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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 291/2006 of 17 February 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 292/2006 of 17 February 2006 opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables (tomatoes, oranges, lemons and apples)	3
Commission Regulation (EC) No 293/2006 of 17 February 2006 fixing the minimum selling prices for butter for the 3rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005	6
Commission Regulation (EC) No 294/2006 of 17 February 2006 fixing the maximum aid for cream, butter and concentrated butter for the 3rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005	8
Commission Regulation (EC) No 295/2006 of 17 February 2006 fixing the minimum selling price for skimmed-milk powder for the 98th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999	10
Commission Regulation (EC) No 296/2006 of 17 February 2006 fixing the maximum aid for concentrated butter for the 3rd individual invitation to tender opened under the standing invitation to tender provided for in Regulation (EC) No 1898/2005	11
Commission Regulation (EC) No 297/2006 of 17 February 2006 fixing the minimum selling price for butter for the 35th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2771/1999	12
Commission Regulation (EC) No 298/2006 of 17 February 2006 fixing the minimum selling price for skimmed-milk powder for the 34th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 214/2001	13
Commission Regulation (EC) No 299/2006 of 17 February 2006 on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of February 2006 pursuant to Regulation (EC) No 638/2003	14

2

(Continued overleaf)

EN

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

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Directive 2006/20/EC of 17 February 2006 amending, for the purposes of its adaptation to technical progress, Council Directive 70/221/EEC concerning fuel tanks and rear underrun protection of motor vehicles and their trailers ⁽¹⁾	16
--	----

II Acts whose publication is not obligatory

Council

2006/111/EC:

★ Decision No 6/2005 of the ACP-EC Council of Ministers of 22 November 2005 concerning the use of the remaining EUR 482 000 000 of the conditional EUR 1 000 000 000 under the ninth EDF for cooperation with ACP countries	19
--	----

2006/112/EC:

★ Decision No 7/2005 of the ACP-EC Council of Ministers of 22 November 2005 concerning the use of a second allocation of EUR 250 000 000 from the conditional EUR 1 000 000 000 under the ninth EDF to be used for the second instalment of the ACP-EU Water Facility	21
--	----

2006/113/EC:

★ Council Decision of 14 February 2006 on the signature, on behalf of the European Community, and the provisional application of the Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol amending the Protocol setting out the fishing opportunities and the financial contribution provided for in the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania for the period 1 August 2001 to 31 July 2006	22
---	----

Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol amending the Protocol setting out the fishing opportunities and the financial contribution provided for in the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania for the period 1 August 2001 to 31 July 2006	24
--	----

2006/114/EC:

★ Council Decision of 14 February 2006 extending the period of application of the measures in Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement	26
---	----

Commission

2006/115/EC:

★ Commission Decision of 17 February 2006 concerning certain protection measures in relation to highly pathogenic avian influenza in wild birds in the Community and repealing Decisions 2006/86/EC, 2006/90/EC, 2006/91/EC, 2006/94/EC, 2006/104/EC and 2006/105/EC (notified under document number C(2006) 554) ⁽¹⁾	28
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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 291/2006
of 17 February 2006
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⁾, and in particular Article 4(1) thereof,

Whereas:

(1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 February 2006.

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

Done at Brussels, 17 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 17 February 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	89,3
	204	49,0
	212	83,5
	624	111,0
	999	83,2
0707 00 05	052	120,8
	204	89,8
	628	131,0
	999	113,9
0709 10 00	220	66,1
	624	95,8
	999	81,0
0709 90 70	052	138,1
	204	61,5
	999	99,8
0805 10 20	052	48,4
	204	50,6
	212	43,8
	220	43,4
	624	60,3
	999	49,3
0805 20 10	204	99,5
	999	99,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	63,4
	204	112,1
	220	80,3
	464	127,4
	624	71,5
	999	90,9
0805 50 10	052	55,3
	220	47,9
	999	51,6
0808 10 80	400	124,1
	404	103,7
	528	112,1
	720	83,2
	999	105,8
0808 20 50	388	85,7
	400	80,9
	528	83,6
	720	68,0
	999	79,6

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 292/2006

of 17 February 2006

opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables (tomatoes, oranges, lemons and apples)

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 organisation of the market in fruit and vegetables ⁽¹⁾, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 1961/2001 ⁽²⁾ lays down the detailed rules of application for export refunds on fruit and vegetables.

(2) Article 35(1) of Regulation (EC) No 2200/96 provides that, to the extent necessary for economically significant exports, the products exported by the Community may be covered by export refunds, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Pursuant to Article 35(2) of Regulation (EC) No 2200/96, care must be taken to ensure that the trade flows previously brought about by the refund scheme are not disrupted. For this reason and because exports of fruit and vegetables are seasonal in nature, the quantities scheduled for each product should be fixed, based on the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽³⁾. These quantities must be allocated taking account of the perishability of the products concerned.

(4) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation and outlook for fruit and vegetable prices on the Community market and supplies available, on the one hand, and, on the other hand, prices on the international market. Account must also be taken of the transport and marketing costs and of the economic aspect of the exports planned.

(5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint.

(6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.

(7) Tomatoes, oranges, lemons and apples of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.

(8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to proceed by an open invitation to tender and to set the indicative refund amount and the scheduled quantities for the period concerned.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender for the allocation of A3 export licences is hereby opened. The products concerned, the tender submission period, the indicative refund rates and the scheduled quantities are laid down in the Annex hereto.

2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁴⁾ shall not count against the eligible quantities in the Annex hereto.

3. Notwithstanding Article 5(6) of Regulation (EC) No 1961/2001, the term of validity of the A3 licences shall be two months.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

⁽³⁾ OJ L 366, 24.12.1987, p. 1. Regulation, as last amended by Regulation (EC) No 2091/2005 (OJ L 343, 24.12.2005, p. 1).

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1.

Article 2

This Regulation shall enter into force on 1 March 2006.

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

Done at Brussels, 17 February 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

Opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables (tomatoes, oranges, lemons and apples)

Tender submission period: 1 to 2 March 2006

Product code ⁽¹⁾	Destination ⁽²⁾	Indicative refund amount (EUR/t net)	Scheduled quantity (t)
0702 00 00 9100	F08	40	11 547
0805 10 20 9100	A00	47	81 839
0805 50 10 9100	A00	70	16 491
0808 10 80 9100	F09	43	107 244

⁽¹⁾ The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

⁽²⁾ The 'A' series destination codes are defined in Annex II to Regulation (EEC) No 3846/87. The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). The other destinations are defined as follows:

F03: All destinations except Switzerland.

F04: Hong Kong, Singapore, Malaysia, Sri Lanka, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Japan, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

F08: All destinations except Bulgaria.

F09: The following destinations:

— Norway, Iceland, Greenland, Faeroe Islands, Romania, Albania, Bosnia and Herzegovina, Croatia, former Yugoslav Republic of Macedonia, Serbia and Montenegro, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah and Fujairah), Kuwait, Yemen, Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia,

— African countries and territories except South Africa,

— destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

COMMISSION REGULATION (EC) No 293/2006**of 17 February 2006****fixing the minimum selling prices for butter for the 3rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market ⁽²⁾, the intervention agencies may sell by standing invitation to tender certain quantities of butter from intervention stocks that they hold and may grant aid for cream, butter and concentrated butter. Article 25 of that Regulation lays down that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further laid down

that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure. The amount of the processing security as referred to in Article 28 of Regulation (EC) No 1898/2005 should be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 3rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005 the minimum selling prices for butter from intervention stocks and the amount of the processing security, as referred to in Articles 25 and 28 of that Regulation respectively, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 18 February 2006.

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

Done at Brussels, 17 February 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

ANNEX

Minimum selling prices for butter and processing security for the 3rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005*(EUR/100 kg)*

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	210	—	210
		Concentrated	—	—	—	—
Processing security		Unaltered	—	79	—	79
		Concentrated	—	—	—	—

COMMISSION REGULATION (EC) No 294/2006**of 17 February 2006****fixing the maximum aid for cream, butter and concentrated butter for the 3rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market ⁽²⁾, the intervention agencies may sell by standing invitation to tender certain quantities of butter of intervention stocks that they hold and may grant aid for cream, butter and concentrated butter. Article 25 of that Regulation lays down that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further laid down

that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure. The amount of the processing security as referred to in Article 28 of Regulation (EC) No 1898/2005 should be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 3rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005 the amount of the maximum aid for cream, butter and concentrated butter and the amount the processing security, as referred to in Articles 25 and 28 of that Regulation respectively, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 18 February 2006.

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

Done at Brussels, 17 February 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

ANNEX

Maximum aid for cream, butter and concentrated butter and processing security for the 3rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005*(EUR/100 kg)*

Formula		A		B	
		With tracers	Without tracers	With tracers	Without tracers
Incorporation procedure					
Maximum aid	Butter ≥ 82 %	38,5	35	38,5	35
	Butter < 82 %	—	34,1	—	—
	Concentrated butter	46	42,6	46	42
	Cream	—	—	18,5	15
Processing security	Butter	42	—	42	—
	Concentrated butter	51	—	51	—
	Cream	—	—	20	—

COMMISSION REGULATION (EC) No 295/2006**of 17 February 2006****fixing the minimum selling price for skimmed-milk powder for the 98th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder ⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.
- (2) According to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award. The amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum selling price.

(3) In the light of the tenders received, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 98th individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 14 February 2006, the minimum selling price and the processing security are fixed as follows:

- | | |
|--------------------------|--------------------|
| — minimum selling price: | 191,38 EUR/100 kg, |
| — processing security: | 35,00 EUR/100 kg. |

Article 2

This Regulation shall enter into force on 18 February 2006.

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

Done at Brussels, 17 February 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 340, 31.12.1999, p. 3. Regulation as last amended by Regulation (EC) No 1194/2005 (OJ L 194, 26.7.2005, p. 7).

COMMISSION REGULATION (EC) No 296/2006**of 17 February 2006****fixing the maximum aid for concentrated butter for the 3rd individual invitation to tender opened under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Article 47 of Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market ⁽²⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter. Article 54 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 %.
- (2) An end-use security provided for in Article 53(4) of Regulation (EC) No 1898/2005 is to be lodged to

ensure the taking over of the concentrated butter by the retail trade.

- (3) In the light of the tenders received, the maximum aid should be fixed at the appropriate level and the end-use security should be determined accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 3rd individual tender under the standing invitation to tender opened in accordance with Regulation (EC) No 1898/2005 the maximum amount of the aid for concentrated butter with a minimum fat content of 96 %, as referred to in Article 47(1) of that Regulation, is fixed at 45 EUR/100 kg,

The end-use security provided for in Article 53(4) of Regulation (EC) No 1898/2005 is fixed at 50 EUR/100 kg.

Article 2

This Regulation shall enter into force on 18 February 2006.

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

Done at Brussels, 17 February 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

COMMISSION REGULATION (EC) No 297/2006**of 17 February 2006****fixing the minimum selling price for butter for the 35th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10(c) thereof,

Whereas:

- (1) Pursuant to Article 21 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them.
- (2) In the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no

award, in accordance with Article 24a of Regulation (EC) No 2771/1999.

- (3) In the light of the tenders received, a minimum selling price should be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 35th individual invitation to tender pursuant to Regulation (EC) No 2771/1999, in respect of which the time limit for the submission of tenders expired on 14 February 2006, the minimum selling price for butter is fixed at 255,00 EUR/100 kg.

Article 2

This Regulation shall enter into force on 18 February 2006.

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

Done at Brussels, 17 February 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 1802/2005 (OJ L 290, 4.11.2005, p. 3).

COMMISSION REGULATION (EC) No 298/2006**of 17 February 2006****fixing the minimum selling price for skimmed-milk powder for the 34th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 214/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10(c) thereof,

Whereas:

(1) Pursuant to Article 21 of Commission Regulation (EC) No 214/2001 of 12 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in skimmed milk ⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.

(2) In the light of the tenders received in response to each individual invitation to tender a minimum selling price

shall be fixed or a decision shall be taken to make no award, in accordance with Article 24a of Regulation (EC) No 214/2001.

(3) In the light of the tenders received, a minimum selling price should be fixed.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 34rd individual invitation to tender pursuant to Regulation (EC) No 214/2001, in respect of which the time limit for the submission of tenders expired on 14 February 2006, the minimum selling price for skimmed milk is fixed at 191,10 EUR/100 kg.

Article 2

This Regulation shall enter into force on 18 February 2006.

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

Done at Brussels, 17 February 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 37, 7.2.2001, p. 100. Regulation as last amended by Regulation (EC) No 1195/2005 (OJ L 194, 26.7.2005, p. 8).

COMMISSION REGULATION (EC) No 299/2006**of 17 February 2006****on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of February 2006 pursuant to Regulation (EC) No 638/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EC) No 1706/98 ⁽¹⁾,

Having regard to Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community (Overseas Association Decision) ⁽²⁾,

Having regard to Commission Regulation (EC) No 638/2003 of 9 April 2003 laying down detailed rules for applying Council Regulation (EC) No 2286/2002 and Council Decision 2001/822/EC as regards the arrangements applicable to imports of rice originating in the African, Caribbean and Pacific States (ACP States) and the overseas countries and territories (OCT) ⁽³⁾, and in particular Article 17(2) thereof,

Whereas:

Examination of the quantities for which applications have been submitted shows that licences for the February 2006 tranche should be issued for the quantities applied for reduced, where appropriate, by the percentages not covered and fixing the quantities carried over to the subsequent tranche,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences for rice against applications submitted during the first five working days of February 2006 pursuant to Regulation (EC) No 638/2003 and notified to the Commission shall be issued for the quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto.

2. The available quantities carried over to the subsequent tranche are set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 February 2006.

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

Done at Brussels, 17 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 348, 21.12.2002, p. 5.

⁽²⁾ OJ L 314, 30.11.2001, p. 1.

⁽³⁾ OJ L 93, 10.4.2003, p. 3. Regulation as last amended by Commission Regulation (EC) No 2120/2005 (OJ L 340, 23.12.2005, p. 22).

ANNEX

Reduction percentages to be applied to quantities applied for under the tranche for February 2006 and quantities carried over to the subsequent tranche

Origin/product	Reduction percentage		Quantity carried over to the tranche for May 2006 (t)	
	Netherlands Antilles and Aruba	Least-developed OCTs	Netherlands Antilles and Aruba	Least-developed OCTs
OCT (Article 10(1)(a) and (b) of Regulation (EC) No 638/2003) — CN code 1006	0 ⁽¹⁾	0 ⁽¹⁾	5 839,936	3 334

⁽¹⁾ Issue for the quantity applied for.

Origin/product	Reduction percentage	Quantity carried over to the tranche for May 2006 (t)
ACP (Article 3(1) of Regulation (EC) No 638/2003) — CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30	0 ⁽¹⁾	4 767,115
ACP (Article 5(1) of Regulation (EC) No 638/2003) — CN codes 1006 40 00	0 ⁽¹⁾	9 164

⁽¹⁾ Issue for the quantity applied for.

COMMISSION DIRECTIVE 2006/20/EC**of 17 February 2006****amending, for the purposes of its adaptation to technical progress, Council Directive 70/221/EEC concerning fuel tanks and rear underrun protection of motor vehicles and their trailers****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, and in particular the second indent of Article 13(2) thereof,

Having regard to Council Directive 70/221/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear underrun protection of motor vehicles and their trailers ⁽²⁾, and in particular Article 3 thereof,

Whereas:

- (1) Directive 70/221/EEC is one of the separate Directives in the context of the Community type-approval procedure laid down in Directive 70/156/EEC. The provisions of Directive 70/156/EEC relating to systems, components and separate technical units for vehicles therefore apply to Directive 70/221/EEC.
- (2) In order to increase the level of protection, rear underrun protection devices should be required to withstand increased force levels, and account should be taken of vehicles using air suspension units.
- (3) In view of technical progress, and the advances made in vehicle use with regard to the installation of vehicle platform lifts, it is appropriate that account be taken of platform lifts in the context of the installation of rear underrun protection devices.

(4) Directive 70/221/EEC should therefore be amended accordingly.

(5) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress set up under Article 13(1) of Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 70/221/EEC is amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 11 September 2007, if the requirements laid down in Directive 70/221/EEC, as amended by this Directive, are not complied with, a Member State, on grounds related to rear underrun protection:

- (a) shall refuse to grant EC type-approval or national type-approval of a type of vehicle;
- (b) shall refuse to grant EC type-approval or national type-approval of a rear underrun protection device, as a separate technical unit,

2. With effect from 11 March 2010, if the requirements laid down in Directive 70/221/EEC, as amended by this Directive, are not complied with, a Member State, on grounds related to rear underrun protection:

- (a) shall refuse the registration or prohibit the sale or entry into service of new vehicles;
- (b) shall prohibit the sale or entry into service of a rear underrun protection device, as a separate technical unit.

⁽¹⁾ OJ L 42, 23.2.1970, p. 1. Directive as last amended by Directive 2005/64/EC of the European Parliament and of the Council (OJ L 310, 25.11.2005, p. 10).

⁽²⁾ OJ L 76, 6.4.1970, p. 23. Directive as last amended by the 2003 Act of Accession.

Article 3

1. Member States shall adopt and publish, before 11 March 2007 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 11 March 2007.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 17 February 2006.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Annex II to Directive 70/221/EEC is amended as follows:

1. the following section 5.1a is inserted:

'5.1a. The vehicle shall be tested under the following conditions:

- it must be at rest on a level, flat, rigid and smooth surface,
- the front wheels must be in the straight-ahead position,
- tyres must be inflated to the pressure recommended by the vehicle manufacturer,
- the vehicle may, if necessary to achieve the test forces required, be restrained by any method specified by the vehicle manufacturer,
- if the vehicle is equipped with hydropneumatic, hydraulic or pneumatic suspension or a device for automatic levelling according to load, it must be tested with the suspension or device in the normal running condition specified by the manufacturer.;

2. point 5.4.5.2 is replaced by the following:

'5.4.5.2. A horizontal force corresponding to 25 % of the maximum technically permissible mass of the vehicle but not exceeding 5×10^4 N must be applied successively to both points P1 and to point P3;'

3. the following section 5.4a is inserted:

'5.4a. For vehicles fitted with a platform lift the fitting of the underrun device may be interrupted for the purposes of the mechanism. In such cases, the following must apply:

- 5.4a.1. the lateral distance between the fitting elements of the underrun device and the elements of the platform lift, which make the interruption necessary, may amount to no more than 2,5 cm;
 - 5.4a.2. the individual elements of the underrun protection device must, in each case, have an effective surface area of at least 350 cm²;
 - 5.4a.3. the individual elements of the underrun protection device must be of sufficient dimensions to comply with the requirements of paragraph 5.4.5.1, whereby the relative positions of the test points are determined. If the points P1 are located within the interruption area mentioned in 5.4a, the points P1 to be used will be located in the middle of any lateral section of the rear underrun protection device;
 - 5.4a.4. for the area of interruption of the underrun device and for the purposes of the platform lift, point 5.4.1. need not apply.'
-

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 6/2005 OF THE ACP-EC COUNCIL OF MINISTERS

of 22 November 2005

concerning the use of the remaining EUR 482 000 000 of the conditional EUR 1 000 000 000 under the ninth EDF for cooperation with ACP countries

(2006/111/EC)

THE ACP-EC COUNCIL OF MINISTERS,

ACP-EC commitments on the international scene, taking into account the principles of urgency and poverty focus, concentration of aid and absorption capacity.

Having regard to the ACP-EC Partnership Agreement signed at Cotonou on 23 June 2000, and in particular paragraph 8 of Annex 1 thereto,

Whereas:

- (1) In accordance with Declaration XVIII to the ACP-EC Partnership Agreement, out of the total amount of EUR 13 500 000 000 of the ninth EDF for ACP countries, only EUR 12 500 000 000 were released upon the entry into force of the Financial Protocol on 1 April 2003.
- (2) The Council decided that, in the light of the outcome of the mid-term reviews of the country strategies and of the performance review of the EDF it would decide by the end of 2005 on the mobilisation of a second allocation of EUR 250 000 000 for the Water Facility and on the use of the remaining EUR 500 000 000 of the conditional EUR 1 000 000 000 for purposes to be agreed.
- (3) The ninth EDF, including the balances transferred from the previous EDFs, will be entirely committed by the end of 2007 without allowing the Community to fully comply with its international commitments and to respond to new international initiatives.
- (4) A selection of proposals has been made for the total amount of EUR 482 000 000 on the basis of the obligations resulting from the ACP-EC Partnership Agreement and on the basis of the so far unmet joint
- (5) Under the existing implementation modalities of the Centre for the Development of the Enterprise (CDE) and the Technical Centre for Agriculture and Rural Cooperation (CTA) the annual budgetary needs are estimated at respectively EUR 18 000 000 and EUR 14 000 000. It is therefore proposed to earmark EUR 32 000 000 out of the long-term development envelope released from the remaining conditional billion in resources to cover the functioning of the CDE and CTA during the year 2006, in compliance with Annexes I and III to the ACP-EC Partnership Agreement.
- (6) Considering the high expectations generated by the launch of the EU Energy Initiative, the crucial contribution of energy to the achievement of the MDGs, and the critical importance for the poor of access to cost-effective and environmentally sound energy services, it is therefore suggested that the proposed ACP/EU Energy Facility be financed with an indicative amount of EUR 220 000 000 from the conditional balances and that the totality of this amount be transferred to the intra-ACP envelope for this purpose.
- (7) To contribute to reducing the vulnerability of the ACP beneficiary countries to commodity shocks it is proposed to earmark an indicative amount of up to EUR 25 000 000 from the remaining balance of the conditional EUR 1 000 000 000 to contribute to the international commodity risk management financing facility in line with Article 68(5) of the ACP-EC Partnership Agreement and to transfer the entire amount to the intra-ACP envelope for this purpose.

- (8) It is proposed to put aside an indicative amount of EUR 30 000 000 from the remaining balance of the conditional EUR 1 000 000 000 to contribute to the initial phase of a capacity building programme to help the ACP adapt to the new Community sanitary and phytosanitary rules and to transfer the entire amount to the intra-ACP envelope for this purpose.
- (9) To contribute to a pan-African support programme, it is proposed to earmark an indicative amount of up to EUR 50 000 000 from the remaining balance of the conditional EUR 1 000 000 000, and to transfer the amount to the intra-ACP envelope for this purpose.
- (10) The 'Education for all' Fast Track Initiative primarily relies on existing funding mechanisms in partner countries. As it proved impossible to provide support to the FTI in a systematic way through the 2004 national mid-term review exercise, it is proposed that an indicative amount of EUR 63 000 000 be contributed to the Fast Track Initiative from the remaining balances of the conditional billion and that the amount be transferred to the intra-ACP for this purpose.
- (11) Having regard to the agreement within the ACP-EC Council of Ministers on 24 June 2005, it is proposed to use EUR 62 000 000 for the World Fund to fight HIV/AIDS, tuberculosis and malaria,

HAS DECIDED AS FOLLOWS:

Article 1

The allocation of EUR 482 000 000 of the conditional EUR 1 000 000 000 under the ninth European Development Fund shall be distributed as follows:

- (a) EUR 352 000 000 to the envelope for support for long-term development, referred to in paragraph 3(a) of the Financial Protocol;
- (b) EUR 48 000 000 to the envelope for regional cooperation and integration, referred to in paragraph 3(b) of the Financial Protocol;
- (c) EUR 82 000 000 to the Investment Facility, referred to in paragraph 3(c) of the Financial Protocol.

The allocation shall be allocated in accordance with Article 2 of this Decision by transferring EUR 320 000 000 from the long-term development envelope and EUR 82 000 000 from the Investment Facility to the intra-ACP allocation of the envelope for regional cooperation and integration.

Article 2

The allocation of EUR 482 000 000 will contribute to the financing of the following actions:

- (a) up to EUR 220 000 000 to the EU Energy Initiative;
- (b) up to EUR 25 000 000 for the contribution to the International Commodity Risk Management Financing Facility in favour of the ACP countries;
- (c) an indicative amount of EUR 30 million to assist the ACP countries in adapting to the new EU sanitary and phytosanitary rules;
- (d) up to EUR 50 000 000 to strengthen the African Union in the implementation of its pan-African mandate;
- (e) an indicative amount of EUR 63 000 000 as a contribution to the 'Education for All' Fast Track Initiative;
- (f) up to EUR 62 000 000 for the contribution to the World Fund to fight HIV/AIDS, tuberculosis and malaria;
- (g) EUR 32 000 000 coming from the envelope for support for long-term development referred to in paragraph 3(a)(i) and (ii) of the Financial Protocol shall be allocated to the financing of the budget of the Centre for Development of Enterprise (CDE) and of the Technical Centre for Agriculture and Rural Cooperation (CTA).

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 22 November 2005.

For the ACP-EC Council of Ministers
The President
 A. JOHNSON

DECISION No 7/2005 OF THE ACP-EC COUNCIL OF MINISTERS**of 22 November 2005****concerning the use of a second allocation of EUR 250 000 000 from the conditional EUR 1 000 000 000 under the ninth EDF to be used for the second instalment of the ACP-EU Water Facility**

(2006/112/EC)

THE ACP-EC COUNCIL OF MINISTERS,

Having regard to the ACP-EC Partnership Agreement ⁽¹⁾, and in particular paragraph 8 of Annex I thereto,

Whereas:

- (1) In accordance with the EU Declaration on the Financial Protocol, annexed as Declaration XVIII to the ACP-EC Partnership Agreement, out of the total amount of EUR 13 500 000 000 of the ninth European Development Fund (EDF) for ACP countries, only EUR 12 500 000 000 were immediately released upon the entry into force of the Financial Protocol on 1 April 2003.
- (2) On 22 March 2004 the Council of the EU agreed on the establishment of a 'Water Facility' for ACP countries of an amount of EUR 500 000 000 and to release a first allocation of EUR 250 000 000. This decision was taken on the basis that the level of commitments and disbursements at the end of 2003 in conjunction with forecasts for the period 2004 to 2007 presented by the Commission indicated that ninth EDF resources for ACP countries could be fully committed.
- (3) This first allocation of EUR 250 000 000 was released and distributed.
- (4) By the said decision, the Council of the EU decided, in the light of the outcome of the mid-term reviews of the country strategies and of the performance review of the EDF undertaken by the Council before the end of 2004, to decide, before the end of 2005, on the mobilisation of a second allocation of EUR 250 000 000 and the remaining EUR 500 000 000 of the conditional

EUR 1 000 000 000 referred to in Article 2(2) of the Internal Agreement for purposes to be agreed,

HAS DECIDED AS FOLLOWS:

Article 1

The second allocation of EUR 250 000 000 shall be provided out of the following funds:

1. EUR 185 000 000 from the envelope for support for long-term development, referred to in paragraph 3(a) of the Financial Protocol;
2. EUR 24 000 000 from the envelope for regional cooperation and integration, and paragraph 3(b) of the Financial Protocol;
3. EUR 41 000 000 from the Investment Facility in paragraph 3(c) of the Financial Protocol.

The amounts referred to in points 1 and 3 shall be transferred to the intra-ACP allocation of the envelope for regional cooperation and integration.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 22 November 2005.

For the ACP-EC Council of Ministers
The President
A. JOHNSON

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

COUNCIL DECISION

of 14 February 2006

on the signature, on behalf of the European Community, and the provisional application of the Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol amending the Protocol setting out the fishing opportunities and the financial contribution provided for in the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania for the period 1 August 2001 to 31 July 2006

(2006/113/EC)

THE COUNCIL OF THE EUROPEAN UNION,

liners (category 8) and pelagic freezer trawlers (category 9).

Having regard to the Treaty establishing the European Economic Community, and in particular Article 37 in conjunction with Article 300(2) thereof,

(4) So that those amendments to fishing opportunities can apply as soon as possible, the Agreement should, therefore, be signed in the form of an Exchange of Letters, subject to its definitive conclusion by the Council.

Having regard to the proposal from the Commission,

(5) The allocation of the new fishing opportunities among the Member States, as thus amended, should be confirmed,

Whereas:

HAS DECIDED AS FOLLOWS:

(1) The Protocol setting out the fishing opportunities and the financial contribution provided for in the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania is applicable for the period 1 August 2001 to 31 July 2006 ⁽¹⁾.

Article 1

The signature of the Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol amending the Protocol setting out the fishing opportunities and the financial contribution provided for in the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania for the period 1 August 2001 to 31 July 2006 is hereby approved on behalf of the Community, subject to the conclusion of the said Agreement.

(2) In view of the scientific opinions on the state of resources in the Mauritanian EEZ and, in particular, the results of the fourth and fifth working groups of the Mauritanian Institute of Oceanographic Research and Fisheries (IMROP) and of the joint scientific working group, and in the light of the conclusions drawn from those results at the meeting of the Joint Committee held on 10 September and 15 and 16 December 2004, the two parties have decided to amend the existing fishing opportunities.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters on behalf of the Community subject to its conclusion.

(3) The outcome of those amendments has been the subject of an Exchange of Letters and involves a temporary reduction in the fishing effort for cephalopods (category 5), the fixing of a second closed period of one month for demersal fishing, and an increase in the number of pole-and-line tuna vessels and surface long-

Article 3

The Agreement in the form of an Exchange of Letters shall be applied on a provisional basis by the Community as from 1 January 2005.

⁽¹⁾ OJ L 341, 22.12.2001, p. 128.

Article 4

Following the amendments set out in the Exchange of Letters, the new fishing opportunities for the 'pole-and-line tuna vessel and surface longliner' category (Datasheet No 8 of the Protocol) and for the 'pelagic freezer trawler' category (Datasheet No 9) shall be allocated among the Member States as follows:

Fishing category	Member State	Tonnage/Number of vessels which may be used
Pole-and-line tuna vessels Surface longliners (vessels)	Spain	20 + 3 = 23
	Portugal	3 + 0 = 3
	France	8 + 1 = 9
Pelagic species (vessels)		15 + 10 = 25

The temporary suspension of five fishing licences for the cephalopod fishing category shall take effect as from 1 January 2005. The future reactivation of those five licences shall be decided by common accord in a Joint Committee meeting held between the Commission and the Mauritanian authorities on the basis of the state of resources.

If licence applications from Member States do not cover all the fishing opportunities laid down by the Protocol, the Commission may take into consideration licence applications from any other Member State.

Done at Brussels, 14 February 2006.

For the Council
The President
 K.-H. GRASSER

AGREEMENT

in the form of an Exchange of Letters concerning the provisional application of the Protocol amending the Protocol setting out the fishing opportunities and the financial contribution provided for in the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania for the period 1 August 2001 to 31 July 2006

A. Letter from the Government of the Islamic Republic of Mauritania

Sir,

With reference to the Protocol, initialled on 31 July 2001, setting out the fishing opportunities and the financial contribution provided for in the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania for the period 1 August 2001 to 31 July 2006 and the outcome of the Joint Committee meetings held on 10 September 2004 and 15 and 16 December 2004, I have the honour to inform you that the Government of the Islamic Republic of Mauritania is prepared to apply, in accordance with scientific opinion, a temporary reduction in the fishing effort for the cephalopod fishing category, as specified in Datasheet No 5 of this Protocol, by temporarily decreasing by five licences the fishing opportunities offered by the Protocol. The future reactivation of those five licences shall be decided by common accord on the basis of the state of resources. The Government of the Islamic Republic of Mauritania shall also decide on a second closed period of one month for demersal fishing on a non-discriminatory basis. The Government of the Islamic Republic of Mauritania also undertakes to apply the amendments to the Protocol concerning the fishing opportunities laid down in Fishing Datasheet No 8 for the pole-and-line tuna vessel and surface longliner fishing category by raising the number of vessels in this category from 31 to 35, and those laid down in Fishing Datasheet No 9 for the pelagic freezer trawler fishing category by raising the number of vessels in this category from 15 to 25, on a provisional basis with effect from 1 January 2005, pending its entry into force, provided that the European Community is prepared to do the same.

I should be obliged if you would confirm the European Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of the Islamic
Republic of Mauritania*

B. Letter from the European Community

Sir,

I have the honour to acknowledge receipt of your letter of today's date, worded as follows:

'Sir,

With reference to the Protocol, initialled on 31 July 2001, setting out the fishing opportunities and the financial contribution provided for in the Agreement on cooperation in the sea fisheries sector between the European Community and the Islamic Republic of Mauritania for the period 1 August 2001 to 31 July 2006 and the outcome of the Joint Committee meetings held on 10 September 2004 and 15 and 16 December 2004, I have the honour to inform you that the Government of the Islamic Republic of Mauritania is prepared to apply, in accordance with scientific opinion, a temporary reduction in the fishing effort for the cephalopod fishing category, as specified in Datasheet No 5 of this Protocol, by temporarily decreasing by five licences the fishing opportunities offered by the Protocol. The future reactivation of those five licences shall be decided by common accord on the basis of the state of resources. The Government of the Islamic Republic of Mauritania shall also decide on a second closed period of one month for demersal fishing on a non-discriminatory basis. The Government of the Islamic Republic of Mauritania also undertakes to apply the amendments to the Protocol concerning the fishing opportunities laid down in Fishing Datasheet No 8 for the pole-and-line tuna vessel and surface longliner fishing category by raising the number of vessels in this category from 31 to 35, and those laid down in Fishing Datasheet No 9 for the pelagic freezer trawler fishing category by raising the number of vessels in this category from 15 to 25, on a provisional basis with effect from 1 January 2005, pending its entry into force, provided that the European Community is prepared to do the same.

I should be obliged if you would confirm the European Community's agreement to such provisional application.'

I have the honour to confirm the European Commission's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the European Community

COUNCIL DECISION

of 14 February 2006

extending the period of application of the measures in Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement

(2006/114/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the second subparagraph of Article 300(2) thereof,

Having regard to the Internal Agreement ⁽¹⁾ on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000 ⁽²⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) By Decision 2002/148/EC ⁽³⁾, the consultations with the Republic of Zimbabwe under Article 96(2)(c) of the ACP-EC Partnership Agreement were concluded and appropriate measures, as specified in the Annex to that decision, were taken.

(2) By Decision 2005/139/EC ⁽⁴⁾, the application of the measures referred to in Article 2 of Decision 2002/148/EC, which were extended until 20 February 2004 by Decision 2003/112/EC ⁽⁵⁾ and until 20 February 2005 by Decision 2004/157/EC ⁽⁶⁾, was extended until 20 February 2006.

(3) The essential elements cited in Article 9 of the ACP-EC Partnership Agreement continue to be violated by the Government of Zimbabwe and the current conditions in Zimbabwe do not ensure respect for human rights, democratic principles and the rule of law.

(4) The period of application of the measures should therefore be extended,

HAS DECIDED AS FOLLOWS:

Article 1

The period of application of the measures referred to in Article 2 of Decision 2002/148/EC shall be extended until 20 February 2007. The measures shall be kept under constant review.

The letter in Annex to this Decision shall be addressed to the President of Zimbabwe.

Article 2

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

Done at Brussels, 14 February 2006.

For the Council
The President
K.-H. GRASSER

⁽¹⁾ OJ L 317, 15.12.2000, p. 376.

⁽²⁾ OJ L 317, 15.12.2000, p. 3.

⁽³⁾ OJ L 50, 21.2.2002, p. 64.

⁽⁴⁾ OJ L 48, 19.2.2005, p. 28.

⁽⁵⁾ OJ L 46, 20.2.2003, p. 25.

⁽⁶⁾ OJ L 50, 20.2.2004, p. 60.

ANNEX

Brussels,

LETTER TO THE PRESIDENT OF ZIMBABWE

The European Union attaches the utmost importance to the provisions of Article 9 of the ACP-EC Partnership Agreement. As essential elements of the Partnership Agreement, respect for human rights, democratic institutions and the rule of law are the basis of our relations.

By letter of 19 February 2002, the European Union informed you of its decision to conclude the consultations held under Article 96 of the ACP-EC Partnership Agreement and to take certain 'appropriate measures' within the meaning of Article 96(2)(c) of that Agreement.

By letters of 19 February 2003, 19 February 2004 and 18 February 2005, the European Union informed you of its decision not to revoke the application of the 'appropriate measures' and to extend the period of application until 20 February 2004, 20 February 2005 and 20 February 2006 respectively.

Twelve months later your country's Government, in the view of the European Union, has made no significant progress in the five areas referred to in the Council Decision of 18 February 2002.

In the light of the above, the European Union does not consider that the appropriate measures can be revoked, and has decided to extend their period of application until 20 February 2007. The European Union will closely follow developments in Zimbabwe and would once again like to emphasise that it is not penalising the Zimbabwean people and will continue with its contribution to operations of a humanitarian nature and projects in direct support of the local population, in particular projects in social sectors, democratisation, respect for human rights and the rule of law, which are not affected by these measures.

The European Union wishes to recall that the application of appropriate measures within the meaning of Article 96 of the ACP-EC Partnership Agreement is no obstacle to political dialogue as defined in the provisions of Article 8 of that same Agreement. With this in mind, the European Union wishes to underline the importance that it attaches to future EC-Zimbabwe cooperation and wishes to express its readiness to engage, once the conditions are met, in the post ninth EDF programming and considers that this would be an opportunity for a dialogue between the two partners.

To this end, the European Union hopes that you and your Government will do everything in your power to restore respect for the fundamental principles enshrined in the Partnership Agreement, and thereby enable the restoration of cooperation as soon as conditions allow.

Yours faithfully,

For the Commission

A. PIEBALGS

For the Council

K.-H. GRASSER

COMMISSION

COMMISSION DECISION

of 17 February 2006

concerning certain protection measures in relation to highly pathogenic avian influenza in wild birds in the Community and repealing Decisions 2006/86/EC, 2006/90/EC, 2006/91/EC, 2006/94/EC, 2006/104/EC and 2006/105/EC

(notified under document number C(2006) 554)

(Text with EEA relevance)

(2006/115/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Having regard to Regulation (EC) No 998/2003 of 26 May 2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC ⁽³⁾, and in particular Article 18 thereof,

Whereas:

(1) Avian influenza is an infectious viral disease in poultry and birds, causing mortality and disturbances which can quickly take epizootic proportions liable to present a serious threat to animal and public health and to reduce sharply the profitability of poultry farming. There is a risk that the disease agent might be spread

from wild birds to domestic birds, notably poultry, and from one Member State to other Member States and third countries through the international trade in live birds or their products.

(2) Cases of highly pathological avian influenza of the subtype virus H5N1 are suspected or confirmed in several Member States. The Commission has already adopted interim protection measures. Taking into account the epidemiological situation, it is appropriate to take the necessary protection measures at Community level, to prevent that disease from spreading from wild birds to poultry.

(3) Where an H5 avian influenza virus collected from a clinical case in wild birds is isolated on the territory of a Member State and where pending the determination of the neuraminidase (N) type and of the pathogenicity index the clinical picture and the epidemiological circumstances justify the suspicion of highly pathogenic avian influenza caused by influenza A virus of subtype H5N1 or the presence of that subtype has been confirmed, the affected Member State should apply certain protection measures to minimise the risk for poultry.

(4) The specific measures provided for in this Decision should apply without prejudice to the measures to be taken by Member States in the framework of Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza ⁽⁴⁾.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC (OJ L 157, 30.4.2004, p. 33).

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽³⁾ OJ L 146, 13.6.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 18/2006 (OJ L 4, 7.1.2006, p. 3).

⁽⁴⁾ OJ L 167, 22.6.1992, p. 1. Directive as last amended by Regulation (EC) No 806/2003.

- (5) In the interests of consistency, it is appropriate to apply for the purposes of this Decision certain definitions provided for in Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC ⁽¹⁾, Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs ⁽²⁾, Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽³⁾, Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC ⁽⁴⁾.
- (6) Protection and surveillance zones should be established around the place where the disease was detected in wild birds. Those zones should be limited to what is necessary to prevent virus introduction into commercial and non-commercial poultry flocks.
- (7) It is appropriate to control and restrict the movement of, in particular, live birds and hatching eggs while allowing the controlled dispatch from the zones of such birds and products of avian origin subject to certain conditions.
- (8) The measures laid down in Commission Decision 2005/734/EC of 19 October 2005 laying down biosecurity measures to reduce the risk of transmission of highly pathogenic avian influenza caused by Influenza virus A subtype H5N1 from birds living in the wild to poultry and other captive birds and providing for an early detection system in areas at particular risk ⁽⁵⁾ should be implemented in protection and surveillance zones, independently of the defined risk status of the area where highly pathogenic avian influenza is suspected or confirmed in wild birds.
- (9) Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC ⁽⁶⁾ provides for approved bodies, institutes and centres and a model certificate to accompany animals or their gametes between such approved premises in different Member States. A derogation from the transport restrictions should be envisaged for birds coming from and proceeding to bodies, institutes and centres approved in accordance with that Directive.
- (10) Transport of hatching eggs from the protection zones should be permitted under certain conditions. The dispatch of hatching eggs to other countries may be permitted subject in particular to compliance with the conditions referred to in Directive 2005/94/EC. In such cases the animal health certificates provided for in accordance with Directive 90/539/EEC should include a reference to this Decision.
- (11) The dispatch from protection zones of meat, minced meat, meat preparations and meat products should be permitted subject to certain conditions, in particular as regards compliance with certain requirements of Regulation (EC) No 853/2004 and of Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁷⁾.
- (12) Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽⁸⁾ establishes a list of treatments rendering meat from restricted areas safe, and provides for the possibility to establish a specific health mark and the health mark required for meat not authorised for placing on the market for animal health reasons. It is appropriate to permit the dispatch from the protection zones of meat bearing the health mark provided for in that Directive and meat products subjected to treatment referred to therein.
- (13) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽⁹⁾ authorises the placing on the market of a range of animal by-products, such as gelatine for technical use, materials for pharmaceutical use and others, originating in areas of the Community under animal health restrictions, because those products are considered safe due to the specific conditions of production, processing and utilisation that effectively inactivate possible pathogens or prevent contact with susceptible animals.

⁽¹⁾ OJ L 10, 14.1.2006, p. 16.

⁽²⁾ OJ L 303, 31.10.1990, p. 6. Directive as last amended by the 2003 Act of Accession.

⁽³⁾ OJ L 139, 30.4.2004, p. 206; corrected version in OJ L 226, 25.6.2004, p. 83. Regulation as last amended by Commission Regulation (EC) No 2076/2005 (OJ L 338, 22.12.2005, p. 83).

⁽⁴⁾ OJ L 146, 13.6.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 18/2006 (OJ L 4, 7.1.2006, p. 3).

⁽⁵⁾ OJ L 274, 20.10.2005, p. 105. Decision as last amended by Decision 2005/855/EC (OJ L 316, 2.12.2005, p. 21).

⁽⁶⁾ OJ L 268, 14.9.1992, p. 54. Directive as last amended by Directive 2004/68/EC (OJ L 139, 30.4.2004, p. 321).

⁽⁷⁾ OJ L 139, 30.4.2004, p. 55; corrected version in OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Commission Regulation (EC) No 2076/2005 (OJ L 338, 22.12.2005, p. 83).

⁽⁸⁾ OJ L 18, 23.1.2003, p. 11.

⁽⁹⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 416/2005 (OJ L 66, 12.3.2005, p. 10).

(14) This Decision should be reviewed in the light of the transposition of Directive 2005/94/EC by Member States.

(15) Following the notification of cases of highly pathogenic avian influenza caused by influenza A virus of subtype H5N1 in wild avian fauna in Greece, Italy and Slovenia the Commission, in collaboration with the Member State concerned, adopted Decisions 2006/86/EC ⁽¹⁾, 2006/90/EC ⁽²⁾, 2006/91/EC ⁽³⁾, 2006/94/EC ⁽⁴⁾, 2006/104/EC ⁽⁵⁾ and 2006/105/EC ⁽⁶⁾ concerning certain interim protection measures in relation to suspected cases of highly pathogenic avian influenza in wild birds in the respective Member State, which should be repealed.

(16) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter, scope and definitions

1. This Decision lays down certain protection measures to be applied in cases where highly pathogenic avian influenza is isolated in wild birds in the territory of a Member State (hereinafter the 'affected Member State'), caused by influenza A virus of subtype H5 suspected or confirmed to be of the neuraminidase type N1, in order to prevent the spread of avian influenza from wild birds to poultry or other captive birds as well as the contamination of products thereof.

2. Except as otherwise provided, the definitions of Directive 2005/94/EC shall apply. In addition, the following definitions shall apply:

(a) 'hatching eggs' means eggs as defined in Article 2(2) of Directive 90/539/EEC;

(b) 'wild feathered game' means game as defined in point 1.5, second indent, and point 1.7 of Annex I to Regulation (EC) No 853/2004;

(c) 'other captive birds' means birds as defined in point 6 of Article 2 of Directive 2005/94/EC, including:

(i) pet animals of the bird species as referred to in Article 3(a) of Regulation (EC) No 998/2003, and

(ii) birds for zoos, circuses, amusement parks and experimental laboratories.

Article 2

Establishment of protection and surveillance zones

1. The affected Member State shall establish around the area where the presence of highly pathogenic avian influenza caused by influenza A virus of subtype H5 in wild birds is confirmed and the neuraminidase type N1 is either suspected or confirmed:

(a) a protection zone with a radius of at least three kilometres, and

(b) a surveillance zone with a radius of at least 10 kilometres, including the protection zone.

2. The establishment of the protection and surveillance zones referred to in paragraph 1 shall take account of geographical, administrative, ecological and epizootiological factors relating to avian influenza, and of monitoring facilities.

3. If the protection or surveillance zones cover the territories of other Member States, the affected Member State shall collaborate with the authorities of those Member States to establish the zones.

4. The affected Member State shall notify to the Commission and to the other Member States the details of any protection and surveillance zones established under this Article, and shall, as appropriate, inform the public of the measures taken.

Article 3

Measures in the protection zone

1. The affected Member State shall ensure that at least the following measures are applied in the protection zone:

(a) the identification of all holdings within the zone;

(b) periodic and documented visits to all commercial holdings a clinical inspection of poultry including, if necessary, the collection of samples for laboratory examination;

⁽¹⁾ OJ L 40, 11.2.2006, p. 26.

⁽²⁾ OJ L 42, 14.2.2006, p. 46.

⁽³⁾ OJ L 42, 14.2.2006, p. 52.

⁽⁴⁾ OJ L 44, 15.2.2006, p. 25.

⁽⁵⁾ OJ L 46, 16.2.2006, p. 53.

⁽⁶⁾ OJ L 46, 16.2.2006, p. 59.

- (c) the implementation of appropriate on-farm biosecurity measures, including disinfection at the entrances and exits of the holding, the housing of the poultry or the confinement of poultry to places where the direct and indirect contact with other poultry and captive birds can be prevented;
- (d) the implementation of the biosecurity measures laid down in Decision 2005/734/EC;
- (e) the control of the movement of products from poultry in accordance with Article 9;
- (f) active disease monitoring in the population of wild birds, in particular water fowl, if necessary with the co-operation of hunters and bird-watchers who have been specifically instructed on measures to protect themselves from infection with the virus and to prevent the spread of the virus to susceptible animals;
- (g) campaigns to inform the public and to increase disease awareness amongst owners, hunters and bird-watchers.

2. The affected Member State shall ensure that the following are prohibited in the protection zone:

- (a) the removal of poultry and other captive birds from the holding on which they are kept;
- (b) the assembly of poultry and other captive birds at fairs, markets, shows or other gatherings;
- (c) the transport through the zone of poultry and other captive birds, except transit on major roads or railways and transport to a slaughterhouse for direct slaughter;
- (d) the dispatch from the zone of hatching eggs;
- (e) the dispatch from the zone of fresh meat, minced meat, meat preparations and meat products from poultry and other captive birds and wild feathered game;
- (f) the transport or spread outside the zone of unprocessed used litter or manure from holdings within the zone, except the transport for treatment in accordance with Regulation (EC) No 1774/2002;
- (g) the hunting of wild birds.

Article 4

Measures in the surveillance zone

1. The affected Member State shall ensure that at least the following measures are applied in the surveillance zone:

- (a) the identification of all holdings within the zone;
- (b) the implementation of appropriate on-farm biosecurity measures, including the use of appropriate means of disinfection at the entrances and exits of the holding;
- (c) the implementation of the biosecurity measures laid down in Decision 2005/734/EC;
- (d) the control of movement of poultry and other captive birds and hatching egg within the zone.

2. The affected Member State shall ensure that the following are prohibited in the surveillance zone:

- (a) movement of poultry and other captive birds out of the zone for the first 15 days following the establishment of the zone;
- (b) the assembly of poultry and other birds at fairs, markets, shows or other gatherings;
- (c) the hunting of wild birds.

Article 5

Duration of the measures

If the neuraminidase type is confirmed as being different from N1, or the virus as of low pathogenicity, the measures provided for in Articles 3 and 4 shall be abolished.

If the presence of a highly pathogenic influenza A virus, in particular of the subtype H5N1, is confirmed in wild birds, the measures provided for in Articles 3 and 4 shall apply for as long as is necessary having regard to the geographical, administrative, ecological and epizootiological factors relating to avian influenza and for at least 21 in the case of the protection zone and 30 days in the case of the surveillance zone after the date on which an H5 avian influenza virus, collected from a clinical case in wild birds, has been isolated.

*Article 6***Derogations for live birds and day-old chicks**

1. By way of derogation from Article 3(2)(a), the affected Member State may authorise the transport of ready-to-lay pullets, turkeys for fattening and other poultry and farmed feathered game to holdings under official control situated either in the protection or in the surveillance zone.

2. By way of derogation from Article 3(2)(a) or Article 4(2)(a), the affected Member State may authorise the transport of:

- (a) poultry for immediate slaughter, including spent laying hens, to a slaughterhouse located in the protection zone or in the surveillance zone or, if that is not possible, to a slaughterhouse designated by the competent authority outside the zones;
- (b) day-old chicks from the protection zone to holdings under official control on its territory provided, that either on the holding of destination there are no other poultry or captive birds, except pet birds referred to in Article 1(2)(c)(i), which are kept separated from poultry, or the transport is carried out under the conditions described in Article 24(1)(a), (b) of Directive 2005/94/EC and the poultry shall remain on the holding of destination for 21 days;
- (c) day-old chicks from the surveillance zone to holdings under official control on its territory;
- (d) ready-to-lay pullets, turkeys for fattening and other poultry and farmed feathered game from the surveillance zone to holdings under official control on its territory;
- (e) pet birds referred to in Article 1(2)(c)(i), to premises on its territory not keeping poultry, if the consignment consists of five or fewer caged birds, notwithstanding national rules referred to in Article 1, third paragraph, of Directive 92/65/EEC;
- (f) birds referred to in Article 1(2)(c)(ii) coming from bodies, institutes and centres and proceeding to bodies, institutes and centres approved in accordance with Article 13 of Directive 92/65/EEC.

*Article 7***Derogations for hatching eggs**

1. By way of derogation from Article 3(2)(d), the affected Member State may authorise:

- (a) the transport of hatching eggs from the protection zone to a designated hatchery within its territory;
- (b) the dispatch of hatching eggs from the protection zone to hatcheries situated outside the territory of the affected Member State provided that:
 - (i) the hatching eggs were collected from flocks which:
 - are not suspected of being infected with avian influenza, and
 - have tested negative in a serological survey for avian influenza capable of detecting 5 % prevalence of disease with at least a 95 % level of confidence, and
 - (ii) the conditions laid down in Article 26(1)(b), (c) and (d) of Directive 2005/94/EC are fulfilled.

2. The animal health certificates in accordance with Model 1 of Annex IV to Council Directive 90/539/EEC accompanying consignments of hatching eggs referred to in paragraph 1(b) dispatched to other Member States shall include the words:

'This consignment complies with the animal health conditions laid down in Commission Decision 2006/115/EC.'

*Article 8***Derogations for meat, minced meat, meat preparations, mechanically separated meat and meat products**

1. By way of derogation from Article 3(2)(e), the affected Member State may authorise the dispatch from the protection zone of:

- (a) fresh meat from poultry, including meat from ratites, originating in or outside that zone and produced in accordance with Annex II and Sections II and III of Annex III to Regulation (EC) No 853/2004 and controlled in accordance with Sections I, II, III, and Chapters V and VII of Section IV of Annex I to Regulation (EC) No 854/2004;

- (b) minced meat, meat preparations, mechanically separated meat and meat products containing meat referred to in point (a) and produced in accordance with Sections V and VI of Annex III to Regulation (EC) No 853/2004;
- (c) fresh meat from wild feathered game originating in that zone, if such meat is marked with the health mark provided for in Annex II to Directive 2002/99/EC and is intended for transport to an establishment for treatment as required for avian influenza in accordance with Annex III to that Directive;
- (d) meat products produced from meat from wild feathered game which were subjected to a treatment as required for avian influenza in accordance with Annex III to Directive 2002/99/EC;
- (e) fresh meat from wild feathered game originating outside the protection zone and produced in establishments within the protection zone in accordance with Section IV of Annex III to Regulation (EC) No 853/2004 and controlled in accordance with Chapter VIII of Section IV of Annex I to Regulation (EC) No 854/2004;
- (f) minced meat, meat preparations, mechanically separated meat and meat products containing meat referred to in point (e) and produced in establishments situated in the protection zone in accordance with Sections V and VI of Annex III to Regulation (EC) No 853/2004.
- (b) untreated feathers or parts of feathers in accordance with Chapter VIII (A)(1)(a) of Annex VIII to Regulation (EC) No 1774/2002, produced from poultry coming from outside the protection zone;
- (c) treated poultry feathers and parts of poultry feathers that have been treated with a steam current or by some other method that ensures that no pathogens remain;
- (d) products derived from poultry or other captive birds which, in accordance with Community legislation, are not subject to any animal health conditions or which are not subject to any ban or restriction for reasons of animal health, including the products referred to in Chapter VII (A)(1)(a) of Annex VIII to Regulation (EC) No 1774/2002.

2. The affected Member State shall ensure that the products referred to in paragraph 1(e) and (f) are accompanied by a commercial document stating:

This consignment complies with the animal health conditions laid down in Commission Decision 2006/115/EC.

Article 9

Conditions for animal by-products

1. In accordance with Article 3(1)(e), the affected Member State may authorise the dispatch of:

- (a) animal by-products complying with the conditions set out in Chapters II (A), III (B), IV (A), VI (A and B), VII (A), VIII (A), IX (A) and X (A) of Annex VII, and Chapter II (B) and Chapter III (II) (A) of Annex VIII to Regulation (EC) No 1774/2002;

2. The affected Member State shall ensure that the products referred to in paragraph 1(b) and (c) of this Article are accompanied by a commercial document in accordance with Chapter X of Annex II to Regulation (EC) No 1774/2002 stating, in the case of the products referred to in paragraph 1(c) of this Article, in point 6.1 of that document that those products have been treated with a steam current or by some other method ensuring that no pathogens remains.

However, that commercial document shall not be required for processed decorative feathers, processed feathers carried by travellers for their private use or consignments of processed feathers sent to private individuals for non-industrial purposes.

Article 10

Conditions for movements

1. Where movements of animals or products thereof covered by this Decision are authorised under Articles 6, 7, 8 or 9, the authorisation shall be based on the favourable outcome of a risk assessment carried out by the competent authority, and all appropriate biosecurity measures shall be taken to avoid the spread of avian influenza.

2. Where the dispatch, movement or transport of products referred to in paragraph 1 are authorised under Articles 7, 8 or 9, subject to justified conditions or limitations, they must be obtained, handled, treated, stored and transported without compromising the animal health status of other products fulfilling all the animal health requirements for trade, placing on the market or export to third countries.

*Article 11***Compliance**

All Member States shall immediately adopt and publish the measures necessary to comply with this Decision. They shall immediately inform the Commission thereof.

The affected Member State shall apply those measures as soon as it reasonably suspects the presence of highly pathogenic avian influenza virus, in particular of the subtype H5N1.

The affected Member State shall regularly provide to the Commission and the other Member States the necessary information on the epidemiology of the disease, where appropriate the additional control and surveillance measures and the awareness campaigns, and in any case in advance the information on the scheduled withdrawal of the measures in accordance with Article 5.

*Article 12***Repeals**

Commission Decisions 2006/86/EC, 2006/90/EC, 2006/91/EC, 2006/94/EC, 2006/104/EC and 2006/105/EC are repealed.

*Article 13***Addressee**

This Decision is addressed to the Member States.

Done at Brussels, 17 February 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission
