

COMMISSION REGULATION (EC) No 1609/2000**of 24 July 2000****establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 737/90 of 22 March 1990 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station⁽¹⁾, as last amended by Regulation (EC) No 616/2000⁽²⁾ and in particular Article 6 thereof,

Whereas:

- (1) According to Article 6 of Regulation (EEC) No 737/90, the Commission shall adopt a list of products excluded from its application.
- (2) Most agricultural products currently imported from third countries are free of radioactive contamination from the Chernobyl accident or so slightly contaminated as to present a negligible risk to health.
- (3) The list of products excluded from the application of Regulation (EEC) No 737/90 was established by Commission Regulation (EC) 727/97⁽³⁾ to take this into account.
- (4) The results obtained from a study carried out for the Commission assessing the potential for imports by Member States of agricultural products containing radio-caesium in excess of the limits laid down in Regulation

(EEC) No 737/90 indicate that two further food products (tea and certain herbs) should be excluded.

- (5) A modified style of presentation of the list of products to which Council Regulation (EEC) No 737/90 is applicable has already been introduced in Commission Regulation (EC) No 1661/1999 of 27 July 1999 laying down detailed rules for the application of Regulation (EEC) No 737/90⁽⁴⁾ and will facilitate the use of the list by the customs offices.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee under Article 7 of Regulation (EEC) No 737/90,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 727/97 is hereby repealed.

Article 2

All products other than those listed in the Annex are excluded from the scope of Regulation (EEC) No 737/90.

Article 3

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

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

Done at Brussels, 24 July 2000.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 82, 29.3.1990, p. 1.

⁽²⁾ OJ L 75, 24.3.2000, p. 1.

⁽³⁾ OJ L 108, 25.4.1997, p. 16.

⁽⁴⁾ OJ L 197, 29.7.1999, p. 17.

ANNEX

LIST OF PRODUCTS TO WHICH REGULATION (EEC) No 737/90 IS APPLICABLE

CN code	Description
0101 19 10	Live horses, other than pure-bred breeding animals, for slaughter
0102 90	Live bovine animals, other than pure-bred breeding animals, domestic species
0103 91	Live swine, other than pure-bred breeding animals, weighing less than 50 kg
0103 92	Live swine, other than pure-bred breeding animals, weighing 50 kg or more
0104 10	Live sheep, other than pure-bred breeding animals
0104 20 90	Live goats, other than pure-bred breeding animals
0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls
0106 00	Other live animals
Chapter 2	Meat and edible meat offal
ex Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included, except products of CN codes 0408 11 20, 0408 19 20, 0408 91 20 and 0408 99 20
ex 0709 51	Mushrooms, fresh or chilled, other than cultivated mushrooms
ex 0710 80 69	Mushrooms (uncooked or cooked by steaming or boiling in water), frozen, other than cultivated mushrooms
ex 0711 90 60	Mushrooms provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption, other than cultivated mushrooms
ex 0712 30 00	Dried mushrooms, whole, cut, sliced, broken or in powder, but not further prepared, other than cultivated mushrooms
0810 40	Cranberries, bilberries and other fruits of the genus <i>Vaccinium</i> , fresh
0811 90 50	Fruits of the species <i>Vaccinium myrtillus</i> , uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter
0811 90 70	Fruits of the species <i>Vaccinium myrtilloides</i> and <i>Vaccinium angustifolium</i> , uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter
0812 90 40	Fruits of the species <i>Vaccinium myrtillus</i> , provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
1601 00	Sausages and similar products, of meat, offal or blood; food preparations based on these products

CN code	Description
1602	Other prepared or preserved meat, meat offal or blood
ex 1603 00	Extracts and juices of meat
ex 2001 90 50	Mushrooms, prepared or preserved by vinegar or acetic acid, other than cultivated mushrooms
ex 2003 10 80	Mushrooms, prepared or preserved otherwise than by vinegar or acetic acid, other than cultivated mushrooms