Regulation (EEC) 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 ⁽⁴⁾, as last amended by Regulation (EC) No 89/97 ⁽⁵⁾; whereas, for the same reason, direct transport of garlic originating in these third countries to the Community must be imposed;

Whereas introduction of this certificate scheme will require administrative cooperation between the Community and the third countries involved, in accordance

with Articles 63 to 65 of Regulation (EEC) No 2454/93, with a view to providing the Commission with information on the competent authorities for issuing certificates of origin in each of the third countries; whereas, once this information is sent by each of the countries concerned to the Commission, it will be published in the 'C' series of the *Official Journal of the European Communities*; whereas, upon publication of this information, this Regulation will apply to each of the third countries concerned; whereas a maximum limit of three months should however be laid down for sending the Commission the necessary information; whereas this Regulation shall apply to all of the countries concerned once this deadline has passed, irrespective of whether they have sent the information to the Commission or not;

Whereas application of this Regulation should be specifically waived in the case of goods already on their way to the Community;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The release for free circulation in the Community of garlic from the third countries listed in the Annex hereto shall be conditional on:

- (a) the presentation of a certificate of origin issued by the competent national authorities of these countries in accordance with Articles 55 to 65 of Regulation (EEC) No 2454/93; and
- (b) the product being transported direct from these countries into the Community.

Article 2

1. The following shall be considered as transported direct to the Community from the third countries listed in the Annex:

- (a) products transported without passing through the territory of any other country;
- (b) products transported through countries other than the country of origin, with or without transshipment or temporary warehousing in those countries, provided that passage through those countries is justified for geographical reasons or exclusively on account of transport requirements, and that the products:

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ No L 170, 13. 7. 1993, p. 10.

⁽³⁾ OJ No L 176, 9. 7. 1994, p. 1.

⁽⁴⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽⁵⁾ OJ No L 17, 21. 1. 1997, p. 28.

- have remained under the supervision of the customs authorities of the country of transit or warehousing,
- have not entered into commerce or been released for consumption, and
- have not undergone operations other than unloading and reloading or any other operation to keep them in good condition.

2. Proof that the conditions laid down in 1 (b) above have been met shall be provided by supplying the Community authorities with:

- (a) a single transport document issued in the country of origin covering passage through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit containing:
 - an exact description of the goods,
 - the dates of their unloading and reloading or, where applicable, their lading or unlading, identifying the vessels used,
 - certification of the conditions under which they were kept during their time in the country of transit; or
- (c) failing these, any substantiating documents.

Article 3

Once sent by each of the third countries listed in the Annex hereto, the information needed to implement the administrative cooperation under Articles 63 to 65 of Regulation (EEC) No 2454/93 shall be published in the 'C' series of the *Official Journal of the European Communities*.

Article 4

1. This Regulation shall not apply to products in the process of shipment to the Community within the meaning of paragraph 2.

2. Products shall be deemed to be in the process of shipment to the Community if they:

- left the country of origin before the date this Regulation begins to apply, and
- are shipped from the place of loading in the country of origin to the place of unloading in the Community under cover of a valid transport document issued before the date this Regulation begins to apply.

3. The parties concerned shall provide proof to the satisfaction of the customs authorities that the conditions laid down in paragraph 2 have been met.

However, the authorities may regard the products as having left the country of origin before the date this Regulation begins to apply if one of the following documents is provided:

- in the case of transport by sea, the bill of lading showing that loading took place before that date,
- in the case of transport by rail, the consignment note that was accepted by the railway authorities in the country of origin before that date,
- in the case of transport by road, the CMR contract for the carriage of goods or any other transport document issued in the country of origin before that date,
- in the case of transport by air, the air consignment note showing that the airline took the products over before that date.

Article 5

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 all the countries listed in the Annex upon publication of the information referred to in Article 3 or, failing that, three months after its publication.

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

Done at Brussels, 25 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

List of third countries referred to in Article 1 (1)

Lebanon
Iran
United Arab Emirates
Vietnam

COMMISSION REGULATION (EC) No 545/97

of 25 March 1997

amending Regulation (EC) No 2368/96 derogating from and amending Regulation (EEC) No 2456/93 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards public intervention measures

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2222/96⁽²⁾, and in particular Articles 6 (7) and 22a (3) thereof,

Whereas Article 1 (1) (a) of Commission Regulation (EC) No 2368/96⁽³⁾, as last amended by Regulation (EC) No 242/97⁽⁴⁾, lays down the list of additional products that may be bought in in Germany; whereas, as a result of a recovery of market prices for the products in question, those products should be excluded from the list of eligible qualities in that Member State;

Whereas Article 1 (3) of the above Regulation lays down maximum carcase weights in derogation from Article 3 (2) (h) of Commission Regulation (EEC) No 2456/93⁽⁵⁾; whereas that derogation should be maintained for invitations to tender in April, May and June 1997;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

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

Done at Brussels, 25 March 1997.

Article 1

Regulation (EEC) No 2368/96 is amended as follows:

1. In Article 1:

(a) In paragraph 1 (a), the words 'GERMANY — category A, classes O2 and O3' are deleted.

(b) Paragraph 3 is replaced by the following:

'3. Notwithstanding Article 4 (2) (h) of Regulation (EEC) No 2456/93, the maximum weight of carcases as referred to in the above provision shall be:

(a) 360 kilograms for carcases of animals in categories A and C, confirmation classes U, R and O;

(b) 450 kilograms for carcases of animals in category A, confirmation classes S and E.'

2. The second paragraph of Article 3 is replaced by the following:

'Article 1 shall apply to invitations to tender opened during April to June 1997.'

Article 2

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

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 323, 13. 12. 1996, p. 6.

⁽⁴⁾ OJ No L 40, 11. 2. 1997, p. 14.

⁽⁵⁾ OJ No L 225, 4. 9. 1993, p. 4.

COMMISSION REGULATION (EC) No 546/97

of 25 March 1997

amending Regulation (EC) No 414/97 adopting exceptional support measures for the market in pigmeat in Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975, on the common organization of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 20 and 22, second paragraph thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in Germany, exceptional support measures for the market in pigmeat were adopted for that Member State by Commission Regulation (EC) No 414/97 ⁽³⁾;

Whereas, permission should be given for the use of pigs which have been slaughtered for the manufacture of processed products and which have undergone heat treatment so as to prevent any risk to health; whereas provision should be made to export these products so as to avoid disturbance on the Community market; whereas no export refund should be granted, given the quite low price level at which the processing industry can find supplies; whereas the traditional trade links with third countries for these products should be maintained and any disturbance of the markets in these countries should be avoided; whereas it is necessary to provide for the individual marking of the cans in order to avoid the risk of re-importation into the European Union;

Whereas it is necessary to deduct the transport costs from the aid calculated in compliance with the provisions of Article 4 (1) of Regulation (EC) No 414/97, because, contrary to normal marketing in the framework of exceptional measures the transport costs are not borne by the producer;

Whereas it is necessary to take into account the amendment of the zones subject to sanitary and commercial restrictions following the outbreak of new cases of classical swine fever in Lower Saxony, by amending Annex I to Regulation (EC) No 414/97 and replacing Annex II with a new Annex;

Whereas the fast and efficient application of exceptional market support measures is one of the best instruments to

combat the spread of classical swine fever; whereas it is justified from then on to apply most of the provisions laid down in this Regulation with effect from 18 March 1997;

Whereas the Management Committee for Pigmeat has not delivered an opinion within the time limit set by the Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 414/97 is hereby amended as follows:

1. Article 3 is replaced by the following:

Article 3

On the day they are delivered, the animals shall be weighed and killed in such a way as to prevent the disease from spreading.

They shall be transported without delay to a rendering plant and processed into products falling within CN codes 1501 00 11, 1506 00 00 and 2301 10 00, in accordance with the provisions laid down in Article 3 of Council Directive 90/667/EEC.

However, the fattened pigs may be transported to a slaughterhouse where they shall be slaughtered forthwith and may be stored as whole or half carcasses in a cold store before being transported to a rendering plant.

These operations shall be carried out under the permanent supervision of the competent German authorities.'

2. The following Article 3a is hereby inserted:

Article 3a

1. Article 3 notwithstanding, the German authorities may decide to use the pigs slaughtered for the manufacture of processed products falling within CN codes heading 1602. In this case, the meat shall undergo heat treatment raising the centre temperature to at least 70 °C.

The quantity of processed products shall not be greater than 4 000 tonnes.

2. The processed products referred to in paragraph 1 must be exported. No export refund shall be granted. The competent authorities shall take the necessary measures to ensure that these provisions are complied with and shall inform the Commission thereof.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 62, 4. 3. 1997, p. 29.

The said measures shall include in particular the obligation on the part of the operators to supply at 15 day intervals the data relating to the exports and to complete the customs export formalities in Germany, as well as the obligatory inclusion on the export declaration, and where appropriate on the T5 control copy of the following:

"Regulation (EC) No 414/97; export without refund".

3. The German authorities shall take all the necessary measures to ensure that the carcasses or half-carcasses are fully processed and that veterinary requirements during storage, transport and processing are observed. These measures shall include a permanent on-the-spot check of the meat processing by the competent authorities. Germany shall notify the Commission of the practical administrative and monitoring measures it has taken within 15 days of the adoption of this Regulation.

4. The profits resulting from the sale of any meat of pigs slaughtered by the German authorities for processing shall be divided between the Community and Germany on the basis of the scale used to grant the aid. Any loss resulting from the sales transaction shall not be charged to the Community budget. The sale of the meat to the processing industry by the German authorities should be carried out by means of a tender system.

5. Germany shall ensure by appropriate means that sales of processed products falling within CN heading 1602 are carried out under fair competitive conditions and do not give rise to undue profit on the part of the operators.

6. The German authorities shall inform the Commission on a regular basis of the progress of the

sales, particularly as regards the prices achieved, the quantities sold and the countries of destination. The authorities shall notify the Commission of the measures taken pursuant to paragraph 5 above.

7. Each can must be marked. The content of the marking is laid down by the competent authorities; the marking is executed by punching of the cans.'

3. Article 4 (1) is replaced by the following:

'1. For fattened pigs weighing 120 kilograms or more on average per batch, the aid provided for in Article 1 (1), at farm gate, shall be equal to the market price for slaughtered pigs of grade E, within the meaning of Article 4 (2) of Regulation (EEC) No 2759/75, of Commission Regulation (EEC) No 3537/89 ⁽¹⁾ and Commission Regulation (EEC) No 2123/89 ⁽²⁾, recorded in Germany during the week preceding the delivery of the fattened pigs to the competent authorities, and reduced by transport costs of ECU 2,8/100 kilograms slaughter weight.'

4. The text provided for in Annex I to this Regulation is added to Annex I.

5. Annex II is replaced by Annex II to this Regulation.

Article 2

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

The provisions of Article 1 (1), (2), (4) and (5) shall apply from 18 March 1997.

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

Done at Brussels, 25 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

	'Lower Saxony
fattened pigs	2 500 head
piglets	3 000 head'

*ANNEX II**'ANNEX II*

1. In North Rhine-Westphalia, the protection and surveillance zones in the following Kreise:

- Paderborn,
- Soest,
- Gütersloh,
- Lippe.

2. In Mecklenburg — Western Pomerania, the protection and surveillance zones in the following Kreise:

All Kreise with exception of Nordwestmecklenburg and Ludwigslust.

3. In Lower Saxony, the protection and surveillance zones in the following Kreise:

- Lüchow-Dannenberg,
- Uelzen.'

COMMISSION REGULATION (EC) No 547/97
of 25 March 1997
altering the export refunds on beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 2222/96 ⁽²⁾, and in particular Article 13 thereof,

Whereas the export refunds on beef were fixed by Commission Regulation (EC) No 379/97 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 379/97 to the information known to the Commission that the export refunds

for the products listed in the Annex hereto should be altered to the amounts set out therein,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 13 of Regulation (EEC) No 805/68, as fixed in the Annex I to Regulation (EC) No 379/97 are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 26 March 1997.

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

Done at Brussels, 25 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 60, 1. 3. 1997, p. 35.

ANNEX

to the Council Regulation of 25 March 1997 altering export refunds on beef

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (?)	Product code	Destination	Refund (?)
		— Live weight —			— Net weight —
0102 10 10 9120	01	68,50	0201 20 20 9120	02	95,00
0102 10 10 9130	02	45,50		03	66,00
	03	31,50		04	33,00
	04	15,50			
0102 10 30 9120	01	68,50	0201 20 30 9110 (1)	02	93,50
0102 10 30 9130	02	45,50		03	64,50
	03	31,50		04	31,50
	04	15,50			
0102 10 90 9120	01	68,50	0201 20 30 9120	02	69,00
0102 90 41 9100	02	60,50		03	48,50
0102 90 51 9000	02	45,50		04	24,00
	03	31,50	0201 20 50 9110 (1)	02	163,50
	04	15,50		03	109,00
0102 90 59 9000	02	45,50		04	54,00
	03	31,50	0201 20 50 9120	02	120,50
	04	15,50		03	83,50
0102 90 61 9000	02	45,50		04	41,50
	03	31,50	0201 20 50 9130 (1)	02	93,50
	04	15,50		03	64,50
0102 90 69 9000	02	45,50		04	31,50
	03	31,50	0201 20 50 9140	02	69,00
	04	15,50		03	48,50
0102 90 71 9000	02	60,50		04	24,00
	03	40,00	0201 20 90 9700	02	69,00
	04	20,00		03	48,50
0102 90 79 9000	02	60,50		04	24,00
	03	40,00	0201 30 00 9050	05 (4)	100,00
	04	20,00		07 (4a)	100,00
		— Net weight —	0201 30 00 9100 (2)	02	228,00
0201 10 00 9110 (1)	02	93,50		03	156,50
	03	64,50		04	78,00
	04	31,50		06	200,50
0201 10 00 9120	02	69,00	0201 30 00 9150 (6)	08	121,00
	03	48,50		09	111,00
	04	24,00		03	93,50
0201 10 00 9130 (1)	02	129,00		04	47,00
	03	86,50		06	108,50
	04	43,50	0201 30 00 9190 (6)	02	95,50
0201 10 00 9140	02	95,00		03	63,00
	03	66,00		04	31,50
	04	33,00		06	77,00
0201 20 20 9110 (1)	02	129,00			
	03	86,50			
	04	43,50			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (7)	Product code	Destination	Refund (7)
		— Net weight —			— Net weight —
0202 10 00 9100	02	69,00	1602 50 10 9120	02	110,00 (8)
	03	48,50		03	88,50 (8)
	04	24,00		04	88,50 (8)
0202 10 00 9900	02	95,00	1602 50 10 9140	02	97,50 (8)
	03	66,00		03	78,00 (8)
	04	33,00		04	78,00 (8)
0202 20 10 9000	02	95,00	1602 50 10 9160	02	78,00 (8)
	03	66,00		03	63,00 (8)
	04	33,00		04	63,00 (8)
0202 20 30 9000	02	69,00	1602 50 10 9170	02	52,00 (8)
	03	48,50		03	41,50 (8)
	04	24,00		04	41,50 (8)
0202 20 50 9100	02	120,50	1602 50 10 9190	02	52,00
	03	83,50		03	41,50
	04	41,50		04	41,50
0202 20 50 9900	02	69,00	1602 50 10 9240	02	—
	03	48,50		03	—
	04	24,00		04	—
0202 20 90 9100	02	69,00	1602 50 10 9260	02	—
	03	48,50		03	—
	04	24,00		04	—
0202 30 90 9100	05 (4)	100,00	1602 50 10 9280	02	—
	07 (4a)	100,00		03	—
				04	—
0202 30 90 9400 (6)	08	121,00	1602 50 31 9125	01	108,00 (5)
	09	111,00	1602 50 31 9135	01	63,00 (8)
	03	93,50	1602 50 31 9195	01	31,00
	04	47,00	1602 50 31 9325	01	96,50 (5)
	06	108,50	1602 50 31 9335	01	56,50 (8)
0202 30 90 9500 (6)	02	95,50	1602 50 31 9395	01	31,00
	03	63,00	1602 50 39 9125	01	108,00 (5)
	04	31,50	1602 50 39 9135	01	63,00 (8)
	06	77,00	1602 50 39 9195	01	31,00
0206 10 95 9000	02	95,50	1602 50 39 9325	01	96,50 (5)
	03	63,00	1602 50 39 9335	01	56,50 (8)
	04	31,50	1602 50 39 9395	01	31,00
	06	77,00	1602 50 39 9425	01	71,00 (5)
0206 29 91 9000	02	95,50	1602 50 39 9435	01	41,50 (8)
	03	63,00	1602 50 39 9495	01	31,00
	04	31,50	1602 50 39 9505	01	31,00
	06	77,00	1602 50 39 9525	01	71,00 (5)
0210 20 90 9100	02	80,00	1602 50 39 9535	01	41,50 (8)
	04	47,50	1602 50 39 9595	01	31,00
0210 20 90 9300	02	99,00			
0210 20 90 9500 (3)	02	99,00			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (7)	Product code	Destination	Refund (7)
		— Net weight —			— Net weight —
1602 50 39 9615	01	31,00	1602 50 80 9495	01	31,00
1602 50 39 9625	01	14,00	1602 50 80 9505	01	31,00
1602 50 39 9705	01	—	1602 50 80 9515	01	14,00
1602 50 39 9805	01	—	1602 50 80 9535	01	41,50 (8)
1602 50 39 9905	01	—	1602 50 80 9595	01	31,00
1602 50 80 9135	01	63,00 (8)	1602 50 80 9615	01	31,00
1602 50 80 9195	01	31,00	1602 50 80 9625	01	14,00
1602 50 80 9335	01	56,50 (8)	1602 50 80 9705	01	—
1602 50 80 9395	01	31,00	1602 50 80 9805	01	—
1602 50 80 9435	01	41,50 (8)	1602 50 80 9905	01	—

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in amended Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) Carried out in accordance with amended Commission Regulation (EEC) No 2973/79 (OJ No L 336, 29. 12. 1979, p. 44).

(4a) Carried out in accordance with amended Commission Regulation (EEC) No 2051/96 (OJ No L 274, 26. 10. 1996, p. 18).

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210 of 1. 8. 1986, p. 39).

(7) Article 13 (10) of amended Regulation (EEC) No 805/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(8) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Commission Regulation (EEC) No 565/80.

NB: The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EC) No 548/97**of 25 March 1997****providing for the rejection of applications for export licences in relation to products falling within the beef sector**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef⁽¹⁾, as last amended by Regulation (EC) No 2222/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 laying down special rules for the application of the system of import and export licences for beef and repealing Regulation (EEC) No 2377/80⁽³⁾, as last amended by Regulation (EC) No 266/97⁽⁴⁾, and in particular Article 10 thereof,

Whereas the quantity covered by applications for advance fixing of refunds is greater than that normally disposed of;

whereas it has therefore been decided to reject all applications for export licences for beef made as from 20 March 1997,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 10 (2) of Regulation (EC) No 1445/95, applications for export licences with advance fixing of refunds for products falling within the beef sector made from 20 to 25 March 1997 shall be rejected.

Article 2

This Regulation shall enter into force on 26 March 1997.

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

Done at Brussels, 25 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁴⁾ OJ No L 45, 15. 2. 1997, p. 1.

COMMISSION REGULATION (EC) No 549/97**of 25 March 1997****establishing the standard import values for determining the entry price of
certain fruit and vegetables**

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 March 1997.

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

Done at Brussels, 25 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 25 March 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 15	204	65,2
	212	102,8
	624	129,8
	999	99,3
0707 00 15	052	161,8
	999	161,8
0709 10 10	220	197,5
	999	197,5
0709 90 73	052	81,7
	204	64,9
	999	73,3
0805 10 01, 0805 10 05, 0805 10 09	052	49,2
	204	44,5
	212	52,8
	220	29,3
	400	38,2
	448	25,2
	600	42,2
	624	51,3
	999	41,6
0805 30 20	052	115,0
	600	81,3
	999	98,2
0808 10 51, 0808 10 53, 0808 10 59	060	60,2
	388	100,4
	400	99,9
	404	99,0
	508	86,7
	512	71,3
	524	69,1
	528	68,3
	999	81,9
0808 20 31	052	122,5
	388	63,5
	400	82,0
	512	63,4
	528	68,0
	999	79,9

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

DIRECTIVE 97/9/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 3 March 1997****on investor-compensation schemes**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 57 (2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the European Monetary Institute ⁽³⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽⁴⁾ in the light of the joint text approved by the Conciliation Committee on 18 December 1996,

- (1) Whereas on 10 May 1993 the Council adopted Directive 93/22/EEC on investment services in the securities field ⁽⁵⁾; whereas that Directive is an essential instrument for the achievement of the internal market for investment firms;
- (2) Whereas Directive 93/22/EEC lays down prudential rules which investment firms must observe at all times, including rules the purpose of which is to protect as far as possible investor's rights in respect of money or instruments belonging to them;
- (3) Whereas, however, no system of supervision can provide complete protection, particularly where acts of fraud are committed;
- (4) Whereas the protection of investors and the maintenance of confidence in the financial system are an important aspect of the completion and proper functioning of the internal market in this area; whereas to that end it is therefore essential that each Member State should have an investor-compensation scheme

that guarantees a harmonized minimum level of protection at least for the small investor in the event of an investment firm being unable to meet its obligations to its investor clients;

- (5) Whereas small investors will therefore be able to purchase investment services from branches of Community investment firms or on the basis of the cross-border provision of services as confidently as from domestic investment firms, in the knowledge that a harmonized minimum level of protection would be available to them in the event of an investment firm being unable to meet its obligations to its investor clients;
- (6) Whereas, in the absence of such minimum harmonization, a host Member State might consider itself justified, by considerations of investor protection, in requiring membership of its compensation scheme when a Community investment firm operating through a branch or under the freedom to provide services either belonged to no investor-compensation scheme in its home Member State or belonged to a scheme which was not regarded as offering equivalent protection; whereas such a requirement might prejudice the operation of the internal market;
- (7) Whereas although most Member States currently have some investor-compensation arrangements those arrangements do not in general cover all investment firms that hold the single authorization provided for in Directive 93/22/EEC;
- (8) Whereas, therefore, every Member State should be required to have an investor-compensation scheme or schemes to which every such investment firm would belong; whereas each scheme must cover money and instruments held by an investment firm in connection with an investor's investment operations which, where an investment firm is unable to meet its obligations to its investor clients, cannot be returned to the investor; whereas this is entirely without prejudice to the rules and procedures applicable in each Member State as regards the decisions to be taken in the event of the insolvency or winding-up of an investment firm;
- (9) Whereas the definition of investment firm includes credit institutions which are authorized to provide investment services; whereas every such credit institution must also be required to belong to an investor-compensation scheme to cover its investment

⁽¹⁾ OJ No C 321, 27. 11. 1993, p. 15 and OJ No C 382, 31. 12. 1994, p. 27.

⁽²⁾ OJ No C 127, 7. 5. 1994, p. 1.

⁽³⁾ Opinion delivered on 28 July 1995.

⁽⁴⁾ European Parliament opinion of 19 April 1994 (OJ No C 128, 9. 5. 1994, p. 85), Council common position of 23 October 1995 (OJ No C 320, 30. 11. 1995, p. 9) and European Parliament Decision of 12 March 1996 (OJ No C 96, 1. 4. 1996, p. 28). Decision of the Council of 17 February 1997 and Decision of the European Parliament of 19 February 1997 (OJ No C 85, 17. 3. 1997).

⁽⁵⁾ OJ No L 141, 11. 6. 1993, p. 27.

business; whereas, however, it is not necessary to require such a credit institution to belong to two separate schemes where a single scheme meets the requirements both of this Directive and of Directive 94/19/EC of the European Parliament and of the Council of 30 May 1994 on deposit-guarantee schemes⁽¹⁾; whereas, however, in the case of investment firms which are credit institutions it may in certain cases be difficult to distinguish between deposits covered by Directive 94/19/EC and money held in connection with investment business; whereas Member States should be allowed to determine which Directive shall apply to such claims;

(10) Whereas Directive 94/19/EC allows a Member State to exempt a credit institution from the obligation to belong to a deposit-guarantee scheme where that credit institution belongs to a system which protects the credit institution itself and, in particular, ensures its solvency; whereas, where a credit institution belonging to such a system is also an investment firm, a Member State should also be allowed, subject to certain conditions, to exempt it from the obligation to belong to an investor-compensation scheme;

(11) Whereas a harmonized minimum level of compensation of ECU 20 000 for each investor should be sufficient to protect the interests of the small investor where an investment firm is unable to meet its obligations to its investor clients; whereas it would therefore appear reasonable to set the harmonized minimum level of compensation at ECU 20 000; whereas, as in Directive 94/19/EC, limited transitional provisions might be required to enable compensation schemes to comply with that figure since this applies equally to Member States which, when this Directive is adopted, do not have any such scheme;

(12) Whereas the same figure was adopted in Directive 94/19/EC;

(13) Whereas in order to encourage investors to take due care in their choice of investment firms it is reasonable to allow Member States to require investors to bear a proportion of any loss; whereas, however, an investor must be covered for at least 90 % of any loss as long as the compensation paid is less than the Community minimum;

(14) Whereas certain Member States' schemes offer levels of cover higher than the harmonized minimum level

of protection under this Directive; whereas, however, it does not seem desirable to require any change in those schemes in that respect;

(15) Whereas the retention in the Community of schemes providing levels of cover higher than the harmonized minimum may, within the same territory, lead to disparities in compensation and unequal conditions of competition between national investment firms and branches of firms from other Member States; whereas, in order to counteract those disadvantages, branches should be authorized to join their host countries' schemes so that they may offer their investors the same cover as is provided by the schemes of the countries in which they are located; whereas it is appropriate that, in its report on the application of this Directive, the Commission should indicate the extent to which branches have exercised that option and any difficulties which they or the investor-compensation schemes may have encountered in implementing those provisions; whereas the possibility that home Member States' schemes should themselves offer such supplementary cover, subject to the conditions such schemes may lay down, is not ruled out;

(16) Whereas market disturbances could be caused by branches of investment firms established in Member States other than their Member States of origin which offer levels of cover higher than those offered by investment firms authorized in their host Member States; whereas it is not appropriate that the level or scope of cover offered by compensation schemes should become an instrument of competition; whereas it is therefore necessary, at least during an initial period, to stipulate that neither the level nor the scope of cover offered by a home Member State's scheme to investors at branches located in another Member State should exceed the maximum level or scope offered by the corresponding scheme in the host Member State; whereas any market disturbances should be reviewed at an early date, on the basis of the experience acquired and in the light of developments in the financial sector;

(17) Whereas a Member State must be able to exclude certain categories of specifically listed investments or investors, if it does not consider that they need special protection, from the cover afforded by investor-compensation schemes;

(18) Whereas some Member States have investor-compensation schemes under the responsibility of professional organizations; whereas in other Member States there are schemes that have been set up and

⁽¹⁾ OJ No L 135, 31. 5. 1994, p. 5.

are regulated on a statutory basis; whereas that diversity of status poses a problem only with regard to compulsory membership of and exclusion from schemes; whereas it is therefore necessary to take steps to limit the powers of schemes in that area;

- (19) Whereas the investor must be compensated without excessive delay once the validity of his claim has been established; whereas the compensation scheme itself must be able to fix a reasonable period for the presentation of claims; whereas, however, the fact that such a period has expired may not be invoked against an investor who for good reason has not been able to present his claim within the time allowed;
- (20) Whereas informing investors of compensation arrangements is an essential element of investor protection; whereas Article 12 of Directive 93/22/EEC required investment firms to inform investors, before doing business with them, of the possible application of a compensation scheme; whereas, therefore, this Directive should lay down rules on informing such intending investors regarding the compensation schemes covering their investment business;
- (21) Whereas, however, the unregulated use in advertising of references to the amount and scope of a compensation scheme could affect the stability of the financial system or investor confidence; whereas Member States should therefore lay down rules to limit such references;
- (22) Whereas in principle this Directive requires every investment firm to join an investor-compensation scheme; whereas the Directives governing the admission of any investment firm the head office of which is in a non-member country, and in particular Directive 93/22/EEC, allow Member States to decide whether and subject to what conditions to permit branches of such investment firms to operate within their territories; whereas such branches will not enjoy the freedom to provide services under the second paragraph of Article 59 of the Treaty, or the right of establishment in Member States other than those in which they are established; whereas, accordingly, a Member State admitting such branches must decide how to apply the principles of this Directive to such branches in accordance with Article 5 of Directive 93/22/EEC and with the need to protect investors and maintain the integrity of the financial system; whereas it is essential that investors at such branches should be fully aware of the compensation arrangements applicable to them;
- (23) Whereas it is not indispensable in this Directive to harmonize the ways in which investor-compensation

schemes are to be financed given, on the one hand, that the cost of financing such schemes must, in principle, be borne by investment firms themselves and, on the other hand, that the financing capacities of such schemes must be in proportion to their liabilities; whereas that must not, however, jeopardize the stability of the financial system of the Member State concerned;

- (24) Whereas this Directive may not result in the Member States or their competent authorities being made liable in respect of investors if they have ensured that one or more schemes for the compensation or protection of investors under the conditions prescribed in this Directive have been introduced and officially recognized;
- (25) Whereas, in conclusion, a minimum degree of harmonization of investor-compensation arrangements is necessary for the completion of the internal market for investment firms since it will make it possible for investors to do business with such firms with greater confidence, especially firms from other Member States, and make it possible to avoid any difficulties caused by host Member States applying national investor-protection rules that are not coordinated at Community level; whereas a binding Community Directive is the only appropriate instrument for the achievement of the desired objective in the general absence of investor-compensation arrangements corresponding to the coverage of Directive 93/22/EEC; whereas this Directive effects only the minimum harmonization required, allows Member States to prescribe wider or higher coverage if they desire and gives Member States the necessary latitude as regards the organization and financing of investor-compensation schemes,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive:

1. 'investment firm' shall mean an investment firm as defined in Article 1 (2) of Directive 93/22/EEC

— authorized in accordance with Article 3 of Directive 93/22/EEC,

or

- authorized as a credit institution in accordance with Council Directive 77/780/EEC⁽¹⁾ and Council Directive 89/646/EEC⁽²⁾, the authorization of which covers one or more of the investment services listed in Section A of the Annex to Directive 93/22/EEC;
- 2. 'investment business' shall mean any investment service as defined in Article 1 (1) of Directive 93/22/EEC and the service referred to in point 1 of Section C of the Annex to that Directive;
- 3. 'instruments' shall mean the instruments listed in Section B of the Annex to Directive 93/22/EEC;
- 4. 'investor' shall mean any person who has entrusted money or instruments to an investment firm in connection with investment business;
- 5. 'branch' shall mean a place of business which is a part of an investment firm, which has no legal personality and which provides investment services for which the investment firm has been authorized; all the places of business set up in the same Member State by an investment firm with headquarters in another Member State shall be regarded as a single branch;
- 6. 'joint investment business' shall mean investment business carried out for the account of two or more persons or over which two or more persons have rights that may be exercised by means of the signature of one or more of those persons;
- 7. 'competent authorities' shall mean the authorities defined in Article 22 of Directive 93/22/EEC; those authorities may, if appropriate, be those defined in Article 1 of Council Directive 92/30/EEC of 6 April 1992 on the supervision of credit institutions on a consolidated basis⁽³⁾.

Article 2

1. Each Member State shall ensure that within its territory one or more investor-compensation schemes are introduced and officially recognized. Except in the

⁽¹⁾ First Council Directive 77/780/EEC of 12 December 1977 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions (OJ No L 322, 17. 12. 1977, p. 30). Directive as last amended by Directive 89/646/EEC (OJ No L 386, 30. 12. 1989, p. 1).

⁽²⁾ Second Council Directive 89/646/EEC of 15 December 1989 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions and amending Directive 77/780/EEC (OJ No L 386, 30. 12. 1989, p. 1). Directive as last amended by Directive 92/30/EEC (OJ No L 110, 28. 4. 1992, p. 52).

⁽³⁾ OJ No L 110, 28. 4. 1992, p. 52.

circumstances envisaged in the second subparagraph and in Article 5 (3), no investment firm authorized in that Member State may carry on investment business unless it belongs to such a scheme.

A Member State may, however, exempt a credit institution to which this Directive applies from the obligation to belong to an investor-compensation scheme where that credit institution is already exempt under Article 3 (1) of Directive 94/19/EC from the obligation to belong to a deposit-guarantee scheme, provided that the protection and information given to depositors are also given to investors on the same terms and investors thus enjoy protection at least equivalent to that afforded by an investor-compensation scheme.

Any Member State that avails itself of that option shall inform the Commission accordingly; it shall, in particular, disclose the characteristics of the protective systems in question and the credit institutions covered by them for the purposes of this Directive, as well as any subsequent changes to the information supplied. The Commission shall inform the Council thereof.

2. A scheme shall provide cover for investors in accordance with Article 4 where either:

- the competent authorities have determined that in their view an instrument firm appears, for the time being, for reasons directly related to its financial circumstances, to be unable to meet its obligations arising out of investors' claims and has no early prospect of being able to do so,

or

- a judicial authority has made a ruling, for reasons directly related to an investment firm's financial circumstances, which has the effect of suspending investors' ability to make claims against it,

whichever is the earlier.

Cover shall be provided for claims arising out of an investment firm's inability to:

- repay money owed to or belonging to investors and held on their behalf in connection with investment business,

or

- return to investors any instruments belonging to them and held, administered or managed on their behalf in connection with investment business,

in accordance with the legal and contractual conditions applicable.

3. Any claim under paragraph 2 on a credit institution which, in a given Member State, would be subject both to this Directive and to Directive 94/19/EC shall be directed by that Member State to a scheme under one or other of those Directives as that Member State shall consider appropriate. No claim shall be eligible for compensation more than once under those Directives.

4. The amount of an investor's claim shall be calculated in accordance with the legal and contractual conditions, in particular those concerning set off and counter-claims, that are applicable to the assessment, on the date of the determination or ruling referred to in paragraph 2, of the amount of the money or the value, determined where possible by reference to the market value, of the instruments belonging to the investor which the investment firm is unable to repay or return.

Article 3

Claims arising out of transactions in connection with which a criminal conviction has been obtained for money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering⁽¹⁾, shall be excluded from any compensation under investor-compensation schemes.

Article 4

1. Member States shall ensure that schemes provide for cover of not less than ECU 20 000 for each investor in respect of the claims referred to in Article 2 (2).

Until 31 December 1999 Member States in which, when this Directive is adopted, cover is less than ECU 20 000 may retain that lower level of cover, provided it is not less than ECU 15 000. That option shall also be available to Member States to which the transitional provisions of the second subparagraph of Article 7 (1) of Directive 94/19/EC apply.

2. A Member State may provide that certain investors shall be excluded from cover by schemes or shall be granted a lower level of cover. Those exclusions shall be as listed in Annex I.

3. This Article shall not preclude the retention or adoption of provisions which afford greater or more comprehensive cover to investors.

4. A Member State may limit the cover provided for in paragraph 1 or that referred to in paragraph 3 to a specified percentage of an investor's claim. The percentage covered must, however, be equal to or exceed 90 % of the

claim as long as the amount to be paid under the scheme is less than ECU 20 000.

Article 5

1. If an investment firm required by Article 2 (1) to belong to a scheme does not meet the obligations incumbent on it as a member of that scheme, the competent authorities which issued its authorization shall be notified and, in cooperation with the compensation scheme, shall take all measures appropriate, including the imposition of penalties, to ensure that the investment firm meets its obligations.

2. If those measures fail to secure compliance on the part of the investment firm, the scheme may, where national law permits the exclusion of a member, with the express consent of the competent authorities, give not less than 12 months' notice of its intention of excluding the investment firm from membership of the scheme. The scheme shall continue to provide cover under the second subparagraph of Article 2 (2) in respect of investment business transacted during that period. If, on expiry of the period of notice, the investment firm has not met its obligations, the compensation scheme may, again having obtained the express consent of the competent authorities, exclude it.

3. Where national law permits, and with the express consent of the competent authorities which issued its authorization, an investment firm excluded from an investor-compensation scheme may continue to provide investment services if, before its exclusion, it made alternative compensation arrangements which ensure that investors will enjoy cover that is at least equivalent to that offered by the officially recognized scheme and has characteristics equivalent to those of that scheme.

4. If an investment firm the exclusion of which is proposed under paragraph 2 is unable to make alternative arrangements which comply with the conditions imposed in paragraph 3, the competent authorities which issued its authorization shall withdraw it forthwith.

Article 6

After the withdrawal of an investment firm's authorization, cover under the second subparagraph of Article 2 (2) shall continue to be provided in respect of investment business transacted up to the time of that withdrawal.

Article 7

1. Investor-compensation schemes introduced and officially recognized in a Member State in accordance with Article 2 (1) shall also cover investors at branches set up by investment firms in other Member States.

⁽¹⁾ OJ No L 166, 28. 6. 1991, p. 77.

Until 31 December 1999, neither the level nor the scope, including the percentage, of the cover provided for may exceed the maximum level or scope of the cover offered by the corresponding compensation scheme within the territory of the host Member State. Before that date the Commission shall draw up a report on the basis of the experience acquired in applying this subparagraph and Article 4 (1) of Directive 94/19/EC referred to above and shall consider the need to continue those provisions. If appropriate, the Commission shall submit a proposal for a Directive to the European Parliament and the Council, with a view to the extension of their validity.

Where the level or scope, including the percentage, of the cover offered by the host Member State's investor-compensation scheme exceeds the level or scope of the cover provided in the Member State in which an investment firm is authorized, the host Member State shall ensure that there is an officially recognized scheme within its territory which a branch may join voluntarily in order to supplement the cover which its investors already enjoy by virtue of its membership of its home Member State's scheme.

If a branch joins such a scheme, that scheme shall be one that covers the category of institution to which the branch belongs or most closely corresponds in its host Member State.

Member States shall ensure that objective and generally applied conditions are established concerning branches' membership of all investor-compensation schemes. Admission shall be conditional on a branch meeting the relevant membership obligations, including in particular the payment of all contributions and other charges. Member States shall follow the guiding principles set out in Annex II in implementing this paragraph.

2. If a branch which has exercised the option of voluntary membership under paragraph 1 does not meet the obligations incumbent on it as a member of an investor-compensation scheme, the competent authorities which issued its authorization shall be notified and, in cooperation with the compensation scheme, shall take all measures necessary to ensure that the branch meets the aforementioned obligations.

If those measures fail to ensure that the branch meets the obligations referred to in this Article, after an appropriate period of notice of not less than 12 months the compensation scheme may, with the consent of the competent authorities which issued the authorization, exclude the branch. Investment business transacted before the date of exclusion shall continue to be covered after that date by the compensation scheme of which the branch was a voluntary member. Investors shall be informed of the withdrawal of the supplementary cover and of the date on which it takes effect.

Article 8

1. The cover provided for in Article 4 (1), (3) and (4) shall apply to the investor's aggregate claim on the same investment firm under this Directive irrespective of the number of accounts, the currency and location within the Community.

Member States may, however, provide that funds in currencies other than those of the Member States and the ecu shall be excluded from cover or be subject to lower cover. This option shall not apply to instruments.

2. Each investor's share in joint investment business shall be taken into account in calculating the cover provided for in Article 4 (1), (3) and (4).

In the absence of special provisions, claims shall be divided equally amongst investors.

Member States may provide that claims relating to joint investment business to which two or more persons are entitled as members of a business partnership, association or grouping of a similar nature which has no legal personality may, for the purpose of calculating the limits provided for in Article 4 (1), (3) and (4), be aggregated and treated as if arising from an investment made by a single investor.

3. Where an investor is not absolutely entitled to the sums or securities held, the person who is absolutely entitled shall receive the compensation, provided that that person has been or can be identified before the date of the determination or ruling referred to in Article 2 (2).

If two or more persons are absolutely entitled, the share of each under the arrangements subject to which the sums or the securities are managed shall be taken into account when the limits laid down in Article 4 (1), (3) and (4) are calculated.

This provision shall not apply to collective-investment undertakings.

Article 9

1. The compensation scheme shall take appropriate measures to inform investors of the determination or ruling referred to in Article 2 (2) and, if they are to be compensated, to compensate them as soon as possible. It may fix a period during which investors shall be required to submit their claims. That period may not be less than five months from the date of the aforementioned determination or ruling or from the date on which that determination or ruling is made public.

The fact that that period has expired may not, however, be invoked by the scheme to deny cover to an investor who has been unable to assert his right to compensation in time.

2. The scheme shall be in a position to pay an investor's claim as soon as possible and at the latest within three months of the establishment of the eligibility and the amount of the claim.

In wholly exceptional circumstances and in special cases a compensation scheme may apply to the competent authorities for an extension of the time limit. No such extension may exceed three months.

3. Notwithstanding the time limit laid down in paragraph 2, where an investor or any other person entitled to or having an interest in investment business has been charged with an offence arising out of or in relation to money laundering as defined in Article 1 of Directive 91/308/EEC, the compensation scheme may suspend any payment pending the judgment of the court.

Article 10

1. Member States shall ensure that each investment firm takes appropriate measures to make available to actual and intending investors the information necessary for the identification of the investor-compensation scheme of which the investment firm and its branches within the Community are members or any alternative arrangement provided for under the second subparagraph of Article 2 (1) or Article 5 (3). Investors shall be informed of the provisions of the investor-compensation scheme or any alternative arrangement applicable, including the amount and scope of the cover offered by the compensation scheme and any rules laid down by the Member States pursuant to Article 2 (3). That information shall be made available in a readily comprehensible manner.

Information shall also be given on request concerning the conditions governing compensation and the formalities which must be completed to obtain compensation.

2. The information provided for in paragraph 1 shall be made available in the manner prescribed by national law in the official language or languages of the Member State in which a branch is established.

3. Member States shall establish rules limiting the use in advertising of the information referred to in paragraph 1 in order to prevent such use from affecting the stability of the financial system or investor confidence. In particular, a Member State may restrict such advertising to a factual reference to the scheme to which an investment firm belongs.

Article 11

1. Each Member State shall check whether branches established by an investment firm the head office of which is outwith the Community have cover equivalent to that prescribed in this Directive. Failing such cover, a Member State may, subject to Article 5 of Directive 93/22/EEC, stipulate that branches established by an investment firm the head office of which is outwith the Community shall join investor-compensation schemes in operation within its territory.

2. Actual and intending investors at branches established by an investment firm the head office of which is outwith the Community shall be provided by that investment firm with all relevant information concerning the compensation arrangements which cover their investments.

3. The information provided for in paragraph 2 shall be made available in the manner prescribed by national law in the official language or languages of the Member State in which a branch is established and shall be drafted in a clear and comprehensible form.

Article 12

Without prejudice to any other rights which they may have under national law, schemes which make payments in order to compensate investors shall have the right of subrogation to the rights of those investors in liquidation proceedings for amounts equal to their payments.

Article 13

Member States shall ensure that an investor's right to compensation may be the subject of an action by the investor against the compensation scheme.

Article 14

No later than 31 December 1999 the Commission shall submit a report to the European Parliament and to the Council on the application of this Directive together, where appropriate, with proposals for its revision.

Article 15

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary for them to comply with this Directive no later than 26 September 1998. They shall forthwith inform the Commission thereof.

When the Member States adopt those measures, they shall contain references to this Directive or shall be accompanied by such references on the occasion of their official publication. The methods of making such references shall be laid down by the Member States.

2. The Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 16

Article 12 of Directive 93/22/EEC shall be repealed with effect from the date referred to in Article 15 (1).

Article 17

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

Article 18

This Directive is addressed to the Member States.

Done at Brussels, 3 March 1997.

For the European Parliament

The President

J.M. GIL-ROBLES

For the Council

The President

M. DE BOER

*ANNEX I***LIST OF EXCLUSIONS REFERRED TO IN ARTICLE 4(2)**

1. Professional and institutional investors, including:
 - investment firms as defined in Article 1 (2) of Directive 93/22/EEC,
 - credit institutions as defined in the first indent of Article 1 of Council Directive 77/780/EEC,
 - financial institutions as defined in Article 1 (6) of Council Directive 89/646/EEC,
 - insurance undertakings,
 - collective-investment undertakings,
 - pension and retirement funds.Other professional and institutional investors.
2. Supranational institutions, government and central administrative authorities.
3. Provincial, regional, local and municipal authorities.
4. Directors, managers and personally liable members of investment firms, persons holding 5 % or more of the capital of such investment firms, persons responsible for carrying out the statutory audits of investment firms' accounting documents and investors with similar status in other firms within the same group as such a firm.
5. Close relatives and third parties acting on behalf of the investors referred to in point 4.
6. Other firms in the same group.
7. Investors who have any responsibility for or have taken advantage of certain facts relating to an investment firm which gave rise to the firm's financial difficulties or contributed to the deterioration of its financial situation.
8. Companies which are of such a size that they are not permitted to draw up abridged balance sheets under Article 11 of the Fourth Council Directive 78/660/EEC of 25 July 1978 based on Article 54 (3) (g) of the Treaty on the annual accounts of certain types of companies⁽¹⁾.

⁽¹⁾ OJ No L 222, 14. 8. 1978, p. 11. Directive as last amended by Directive 94/8/EC (OJ No L 82, 25. 3. 1994, p. 33).

*ANNEX II***GUIDING PRINCIPLES**

(referred to in the fifth subparagraph of Article 7(1))

Where a branch applies to join a host Member State's scheme for supplementary cover, the host Member State's scheme will bilaterally establish with the home Member State's scheme appropriate rules and procedures for the payment of compensation to investors at that branch. The following principles will apply both to the drawing up of those procedures and in the framing of the membership conditions applicable to that branch (as referred to in Article 7(1)):

- (a) the host Member State's scheme will retain full rights to impose its objective and generally applied rules on participating investment firms; it will be able to require the provision of relevant information and be entitled to verify such information with the home Member State's competent authorities;
 - (b) the host Member State's scheme will meet claims for supplementary compensation after it has been informed by the home Member State's competent authorities of the determination or ruling referred to in Article 2(2). The host Member State's scheme will retain full rights to verify an investor's entitlement according to its own standards and procedures before paying supplementary compensation;
 - (c) the host Member State's and the home Member State's schemes will cooperate fully with each other to ensure that investors receive compensation promptly and in the correct amounts. In particular, they will agree on how the existence of a counterclaim which may give rise to set-off under either scheme will affect the compensation paid to the investor by each scheme;
 - (d) the host Member State's scheme will be entitled to charge branches for supplementary cover on an appropriate basis which takes into account the cover funded by the home Member State's scheme. To facilitate charging, the host Member State's scheme will be entitled to assume that its liability will in all circumstances be limited to the excess of the cover it has offered over the cover offered by the home Member State regardless of whether the home Member State actually pays any compensation in respect of claims by investors within the host Member State's territory.
-

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 March 1997

amending Decision 94/446/EC laying down the requirements for the importation from third countries of bones and bone products, horns and horn products and hooves and hoof products, excluding meals thereof, for further processing not intended for human or animal consumption

(Text with EEA relevance)

(97/197/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC⁽¹⁾, as last amended by Directive 96/90/EC⁽²⁾, and in particular Article 10 (2) (c) thereof,

Whereas the implementation of Commission Decision 94/446/EC⁽³⁾ was postponed by Commission Decision 96/106/EC⁽⁴⁾ because the application of the provisions would have led to difficulties as regards the importation of the relevant products; whereas in the light of the present importation of these products the said requirements should therefore be amended;

Whereas the purpose of the amendments is to lay down specific rules for the importation of pretreated products which will be finally processed and excluded from the use in human or animal food in the Community;

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

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 94/446/EC is amended as follows:

(a) After Article 1 the following Article is inserted:

'Article 1a

Member States shall authorize the importation from third countries of bones and bone products (excluding bone meal), horns and horn products (excluding horn meal), and hooves and hoof products (excluding hoof meal), intended for further processing but not for any use in human or animal food, only if:

— the commercial documents accompanying the consignment include the information laid down in Annex C
and

— the consignment is accompanied by the declaration of the importer as laid down in Annex D, which must be in at least one official language of the Member State through which the consignment first enters the Community and in at least one official language of the Member State of destination.'

⁽¹⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽²⁾ OJ No L 13, 16. 1. 1997, p. 24.

⁽³⁾ OJ No L 183, 19. 7. 1994, p. 46.

⁽⁴⁾ OJ No L 24, 31. 1. 1996, p. 34.

- (b) In Annex B the following line is inserted above the line of the signature of the official veterinarian of the border inspection post:

'Reference number as indicated on the certificate provided for in Annex B to Commission Decision 93/13/EEC: ...'

- (c) After Annex B the Annexes A and B to this Decision are added.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

ANNEX C

Country of origin:

Name of the establishment of production:

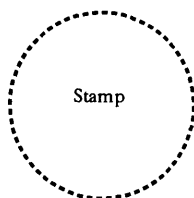
Nature of the product:

- dried bones (1)
- dried bone products (1)
- dried horns (1)
- dried horn products (1)
- dried hooves (1)
- dried hoof products (1),

which:

- (a) were derived from healthy animals slaughtered in a slaughterhouse (1);
or
- (b) were dried for 42 days at an average temperature of at least 20 °C (1);
or
- (c) were heated for one hour to at least 80 °C to the core before drying (1);
or
- (d) were ashed at a temperature of at least 800 °C (1);
or
- (e) have undergone an acidification process such that the pH has been maintained at less than six to the core for at least one hour before drying (1);

and are not intended at any stage to be diverted for any use in human or animal food.



(Stamp of the competent authority, supervising the establishment of origin).

—

(1) Delete as appropriate.

ANNEX B

ANNEX D

Declaration by the importer of dried bones and bone products, horns and horn products and hooves and hoof products excluding meal of these products in order to import these products into the Community

DECLARATION

I, the undersigned, declare that the following products:

- dried bones or bone products (excluding bone meal) ⁽¹⁾,
- dried horns or horn products (excluding horn meal) ⁽¹⁾,
- dried hooves or hoof products (excluding hoof meal) ⁽¹⁾,

are intended to be imported by me into the Community, and I declare that these products will not be diverted at any stage for any use in human or animal food and will be conveyed directly to the following proceeding establishment:

Name:

Address:

.....

The importer:

Name:

Address:

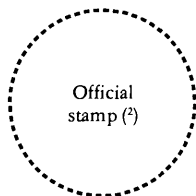
.....

Done at

(Place)

(Date)

Signature



Reference number as indicated on the certificate provided for in Annex B to Commission Decision 93/13/EEC:

(of the border inspection post of entry into the EC)

Signature

(Signature of the official veterinarian of the border inspection post) ⁽²⁾

.....

(Name in capital letters)

⁽¹⁾ Delete as appropriate.

⁽²⁾ The signature and the stamp must be in a colour different to that of the printing.

COMMISSION DECISION

of 25 March 1997

laying down the animal health requirements and the veterinary certification for the import of processed animal protein from certain third countries which use alternative heat treatment systems and amending Decision 94/344/EC

(Text with EEA relevance)

(97/198/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, in Directive 90/425/EEC⁽¹⁾, as last amended by Directive 96/90/EC⁽²⁾, and in particular Article 10 (2) (c) and (3) (a) thereof,

Whereas Chapter 6 of Annex I to Directive 92/118/EEC lays down requirements for the importation of processed animal protein;

Whereas Commission Decision 94/278/EC⁽³⁾, as last amended by Decision 96/344/EC⁽⁴⁾, has laid down a list of third countries from which Member States shall authorize the importation of processed animal protein not intended for human consumption;

Whereas Commission Decision 94/344/EC⁽⁵⁾ has laid down the import requirements for processed animal protein including products containing these proteins intended for animal consumption;

Whereas the implementation of the latter Decision was last postponed by Commission Decision 96/106/EC⁽⁶⁾ because the application would have led to difficulties as regards the importation of processed animal protein that has been produced by using alternative heat-treatment systems;

Whereas following scientific results on the inactivation of the agent of BSE and scrapie, Commission Decision

96/449/EC⁽⁷⁾ has laid down rules of approval of alternative heat-treatment systems for the processing of mammalian waste in the Community; whereas it is appropriate to apply these rules to processed mammalian protein imported from third countries;

Whereas it is appropriate to authorize the imports of processed animal protein, derived from high risk material produced by using alternative heat-treatment systems;

Whereas Decision 96/449/EC, amongst others, requires animal protein derived from mammalian waste to be subjected to a heat-treatment of at least 133 °C throughout its substance for a minimum of 20 minutes at a pressure of 3 bar, with a particle size prior to processing of not more than 5 cm; whereas it is therefore appropriate to limit the import of processed animal protein to those derived from non-mammalian waste only;

Whereas Decision 94/344/EC has to be amended accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize the importation of processed animal protein, and products containing these proteins, intended for animal consumption from third countries listed in Annex A, if it is accompanied by a health certificate as set out in Annex B.

The first subparagraph shall not apply to:

- petfood in hermetically sealed containers containing processed animal protein,
- and
- processed non-mammalian protein derived from low risk material and products containing this protein.

⁽¹⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽²⁾ OJ No L 13, 16. 1. 1997, p. 24.

⁽³⁾ OJ No L 120, 11. 5. 1994, p. 44.

⁽⁴⁾ OJ No L 133, 4. 6. 1996, p. 28.

⁽⁵⁾ OJ No L 154, 21. 6. 1994, p. 54.

⁽⁶⁾ OJ No L 24, 31. 1. 1996, p. 34.

⁽⁷⁾ OJ No L 184, 24. 7. 1996, p. 43.

2. The health certificate referred to in paragraph 1 shall consist of one sheet and shall be completed in at least one official language of the Member State carrying out import checks.

Article 2

1. Processed animal protein mentioned in Article 1 (1) must have been produced according to the following standards:

- (a) — the raw material is heated to at least 133 °C throughout its substance for a minimum of 20 minutes at a pressure of 3 bars, with a particle size prior to processing of not more than 5 cm, or
 - if the raw material is not of mammalian origin, a system or a combination of systems described in the Annex to Commission Decision 92/562/EEC⁽¹⁾ may be used. Such systems may be used under condition that the process has been sampled on a daily basis over a period of one month in compliance with the microbiological standards laid down in Annex II Chapter III (1) and (2) to Council Directive 90/667/EEC⁽²⁾;
- (b) details of the critical control points are recorded and maintained so that the owner, operator or his representative and, as necessary, the competent authority can monitor the operation of the plant. The information to be recorded and monitored shall include the particle size, critical temperature and, as appropriate, the absolute time, pressure profile, raw material feed-rate and fat recycling rate.

2. Processed animal protein mentioned in Article 1 (1) must have been produced in a plant which is approved by the competent authority of a Member State or a third country listed in Annex A to fulfil the conditions set out in paragraph 1.

Article 3

1. Third countries that use the certificate referred to in Annex B shall inform the Commission of:

- (a) the legal power of the veterinary service to inspect and approve the plants producing processed animal protein;
- (b) the approval procedures that have been followed;
- (c) the list of the approved plants.

2. The Commission shall carry out inspection in the third countries listed in Annex A to verify the application of the provisions of this Decision.

Article 4

Decision 94/344/EC is amended as follows:

- (a) in Article 1 (1), first subparagraph, 'derived from high risk material' is deleted and the following is inserted after 'third countries': 'not listed in Annex A to Commission Decision 97/198/EC.';
- (b) in Article 1 (1), second subparagraph, the following is inserted after 'material': 'and to products mentioned in paragraph 2, first subparagraph';
- (c) in Article 1 (2), 'animal protein' is replaced by 'non-mammalian protein';
- (d) in the heading of Annex A, 'derived from high risk material' is deleted and the following is inserted after 'Community': 'from certain third countries not listed in Annex A to Commission Decision 97/198/EC.';
- (e) in Annex A, IV (a), 'derived from high risk material' is deleted;
- (f) the animal health certificate in Annex B is replaced by Annex C to this Decision.

Article 5

This Decision shall apply from 1 April 1997.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 25 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 359, 9. 12. 1992, p. 23.

⁽²⁾ OJ No L 363, 27. 12. 1990, p. 51.

ANNEX A

All third countries laid down in Part II A of the Annex to Commission Decision 94/278/EC.

ANNEX B

ANIMAL HEALTH CERTIFICATE

for processed animal protein intended for animal consumption and products, including mixtures, other than petfood in hermetically sealed containers, containing these proteins, intended for dispatch to the European Community from third countries listed in Annex A to Commission Decision 97/198/EC

Note for the importer:

This certificate is for veterinary purposes only and the original must accompany the consignment until it reaches the border inspection post.

Country of destination:

Reference number of the health certificate:

Exporting country:

Responsible ministry:

Certifying department:

I. Identification of the protein or product

Nature of the protein or product:

Protein or product obtained from raw material of the following species:

.....

Nature of packaging:

Number of packages ⁽¹⁾:

Net weight:

II. Origin of protein or product

Address and veterinary registration number of the approved establishment:

.....

.....

III. Destination of protein or product

The protein or product will be sent

from:

(place of loading)

to:

(country and place of destination)

by the following means of transport:

Number of the seal ⁽¹⁾:

Name and address of consignor:

.....

Name and address of consignee:

.....

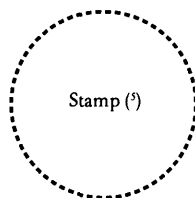
⁽¹⁾ Optional.

IV. Attestation

The undersigned official veterinarian, certifies that:

- (a) the protein or product described above contains exclusively or partially processed animal protein not intended for human consumption which has been processed in a plant registered and approved in accordance with Council Directive 90/667/EEC and Article 2 of Commission Decision 97/198/EC and has been heated:
- to at least 133 °C throughout its substance for a minimum of 20 minutes at pressure of 3 bars, with a particle size prior to processing of not more than 5 cm⁽¹⁾, or
 - in case of non-mammalian protein, according to the system laid down in Chapter ... of Commission Decision 92/562/EEC⁽¹⁾,
- and
- the random sample complies with the following standards⁽²⁾:
- *clostridium perfringens*: absence in 1 g⁽³⁾,
 - *salmonella*: absence in 25 g, n = 5, c = 0, m = 0, M = 0⁽⁴⁾,
 - *enterobacteriaceae*: n = 5, c = 2, m = 10, M = 3 × 10² in 1 g⁽⁴⁾;
- (b) a random sample of the end product was examined immediately prior to dispatch by a competent authority and found to comply with the following standard⁽²⁾:
- Salmonella*: absence in 25 g, n = 5, c = 0, m = 0, M = 0;
- (c) the protein or product described above:
- was produced by using ruminant protein⁽¹⁾,
 - was produced without using ruminant protein⁽¹⁾;
- (d) the end product:
- was packed in new packaging material,
- or
- in case of dispatch as bulk transport, containers or any other means of transport were thoroughly cleaned and disinfected with a disinfectant approved by the competent authority before use⁽¹⁾;
- (e) the end product was stored in enclosed storages;
- (f) the end product has undergone all precautions to avoid recontamination with pathogenic agents after heat treatment.

Done at on
(place) (date)



(signature of the official veterinarian) (9)

(name in capital letters, qualifications and title)

(¹) Delete as appropriate.

(2) Where:

n = number of units comprising the sample;

m = threshold value for the number of bacteria; the result is considered satisfactory if the number of bacteria in all sample units does not exceed m;

M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more;

c = number of sample units the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other sample units is m or less.

(3) Sample taken after treatment.

(*) Sample taken during storage at processing plant.

(5) The signature and the stamp must be in a colour different to that of the printing.

ANNEX C

ANIMAL HEALTH CERTIFICATE

for processed non-mammalian protein intended for animal consumption derived from low-risk material and products, including mixtures, other than petfood, intended for dispatch to the European Community from third countries

Note for the importer:

This certificate is for veterinary purposes only and the original must accompany the consignment until it reaches the border inspection post.

Country of destination:

Reference number of the health certificate:

Exporting country:

Responsible ministry:

Certifying department:

I. Identification of the protein or product

The protein or product was produced from raw material of the following species:

.....

Nature of packaging:

Number of packages ⁽¹⁾:

Net weight:

II. Origin of protein or product

Address and veterinary registration number of the approved or registered establishment:

.....

.....

.....

III. Destination of protein or product

The protein will be sent

from:

(place of loading)

to:

(country and place of destination)

by the following means of transport:

Number of the seal ⁽²⁾:

Name and address of consignor:

Name and address of consignee:

⁽¹⁾ Only appropriate if not in bulk.

⁽²⁾ Optional.

IV. Attestation

1. The undersigned official veterinarian certifies that the protein or product described above contains exclusively non-mammalian protein derived from low risk material

and:

- a) was produced in such a way that it has been subjected to a treatment throughout its substance, in order to meet the standards as described under (b);

- b) was examined by random sampling from each processed batch taken during storage at the processing plant, that complies with the following standards⁽¹⁾:

— *Salmonella*: absence in 25 g, $n = 5$, $c = 0$, $m = 0$, $M = 0$,

— *Enterobacteriaceae*: $n = 5$, $c = 2$, $m = 10$, $M = 3 \times 10^2$ in 1 g;

- c) was not produced from:

— non-mammalians kept for agricultural production, which died but were not slaughtered, including still-born and unborn animals and, without prejudice to instances of emergency slaughtering for reasons of welfare, farm animals which have died in transit,

— non-mammalians which were killed in the context of disease control measures either on the farm or in any other place designated by the competent authority,

— non-mammalians waste including blood originating from animals which showed, during the veterinary inspection carried out at the time of slaughtering, clinical signs of diseases communicable to man or other animals,

— those parts of non-mammalians slaughtered in the normal way which were not presented for post mortem inspection, with the exception of feathers, blood and similar products,

— meat of non-mammalians, non-mammalian game and foodstuffs of animal origin which were spoiled,

— non-mammalians, non-mammalian meat and non-mammalian game which in the course of the inspection provided for in Community legislation failed to comply with the veterinary requirements for their importation into the Community,

— non-mammalian waste containing residues of substances which posed a danger to human or animal health and non-mammalian meat or products of non-mammalian origin rendered unfit for human consumption by the presence of such residues.

2. The undersigned official veterinarian certifies that:

- (a) a random sample of the end product was examined immediately prior to dispatch by the competent authority and found to comply with the following standard⁽¹⁾:

Salmonella: absence in 25 g, $n = 5$, $c = 0$, $m = 0$, $M = 0$;

- b) the end product:

— was packed in new packaging material,

or

— in case of dispatch as bulk transport, containers or any other means of transport were thoroughly cleaned and disinfected with a disinfectant approved by the competent authority before use;

- (c) the end product was stored in enclosed storages;

- (d) the end product has undergone all precautions to avoid recontamination with pathogenic agents after heat treatment.

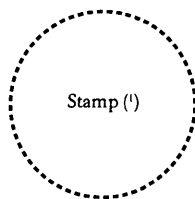
⁽¹⁾ n = number of units comprising the sample;

m = threshold value for the number of bacteria; the result is considered satisfactory if the number of bacteria in all sample units does not exceed m ;

M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more;

c = number of sample units the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other sample units is m or less.

Done at on
(place) (date)



.....
(signature of the official veterinarian) (1)

.....
(name in capital letters, qualification and title)

(1) The signature and the stamp must be in a colour different to that of the printing.

COMMISSION DECISION

of 25 March 1997

laying down the animal health requirements and the veterinary certification for the import of petfood in hermetically sealed containers from certain third countries which use alternative heat treatment systems and amending Decision 94/309/EC

(Text with EEA relevance)

(97/199/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, in Directive 90/425/EEC⁽¹⁾, and as last amended by Directive 96/90/EC⁽²⁾, and in particular Article 10 (2) (c) and (3) (a) thereof,

Whereas Chapter 4 of Annex I to Directive 92/118/EEC lays down requirements for the importation of petfood containing low-risk materials within the meaning of Council Directive 90/667/EEC⁽³⁾, as amended by Directive 92/118/EEC;

Whereas Commission Decision 94/278/EC⁽⁴⁾, as last amended by Decision 96/344/EC⁽⁵⁾, has laid down a list of third countries from which Member States shall authorize the importation of petfood;

Whereas Commission Decision 94/309/EC⁽⁶⁾, as last amended by Decision 96/106/EC⁽⁷⁾, has laid down the import requirements for certain petfood and certain untanned edible products for pets;

Whereas the implementation of Decision 94/309/EC was last postponed by Decision 96/106/EC because the application would have led to difficulties as regards the importation of petfood in hermetically sealed containers which may contain processed animal protein derived from high-risk material that has been produced by using alternative heat treatment systems;

Whereas it is appropriate to authorize the imports of certain petfoods in hermetically sealed containers which may contain processed animal protein derived from high risk material produced by using alternative heat-treatment systems;

Whereas Commission Decision 96/449/EC⁽⁸⁾, amongst others, requires animal protein derived from mammalian waste to be subjected to a heat-treatment of at least 133 °C throughout its substance for a minimum of 20 minutes at a pressure of 3 bar, with a particle size prior to processing of not more than 5cm; whereas it is therefore appropriate to limit the import of above-mentioned petfoods, which contain animal protein derived from non-mammalian waste only;

Whereas Decision 94/309/EC has to be amended accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize the importation of petfood, from third countries listed in Annex A, in hermetically sealed containers which may contain processed animal protein derived from high-risk material not intended for human consumption, if it is accompanied by a health certificate as set out in Annex B.

2. The health certificate referred to in paragraph 1 shall consist of one sheet and shall be completed in at least one official language of the Member State carrying out import checks.

⁽¹⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽²⁾ OJ No L 13, 16. 1. 1997, p. 24.

⁽³⁾ OJ No L 363, 27. 12. 1990, p. 51.

⁽⁴⁾ OJ No L 120, 11. 5. 1994, p. 44.

⁽⁵⁾ OJ No L 133, 4. 6. 1996, p. 28.

⁽⁶⁾ OJ No L 137, 1. 6. 1994, p. 62.

⁽⁷⁾ OJ No L 24, 31. 1. 1996, p. 34.

⁽⁸⁾ OJ No L 184, 18. 7. 1996, p. 43.

Article 2

1. Processed animal protein derived from high-risk material and included in products mentioned in Article 1 (1) must have been produced according to the following standards:

- (a) — the raw material is heated to at least 133 °C throughout its substance for a minimum of 20 minutes at a pressure of three bars, with a particle size prior to processing of not more than 5 centimetres

or

- if the raw material is not of mammalian origin, a system or a combination of systems described in the Annex to Commission Decision 92/562/EEC⁽¹⁾ may be used. Such systems may be used under condition that the process has been sampled on a daily basis over a period of one month and is in compliance with the microbiological standards laid down in Annex II, Chapter III (1) and (2) of Council Directive 90/667/EEC⁽²⁾;

- (b) details of the critical control points are recorded and maintained so that the owner, operator or his representative and, as necessary, the competent authority can monitor the operation of the plant. The information to be recorded and monitored shall include the particle size, critical temperature and, as appropriate, the absolute time, pressure profile, raw material feed-rate and fat recycling rate.

2. Processed animal protein derived from high-risk material and included in products mentioned in Article 1 (1) must have been produced in a plant which is approved by the competent authority of a Member State or a third country listed in Annex A to fulfil the conditions set out in paragraph 1.

Article 3

1. Third countries that use the certificate referred to in Annex B shall inform the Commission of:

- (a) the legal power of the veterinary service to inspect and approve the plants producing processed animal protein;

- (b) the approval procedures that have been followed;

- (c) the list of the approved plants.

2. The Commission shall carry out inspection in the third countries listed in Annex A to verify the application of the provisions of this Decision.

Article 4

Decision 94/309/EC is amended as follows:

- (a) in Article 1 (1) the following words are inserted after the words 'third countries': 'not listed in Annex A to Commission Decision 97/199/EC';

- (b) in the heading of Annex A the following words are inserted after the word 'Community': 'from third countries not listed in Annex A to Commission Decision 97/199/EC'.

Article 5

This Decision shall apply from 1 April 1997.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 25 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

All third countries laid down in Part X of the Annex to Commission Decision 94/278/EC.

⁽¹⁾ OJ No L 359, 9. 12. 1992, p. 23.

⁽²⁾ OJ No L 363, 27. 12. 1990, p. 51.

ANNEX B

ANIMAL HEALTH CERTIFICATE

for petfood in hermetically sealed containers intended for dispatch to the European Community
from third countries listed in Annex A to Commission Decision 97/199/EC

Note for the importer:

This certificate is for veterinary purposes only and the original must accompany the consignment until it reaches the border inspection post.

Country of destination:

Reference number of the health certificate:

Exporting country:

Responsible ministry:

Certifying department:

I. Identification of petfood

The petfood was produced from raw material of the following species:

.....

Nature of packaging:

Number of parts or packages:

Net weight:

II. Origin of petfood

Address and veterinary registration number of the approved or registered establishment:

.....

.....

.....

III. Destination of petfood

The petfood will be sent from:

(place of loading)

to:

(country and place of destination)

by the following means of transport:

Number of the seal⁽¹⁾:

Name and address of consignor:

Name and address of consignee:

⁽¹⁾ Optional.

IV. Attestation

I, the undersigned official veterinarian, certify that the petfood described above:

- (a) has been subject to heat treatment to a minimum Fc value of 3,0 in hermetically sealed containers;
- (b) was analysed by a random sampling of at least five containers from each processed batch by laboratory diagnostic methods to ensure adequate heat treatment of the whole consignment as foreseen under (a);
- (c) was produced by using ruminant protein⁽¹⁾;
was produced without using ruminant protein⁽¹⁾;
- (d) was not produced from:
 - animals kept for agricultural production, which died but were not slaughtered, including stillborn and unborn animals, and, without prejudice to instances of emergency slaughtering for reasons of welfare, farm animals which have died in transit,
 - animals which were killed in the context of disease control measures either on the farm or in any other place designated by the competent authority,
 - animal waste including blood originating from animals which showed, during the veterinary inspection carried out at the time of slaughtering, clinical signs of diseases communicable to man or other animals,
 - those parts of an animal slaughtered in the normal way which were not presented for *post mortem* inspection, with the exception of hides, skins, hooves, feathers, wool, horns, blood and similar products;
 - meat, poultrymeat, fish, game and foodstuffs of animal origin which were spoiled,
 - animals, fresh meat, poultrymeat, fish, game and meat and milk products, which in the course of the inspections provided for in Community legislation failed to comply with the veterinary requirements for their importation into the Community,
 - animal waste containing residues of substances which posed a danger to human or animal health and milk, meat or products of animal origin rendered unfit for human consumption by the presence of such residues,
 - fish or offal from fish which was excluded from human consumption because of clinical signs of an infectious disease,

unless the abovementioned animal protein:

has been processed in a plant registered and approved in accordance with Council Directive 90/667/EEC and Article 2 of Commission Decision 97/199/EC and has been heated:

- to at least 133 °C throughout its substance for a minimum of 20 minutes at a pressure of three bars, with a particle size prior to processing of not more than 5 centimetres⁽¹⁾
- or
- in case of non-mammalian protein, according to the system laid down in Chapter ... of Commission Decision 92/562/EC⁽¹⁾,

and

the random sample complies with the following standards⁽²⁾:

- *Clostridium perfringens*: absence in 1 gram⁽³⁾,
- *Salmonella*: absence in 25 grams, $n = 5$, $c = 0$, $m = 0$, $M = 0$ ⁽⁴⁾,
- *Enterobacteriaceae*: $n = 5$, $c = 2$, $m = 10$, $M = 3 \times 10^2$ in 1 gram⁽⁴⁾;

- (e) has undergone all precautions to avoid recontamination with pathogenic agents after treatment.

⁽¹⁾ Delete as appropriate.

⁽²⁾ Where:

n = number of units comprising the sample;

m = threshold value for the number of bacteria; the result is satisfactory if the number of bacteria in all sample units does not exceed m ;

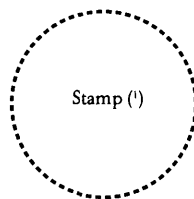
M = maximum value for the number bacteria; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more;

c = number of sample units for the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other sample units is m or less.

⁽³⁾ Sample taken after treatment.

⁽⁴⁾ Sample taken during storage at processing plant.

Done at on
(place) (date)



.....
(signature of the official veterinarian) (1)

.....
(name in capital letters, qualifications and title)

(1) The signature and the stamp must be in a colour different to that of the printing.