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(Acts whose publication is obligatory)

REGULATION (EC) No 1128/2003 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 June 2003 amending Regulation (EC) No 999/2001 as regards the extension of the period for transitional measures

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152(4)(b) thereof,

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the European Economic and Social Committee [2],

Following consultation of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty [3],

Whereas:

(1) Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies [4] provides a single legal basis for all legislation regarding transmissible spongiform encephalopathies in the Community.

(2) Regulation (EC) No 999/2001 establishes rules for the determination of the bovine spongiform encephalopathy (BSE) status of a Member State, third country or one of their regions. That status, hereinafter referred to as 'BSE status', determines certain measures concerning the control of BSE and trade and the importation of certain live animals and animal products. The Regulation provides that, prior to determination of the BSE status, transitional measures are to be adopted for a maximum period of two years.

(3) Commission Regulation (EC) No 1326/2001 of 29 June 2001 [5] provides for transitional measures which are to apply for a maximum period of two years from 1 July 2001.

(4) Certain problems have been encountered in using the criteria laid down in Regulation (EC) No 999/2001 to determine BSE status. The Commission has discussed with Member States possible amendments to those criteria in order to produce a better alignment of BSE status and risk. The outcome of those discussions may be significantly influenced by developments in the BSE Chapter in the International Animal Health Code of the International Office of Epizootics.

(5) It is necessary to prolong the period of application of the transitional measures to allow those discussions to be concluded.

(6) Regulation (EC) No 999/2001 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

In Article 23 of Regulation (EC) No 999/2001, the second subparagraph shall be replaced by the following:

'In accordance with that procedure, transitional measures shall be adopted for a period ending on 1 July 2005 at the latest, to permit the changeover from the current arrangements to the arrangements established by this Regulation.'

Article 2

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

[1] Opinion of 5 March 2003 (not yet published in the Official Journal).
[2] Opinion of 14 May 2003 (not yet published in the Official Journal).
[3] Opinion of the European Parliament of 3 June 2003 (not yet published in the Official Journal) and Council Decision of 11 June 2003.
[4] OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 650/2003 (OJ L 95, 11.4.2003, p. 15).
[5] OJ L 177, 30.6.2001, p. 60. Regulation as amended by Commission Regulation (EC) No 270/2002 (OJ L 45, 15.2.2002, p. 4).