

COMMISSION DECISION

of 22 July 2003

amending Decision 2002/79/EC imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from China*(notified under document number C(2003) 2602)***(Text with EEA relevance)**

(2003/550/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs ⁽¹⁾, and in particular Article 10(1) thereof,

After consulting the Member States,

Whereas:

(1) Commission Decision 2002/79/EC of 4 February 2002 imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from China ⁽²⁾, as last amended by Decision 2002/678/EC ⁽³⁾, provides for a review of that Decision by 31 December 2002.

(2) The results of random sampling and analysis of consignments of peanuts originating in or consigned from China indicate that there is a continuing need for the special conditions set out in Decision 2002/79/EC in order to provide a sufficient level of protection of public health within the Community.

(3) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽⁴⁾ provides for the establishment of the rapid alert system for food and feed (RASFF).

(4) In the interests of public health, Member States should provide the Commission with periodical reports of all analytical results of official controls carried out in respect of consignments of peanuts and products derived from peanuts originating in or consigned from China. Such reports should be in addition to the notification obligation under the rapid alert system for food and feed.

(5) At the request of certain Member States, it is appropriate to update the list of points of entry through which the products covered by Decision 2002/79/EC may be imported into the Community. For the sake of clarity, that list should be replaced.

(6) Decision 2002/79/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2002/79/EC is amended as follows:

1. Article 1 is amended as follows:

(a) Article 1(5) is replaced by the following:

‘5. The competent authorities in each Member State shall undertake at random sampling of the consignments of peanuts and certain products derived from peanuts originating in or consigned from China for analysis of aflatoxin B1 and total aflatoxin.

Member States shall submit to the Commission every three months a report of all analytical results of official controls on consignments of peanuts and certain products derived from peanuts originating in or consigned from China. This report shall be submitted during the month following each quarter (*).

(*) April, July, October, January’;

(b) Article 1(6) is amended as follows:

at the end of the second sentence, the words ‘for a maximum of 10 working days’ are replaced by ‘for a maximum of 15 working days’;

(c) the following paragraph 7 is added:

‘7. In case a consignment is split, copies of the health certificate and accompanying documents referred to in paragraphs 1 and 6 and certified by the competent authority of the Member State on whose territory the splitting has taken place, shall accompany each part of the split consignment.’;

⁽¹⁾ OJ L 175, 19.7.1993, p. 1.

⁽²⁾ OJ L 34, 5.2.2002, p. 21.

⁽³⁾ OJ L 229, 27.8.2002, p. 33.

⁽⁴⁾ OJ L 31, 1.2.2002, p. 1.

2. Article 2 is replaced by the following:

'Article 2

This Decision shall be kept under review in the light of information and guarantees provided by the competent authorities of China and on the basis of the results of the tests carried out by Member States in order to assess whether the special conditions set out in Article 1 provide a sufficient level of protection of public health within the Community. The review shall also assess whether there is a continuing need for those special conditions.';

3. Annex II is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 July 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

‘ANNEX II

List of points of entry through which consignments of peanuts and certain products derived from peanuts originating in or consigned from China may be imported into the Community

Member State	Point of entry
Belgium	Antwerpen, Zeebrugge, Brussel/Bruxelles, Aalst
Denmark	All Danish harbours and airports
Germany	HZA Lörrach — ZA Weil-am-Rhein-Autobahn, HZA Stuttgart — ZA Flughafen, HZA München — ZA München-Flughafen, HZA Hof-Schirnding-Landstraße, HZA Weiden — ZA Furth-im-Wald-Schafberg, HZA Weiden — ZA Waidhaus-Autobahn, Bezirksamt Reinickendorf von Berlin, Abteilung Finanzen, Wirtschaft und Kultur, Veterinär- und Lebensmittelaufsichtsamt, Grenzkontrollstelle, HZA Frankfurt (Oder) — ZA Autobahn, HZA Cottbus — ZA Forst-Autobahn, HZA Bremen — ZA Neustädter Hafen, HZA Bremen — ZA Bremerhaven, HZA Hamburg-Hafen — ZA Waltershof, HZA Hamburg-Stadt, HZA Itzehoe — ZA Hamburg-Flughafen, HZA Frankfurt-am-Main-Flughafen, HZA Braunschweig-Abfertigungsstelle, HZA Hannover-Abfertigungsstelle, HZA Oldenburg — ZA Stade, HZA Dresden — ZA Dresden-Friedrichstadt, HZA Pirna — ZA Altenberg, HZA Löbau — ZA Ludwigsdorf-Autobahn, HZA Koblenz — ZA Hahn-Flughafen, HZA Oldenburg — ZA Wilhelmshaven, HZA Bielefeld — ZA Eckendorfer-Straße-Bielefeld, HZA Erfurt — ZA Eisenach, HZA Potsdam — ZA Ludwigsfelde, HZA Potsdam — ZA Berlin-Flughafen-Schönefeld, HZA Augsburg — ZA Memmingen, HZA Ulm — ZA Ulm (Donautal), HZA Karlsruhe — ZA Karlsruhe, HZA Berlin — ZA Dreilinden, HZA Gießen — ZA Gießen, HZA Gießen — ZA Marburg, HZA Singen — ZA Bahnhof, HZA Lörrach — ZA Weil-am-Rhein-Schusterinsel, HZA Hamburg-Stadt — ZA Oberelbe, HZA Hamburg-Stadt — ZA Oberelbe-Abfertigungsstelle-Billbrook, HZA Hamburg-Stadt — ZA Oberelbe-Abfertigungsstelle-Großmarkt, HZA Potsdam — ZA Berlin-Flughafen-Schönefeld, HZA Düsseldorf — ZA Düsseldorf-Nord
Greece	Athina, Pireas, Elefsis, Aerodromio ton Athinon, Thessaloniki, Volos, Patra, Iraklion tis Kritis, Aerodromio tis Kritis, Euzoni, Idomeni, Ormenio, Kipi, Kakavia, Niki, Promahonas, Pithio, Igoumenitsa, Kristalopigi
Spain	Algeciras (Puerto), Alicante (Aeropuerto, Puerto), Almería (Aeropuerto, Puerto), Asturias (Aeropuerto), Barcelona (Aeropuerto, Puerto, Ferrocarril), Bilbao (Aeropuerto, Puerto), Cádiz (Puerto), Cartagena (Puerto), Castellón (Puerto), Ceuta (Puerto), Gijón (Puerto), Huelva (Puerto), Irún (Carretera), La Coruña (Puerto), La Junquera (Carretera), Las Palmas de Gran Canaria (Aeropuerto, Puerto), Madrid (Aeropuerto, Ferrocarril), Málaga (Aeropuerto, Puerto), Marín (Puerto), Melilla (Puerto), Murcia (Ferrocarril), Palma de Mallorca (Aeropuerto, Puerto), Pasajes (Puerto), San Sebastián (Aeropuerto), Santa Cruz de Tenerife (Puerto), Santander (Aeropuerto, Puerto), Santiago de Compostela (Aeropuerto), Sevilla (Aeropuerto, Puerto), Tarragona (Puerto), Tenerife Norte (Aeropuerto), Tenerife Sur (Aeropuerto), Valencia (Aeropuerto, Puerto), Vigo (Aeropuerto, Puerto), Villagarcía (Puerto), Vitoria (Aeropuerto), Zaragoza (Aeropuerto)
France	Marseille (Bouches-du-Rhône), Le Havre (Seine-Maritime), Rungis MIN (Val-de-Marne), Chassieu CRD (Rhône), Strasbourg CRD (Bas-Rhin), Lille CRD (Nord), Saint-Nazaire-Montoir CRD (Loire-Atlantique), Agen (Lot-et-Garonne), port de la Pointe des Galets à la Réunion
Ireland	Dublin — port and airport, Cork — port and airport, Shannon — airport
Italy	Ufficio Sanità Marittima ed Aerea di Ancona Ufficio Sanità Marittima ed Aerea di Bari Ufficio Sanità Marittima ed Aerea di Genova Ufficio Sanità Marittima di Livorno Ufficio Sanità Marittima ed Aerea di Napoli Ufficio Sanità Marittima di Ravenna Ufficio Sanità Marittima di Salerno Ufficio Sanità Marittima ed Aerea di Trieste Dogana di Ferneti-Interporto Monrupino (Trieste) Ufficio di Sanità Marittima di La Spezia Ufficio di Sanità Marittima e Aerea di Venezia Ufficio di Sanità Marittima e Aerea di Reggio Calabria

Member State	Point of entry
Luxembourg	Centre douanier, Croix de Gasperich, Luxembourg
The Netherlands	All harbours and airports and all border stations
Austria	HZA Feldkirch, HZA Graz, Nickelsdorf, Spielfeld, HZA Wien, ZA Wels, ZA Kledering, ZA Flughafen Wien, HZA Salzburg, ZA Klingenbach/Zweigstelle Sopron, ZA Karawankentunnel, ZA Villach
Portugal	Lisboa, Leixões
Finland	All Finnish customs offices
Sweden	Göteborg, Ystad, Stockholm, Helsingborg, Karlskrona, Karlshamn, Landvetter, Arlanda
United Kingdom	Belfast, Channel Tunnel Terminal, Dover, Felixstowe, Gatwick Airport, Goole Grangemouth, Harwich, Heathrow Airport, Heysham, Hull, Immingham, Ipswich, King's Lynn, Leith, Liverpool, London (including Tilbury, Thamesport and Sheerness), Manchester Airport, Manchester Container Port, Manchester (including Ellesmere Port), Medway, Middlesbrough, Newhaven, Poole, Shoreham, Southampton, Stansted Airport'