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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1176/2006
of 1 August 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 2 August 2006.

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

Done at Brussels, 1 August 2006.

For the Commission

Jean-Luc 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 1 August 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0707 00 05	052	80,2
	388	52,4
	524	46,9
	999	59,8
0709 90 70	052	74,5
	999	74,5
0805 50 10	388	75,6
	524	68,3
	528	54,5
	999	66,1
0806 10 10	052	116,4
	204	133,3
	220	184,3
	400	200,9
	508	55,0
	512	56,7
	999	124,4
0808 10 80	388	95,5
	400	103,4
	508	79,5
	512	90,1
	524	66,4
	528	132,8
	720	88,6
	999	106,2
0808 20 50	052	129,4
	388	99,7
	512	89,2
	528	86,3
	720	31,1
	804	186,5
	999	103,7
0809 20 95	052	307,7
	400	388,6
	404	385,7
	999	360,7
0809 30 10, 0809 30 90	052	129,1
	999	129,1
0809 40 05	093	55,2
	098	61,4
	624	124,7
	999	80,4

⁽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 1177/2006

of 1 August 2006

implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards requirements for the use of specific control methods in the framework of the national programmes for the control of salmonella in poultry

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents ⁽¹⁾ and, in particular Article 8(1) thereof,

Whereas:

(1) Regulation (EC) No 2160/2003 lays down rules for the detection and control of salmonella in poultry. Pursuant to Article 8(1)(d) of Regulation (EC) No 2160/2003, it may be decided that specific control methods are not to be used as part of national control programmes established by Member States to achieve the Community targets set up in accordance with that Regulation.

(2) Pursuant to Article 8(1)(a) and (b) of Regulation (EC) No 2160/2003 it may be decided that specific control methods are or may be applied for the reduction of prevalence of zoonoses and zoonotic agents at the stage of the primary production of animals and other stages in the food chain, and rules may be adopted concerning the conditions for the use of such methods.

(3) Pursuant to Article 15 of Regulation (EC) No 2160/2003, the Commission is to consult the European Food Safety Authority (EFSA) before proposing rules on specific control methods.

(4) The Commission consulted the EFSA on the use of antimicrobials and vaccines for the control of salmonella in poultry. Following that consultation, the EFSA issued two separate opinions on those issues on 21 October 2004.

(5) In its opinion on the use of antimicrobials for the control of salmonella in poultry, the EFSA recommended that the

use of antimicrobials should be discouraged due to public health risks associated with development, selection and spread of resistance. The use of antimicrobials should be subject to formally defined conditions that would ensure protection of public health, and must be fully justified in advance and recorded by the competent authority.

(6) Therefore, on the basis of the opinion of the EFSA, it is appropriate to provide that antimicrobials should not be used as part of national control programmes to be adopted pursuant to Article 6 of Regulation (EC) No 2160/2003, other than in the exceptional circumstances referred to by the EFSA in its opinion.

(7) In any circumstances, only veterinary medicinal products authorised in accordance with Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products ⁽²⁾, or Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency ⁽³⁾, should be used.

(8) Antimicrobial veterinary medicinal products are referred to as antimicrobials in this Regulation. Products which are authorised as feed additives in accordance with Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽⁴⁾ are however also considered as antimicrobials. They should be excluded from the scope of this Regulation because the use of these additives may be a tool to limit salmonella infection by the feed while they are not associated with the development, selection and spread of resistance.

(9) The EFSA concluded in its opinion on the use of vaccines for the control of salmonella in poultry, that vaccination of poultry is regarded as an additional measure to increase the resistance of birds against salmonella exposure and decrease the shedding.

⁽¹⁾ OJ L 325, 12.12.2003, p. 1. Regulation as amended by Commission Regulation (EC) No 1003/2005 (OJ L 170, 1.7.2005, p. 12).

⁽²⁾ OJ L 311, 28.11.2001, p. 1. Directive as last amended by Directive 2004/28/EC (OJ L 136, 30.4.2004, p. 58).

⁽³⁾ OJ L 136, 30.4.2004, p. 1.

⁽⁴⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

- (10) The EFSA in its opinion also stated in particular that provided that the detection methods are able to differentiate the vaccine strains from wild strains, both currently available inactivated and live vaccines can be safely used throughout the life of the birds, except during the withdrawal period before slaughter and, with regard to live vaccines, in laying hens during production. Vaccination of layers is considered useful as a measure to reduce shedding and egg contamination, when the purpose is to reduce high prevalences. *Salmonella enteritidis* is the most important cause of outbreaks in humans by the consumption of eggs.
- (11) Therefore, on the basis of the opinion of the EFSA, it is appropriate to provide that currently available live vaccines should not be used as part of national control programmes to be adopted pursuant to Article 6 of Regulation (EC) No 2160/2003, in laying hens during production. Live vaccines should not be used if the manufacturer does not provide an appropriate method to distinguish bacteriologically wild-type strains of salmonella from vaccine strains.
- (12) Based on the current scientific evidence, the use of live or inactivated vaccines against *Salmonella enteritidis* should be mandatory in Member States with a high prevalence in order to improve public health protection. The prevalence of *Salmonella enteritidis* demonstrated during a baseline study in accordance with Commission Decision 2004/665/EC⁽¹⁾ and in the frame of the testing schemes in accordance with Article 4(2)(d) of Regulation (EC) No 2160/2003, should be used as a threshold for mandatory vaccination.
- (13) As regards breeding flocks, Commission Regulation (EC) No 1091/2005 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards requirements for the use of specific control methods in the framework of the national programmes for the control of salmonella⁽²⁾, lays down provisions on the use of antimicrobials and vaccines as part of national control programmes for salmonella in breeding flocks of *Gallus gallus*.
- (14) For the sake of clarity, it is appropriate to repeal and replace Regulation (EC) No 1091/2005 by this Regulation.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down certain rules for the use of antimicrobials and vaccines in the framework of the national control programmes adopted pursuant to Article 6 of Regulation (EC) No 2160/2003 (national control programmes).

Article 2

Use of antimicrobials

1. Antimicrobials shall not be used as a specific method to control salmonella in poultry.
2. By way of derogation from paragraph 1, and subject to the conditions specified in points (a), (b) and (c), and in paragraph 3 of this Article, antimicrobials authorised in accordance with Article 5 of Directive 2001/82/EC or Article 3 of Regulation 726/2004/EC may be used in the following exceptional circumstances:
 - (a) poultry presenting salmonella infection with clinical signs in a way likely to cause undue suffering to the animals; the infected flocks treated with antimicrobials shall still be considered infected with salmonella; appropriate measures shall be taken in breeding flocks to reduce as much as possible the risk of spreading salmonella through the rest of the breeding pyramid;
 - (b) salvaging of valuable genetic material in breeding flocks in order to establish new salmonella-free flocks, including 'elite flocks', flocks from endangered breeds, and flocks kept for research purposes; chicks born from hatching eggs collected from poultry treated with antimicrobials shall be subject to fortnightly sampling during the rearing phase, with a scheme aiming to detect 1% prevalence of relevant salmonella with a 95% confidence limit;
 - (c) authorisation given by the competent authority on a case-by-case basis for purposes other than salmonella control in a flock suspect of salmonella infection, in particular following the epidemiological investigation of a food-borne outbreak or the detection of salmonella at the hatchery or at the holding; however, Member States may decide to allow treatment without prior authorisation in emergency situations, subject to taking samples by an approved veterinarian as defined in point (g) of Article 2 of Regulation (EC) No 854/2004⁽³⁾ and reporting the treatment immediately to the competent authority; the flocks shall be considered as infected with salmonella if sampling did not take place in accordance with the provisions in this paragraph.

⁽¹⁾ OJ L 303, 30.9.2004, p. 30.

⁽²⁾ OJ L 182, 13.7.2005, p. 3.

⁽³⁾ OJ L 226, 25.6.2004, p. 83.

3. The use of antimicrobials shall be subject to supervision of and reporting to the competent authority. This use shall be based wherever possible on the results of bacteriological sampling and of susceptibility testing.

4. The provisions referred to in this Article shall not apply to substances, micro-organisms or preparations authorised for use as feed additives in accordance with Article 3 of Regulation (EC) No 1831/2003.

Article 3

Use of vaccines

1. Live salmonella vaccines shall not be used in the framework of national control programmes where the manufacturer does not provide an appropriate method to distinguish bacteriologically wild-type strains of salmonella from vaccine strains.

2. Live salmonella vaccines shall not be used in the framework of national control programmes in laying hens during production unless the safety of the use has been demonstrated and they are authorised for such purpose in accordance with Directive 2001/82/EC.

3. Vaccination programmes against *Salmonella enteritidis* reducing the shedding and contamination of eggs, shall be applied at least during rearing to all laying hens at the latest from 1 January 2008 on in Member States as long as they did

not demonstrated a prevalence below 10 % based on the results of the baseline study in accordance with Article 1 of Commission Decision 2004/665/EC or based on the monitoring to follow up the Community target, set in accordance with Article 4(1) of Regulation (EC) No 2160/2003.

The competent authority may provide derogation from this provision to a holding if

— it is satisfied with the preventive measures taken on the holding of rearing and on the holding of egg production, and

— the absence of *Salmonella enteritidis* was demonstrated on the holding of rearing and production during the 12 months preceding the arrival of the animals.

Article 4

Entry into force

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

It shall apply to for each poultry population on the respective dates referred to in Column 5 of Annex I to Regulation (EC) No 2160/2003.

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

Done at Brussels, 1 August 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

COMMISSION REGULATION (EC) No 1178/2006**of 1 August 2006****setting, for the 2006/2007 marketing year, the minimum price to be paid to producers for unprocessed dried figs and the production aid for dried figs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, and in particular Articles 6b(3) and 6c(7) thereof,

Whereas:

- (1) Article 3(1)(c) of Commission Regulation (EC) No 1535/2003 of 29 August 2003 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables ⁽²⁾, lays down the dates of the marketing year for dried figs.
- (2) Article 1 of Commission Regulation (EC) No 1573/1999 of 19 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the characteristics of dried figs qualifying for aid under the production aid scheme ⁽³⁾ lays down the criteria which products must meet to benefit from the minimum price and payment of the aid.

(3) The minimum price and production aid should therefore be set for the 2006/2007 marketing year in accordance with the criteria laid down respectively by Articles 6b and 6c of Regulation (EC) No 2201/96.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 2006/2007 marketing year the minimum price for unprocessed dried figs referred to in Article 6a(2) of Regulation (EC) No 2201/96 shall be EUR 967,69 per tonne net ex-producer's premises.

For the 2006/2007 marketing year the production aid for dried figs referred to in Article 6a(1) of Regulation (EC) No 2201/96 shall be EUR 258,57 per tonne net.

Article 2

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

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

Done at Brussels, 1 August 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29. Regulation last amended by Commission Regulation (EC) No 386/2004 (OJ L 64, 2.3.2004, p. 25).

⁽²⁾ OJ L 218, 30.8.2003, p. 14. Regulation last amended by Regulation (EC) No 1663/2005 (OJ L 267, 12.10.2005, p. 22).

⁽³⁾ OJ L 187, 20.7.1999, p. 27.

COMMISSION REGULATION (EC) No 1179/2006

of 1 August 2006

amending Regulation (EC) No 1251/96 opening and providing for the administration of tariff quotas in the poultrymeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽¹⁾, and in particular Article 3(2) and Article 6(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1251/96 ⁽²⁾ provides for the opening and administration of tariff quotas in the poultrymeat sector.
- (2) The Agreement in the form of an Exchange of Letters between the European Community and the United States of America pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 ⁽³⁾, approved by Council Decision 2006/333/EC ⁽⁴⁾, provides for an increase of the annual import tariff quota of poultrymeat, *erga omnes*, of 49 tonnes for certain fresh, chilled or frozen chicken carcass, of 4 070 tonnes for fresh, chilled or frozen chicken cuts, of 1 605 tonnes for cuts of fowls and of 201 tonnes for fresh, chilled or frozen turkey meat.
- (3) The increase of the quota for cuts of fowls makes no more necessary the measure provided for in the second paragraph of Article 2 of Regulation (EC) No 1251/96.
- (4) In view of the possible accession of Bulgaria and Romania to the European Union as from 1 January 2007, it is advisable to provide for a different period

for lodging the licence applications for the first quarter of the year 2007.

- (5) Regulation (EC) No 1251/96 should be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1251/96 is amended as follows:

1. In Article 2, the second paragraph is deleted.
2. In paragraph 1 of Article 5, the following subparagraph is added:

'For the period of 1 January to 31 March 2007 licence applications shall be lodged during the first fifteen days of January 2007.'
3. The Annexes are replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 2006.

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

Done at Brussels, 1 August 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006 (OJ L 119, 4.5.2006, p. 1).

⁽²⁾ OJ L 161, 29.6.1996, p. 136. Regulation as last amended by Regulation (EC) No 1043/2001 (OJ L 145, 31.5.2001, p. 24).

⁽³⁾ OJ L 124, 11.5.2006, p. 15.

⁽⁴⁾ OJ L 124, 11.5.2006, p. 13.

ANNEX

'ANNEX I

Group No	Order Number	CN code	Applicable duty (EUR/tonnes)	Annual quantities (tonnes product weight)
P 1	09.4067	0207 11 10	131	6 249
		0207 11 30	149	
		0207 11 90	162	
		0207 12 10	149	
		0207 12 90	162	
P 2	09.4068	0207 13 10	512	8 070
		0207 13 20	179	
		0207 13 30	134	
		0207 13 40	93	
		0207 13 50	301	
		0207 13 60	231	
		0207 13 70	504	
		0207 14 20	179	
		0207 14 30	134	
		0207 14 40	93	
		0207 14 60	231	
P 3	09.4069	0207 14 10	795	2 305
P 4	09.4070	0207 24 10	170	1 201
		0207 24 90	186	
		0207 25 10	170	
		0207 25 90	186	
		0207 26 10	425	
		0207 26 20	205	
		0207 26 30	134	
		0207 26 40	93	
		0207 26 50	339	
		0207 26 60	127	
		0207 26 70	230	
		0207 26 80	415	
		0207 27 30	134	
		0207 27 40	93	
		0207 27 50	339	
0207 27 60	127			
0207 27 70	230			

ANNEX II

Application of Regulation (EC) No 1251/96

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Poultrymeat sector

Application for import licences at reduced rate of duty	Date:	Period:
GATT		

Member State:

Sender:

Responsible contact person:

Tel.

Fax

Addressee: AGRID.2

Fax (32-2) 292 17 41

e-mail: AGRI-IMP-POULTRY@ec.europa.eu

Order number	Quantity applied for (kg product weight)

ANNEX III

Application of Regulation (EC) No 1251/96

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Poultrymeat sector

Application for import licences at reduced rate of duty GATT	Date:	Period:
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Member State:

Order number	CN Code	Applicant (Name and Address)	Quantity (kg product weight)

ANNEX IV

Application of Regulation (EC) No 1251/96

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Poultrymeat sector

NOTIFICATION CONCERNING ACTUAL IMPORTS

Member State:

Application of Article 5(8) of Regulation (EC) No 1251/96

Quantity of products (in kg product weight) actually imported:

Addressee: AGRID.2

Fax (32-2) 292 17 41

e-mail: AGR1-IMP-POULTRY@ec.europa.eu

Order No	Quantity actually entered into free circulation	Country of origin'

COMMISSION REGULATION (EC) No 1180/2006
of 1 August 2006
amending the import duties in the cereals sector applicable from 2 August 2006

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

(1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 1173/2006 ⁽³⁾.

(2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1173/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1173/2006 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 2 August 2006.

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

Done at Brussels, 1 August 2006.

For the Commission
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development

⁽¹⁾ OJ L 270, 29.9.2003, p. 78. Regulation as amended by Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

⁽³⁾ OJ L 211, 1.8.2006, p. 17.

ANNEX I

**Import duties for the products covered by Article 10(2) of Regulation (EC) No 1784/2003 applicable from
2 August 2006**

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	5,93
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	22,70
1005 10 90	Maize seed other than hybrid	50,27
1005 90 00	Maize other than seed ⁽²⁾	50,27
1007 00 90	Grain sorghum other than hybrids for sowing	27,69

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3/t, where the port of unloading is on the Mediterranean Sea, or

— EUR 2/t, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24/t, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(31.7.2006)

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	157,48 (***)	75,86	154,25	144,25	124,25	107,31
Gulf premium (EUR/t)	—	15,09	—			—
Great Lakes premium (EUR/t)	19,96	—	—			—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico–Rotterdam: 20,95 EUR/t; Great Lakes–Rotterdam: 27,02 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
-
- 0,00 EUR/t (SRW2).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 July 2006

appointing a Deputy Director of Europol

(2006/531/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Convention on the establishment of a European Police Office (Europol Convention) ⁽¹⁾, and in particular Article 29(2) thereof,

Acting as the authority vested with the power to appoint Deputy Directors of Europol,

Having regard to the opinion of the Management Board,

Whereas:

- (1) Due to the resignation of a Deputy Director of Europol, it is necessary to appoint a Deputy Director.
- (2) The Staff Regulations applicable to Europol employees ⁽²⁾, and in particular their Appendix 8, establish special provisions on the procedure for the selection of the Director or a Deputy Director of Europol.
- (3) The Management Board presented the Council with a short-list of suitable applicants for appointment, together with the full file of each of those applicants, as well as the full list of the applicants.

- (4) On the basis of all relevant information provided by the Management Board, the Council wishes to appoint the applicant who, according to the Council, meets all the requirements of the vacant position of Deputy Director,

HAS DECIDED AS FOLLOWS:

Article 1

Mr Michel QUILLÉ is hereby appointed as Deputy Director of Europol from 1 September 2006 to 31 August 2010.

Article 2

This Decision shall take effect on the day of its adoption.

It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 24 July 2006.

For the Council
The President
K. RAJAMÄKI

⁽¹⁾ OJ C 316, 27.11.1995, p. 2.

⁽²⁾ See Council Act of 3 December 1998 laying down the staff regulations applicable to Europol employees (OJ C 26, 30.1.1999, p. 23) as amended by Council Act of 19 December 2002 (OJ C 24, 31.1.2003, p. 1).

COMMISSION

COMMISSION DECISION

of 28 July 2006

concerning certain protection measures in relation to highly pathogenic avian influenza in South Africa

(notified under document number C(2006) 3350)

(Text with EEA relevance)

(2006/532/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 18(1) and (6) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 22(1) and (5) thereof,

Whereas:

(1) Avian influenza is an infectious viral disease in poultry and other 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 through international trade in live poultry and other birds or their products.

(2) On 29 June 2006, South Africa confirmed an outbreak of highly pathogenic avian influenza in a ratite farm in the Western Cape Province.

(3) The avian influenza virus strain detected during that outbreak is of subtype H5N2 and therefore different from the strain currently causing the epidemic in Asia, Northern Africa and Europe. Current knowledge suggests that the risk for public health in relation to that subtype is inferior to the risk from the strain circulating in Asia, which is an H5N1 virus subtype.

(4) Under current Community legislation, South Africa is only authorised to export to the Community live ratites and their hatching eggs and fresh meat and meat preparations and products containing meat of those species.

(5) In view of the animal health risk of the introduction of highly pathogenic avian influenza into the Community, it is appropriate as an immediate measure to suspend imports of live ratites and hatching eggs of these species from South Africa.

(6) In addition, it is appropriate to suspend imports into the Community from South Africa of fresh meat of ratites and meat preparations and meat products consisting of or containing meat of those species. However, taking into account the fact that the disease was introduced on the affected farms in mid-June, it is appropriate to provide for a derogation for fresh meat and meat preparations and meat products consisting of or containing meat from such species slaughtered before 1 May 2006 subject to certain conditions.

(7) South Africa has applied strict disease control measures and has sent further information on the disease situation to the Commission which justify limiting the suspension of imports to the affected part of the territory of South Africa.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1, corrected by OJ L 191, 28.5.2004, p. 1).

- (8) Commission Decision 2005/432/EC of 3 June 2005 laying down the animal and public health conditions and model certificates for imports of meat products for human consumption from third countries and repealing Decisions 97/41/EC, 97/221/EC and 97/222/EC⁽¹⁾ lays down the list of third countries from which Member States may authorise the importation of certain meat products and establishes treatment regimes considered effective in inactivating the pathogens of certain animal diseases. In order to prevent the risk of disease transmission via such products, appropriate treatment must be applied depending on the health status of the country of origin and the species the product is obtained from. It is therefore appropriate that imports of meat products and meat preparations consisting of or containing meat of ratites originating in South Africa and subjected to an appropriate treatment provided for in that Decision should continue to be authorised.
- (9) As soon as South Africa has communicated further information on the disease situation concerning highly pathogenic avian influenza and the control measures taken in that respect, the measures taken at Community level in relation to the recent outbreak in South Africa should be reviewed. Accordingly, this Decision should only apply until 31 October 2006.
- (10) 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

Member States shall suspend imports, from that part of the territory of South Africa referred to in the Annex to this Decision, of:

- (a) live ratites and hatching eggs of ratites;
- (b) fresh meat of ratites;
- (c) meat products and meat preparations consisting of or containing meat of ratites.

Article 2

1. By way of derogation from points (b) and (c) of Article 1, Member States shall authorise the importation of fresh meat, meat products and meat preparations referred to in those points which have been obtained from birds slaughtered before 1 May 2006.

2. In the veterinary certificates accompanying consignments of the meat, meat products and meat preparations referred to in paragraph 1 the following words shall be included:

'Fresh ratite meat/meat products consisting of or containing meat of ratites/meat preparations consisting of or containing meat of ratites (*) obtained from birds slaughtered before 1 May 2006 in accordance with Article 2(1) of Commission Decision 2006/532/EC.

(*) Delete as appropriate.'

3. By way of derogation from point (c) of Article 1, Member States shall authorise the importation of meat products and meat preparations consisting of or containing meat of ratites provided that the meat has undergone at least one of the specific treatments referred to under points B, C or D in Part 4 of Annex II to Decision 2005/432/EC.

Article 3

The Member States shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.

Article 4

This Decision shall apply until 31 October 2006.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 28 July 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 151, 14.6.2005, p. 3. Decision as amended by Decision 2006/330/EC (OJ L 121, 6.5.2006, p. 43).

ANNEX

Part of the territory of South Africa referred to in Article 1

ISO country code	Name of country	Part of territory
ZA	South Africa	The districts of Riversdale and Mossel Bay in the Western Cape Province

COMMISSION DECISION

of 28 July 2006

concerning certain temporary protection measures in relation to highly pathogenic avian influenza in Croatia

(notified under document number C(2006) 3352)

(Text with EEA relevance)

(2006/533/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 18(1), (3) and (7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 22(1), (5), (6) thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in poultry and other 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 through international trade in live poultry and other birds or their products.
- (2) Following the outbreaks of avian influenza, caused by a highly pathogenic H5N1 virus strain, in south-eastern Asia starting in December 2003, the Commission adopted several protection measures in relation to avian influenza. Those measures included, in particular, Commission Decision 2005/758/EC of 27 October 2005 concerning certain protection measures in relation to a suspicion of highly pathogenic avian

influenza in Croatia and repealing Decision 2005/749/EC ⁽³⁾. That Decision provides that Member States are to suspend imports from certain parts of Croatia of live poultry, ratites, farmed and wild feathered game and certain other live birds, including pet birds and hatching eggs of those species, as well as certain products of birds. Decision 2005/758/EC is to apply until 31 July 2006.

- (3) Croatia has notified the Commission that the competent authorities of that country are now applying protection measures that are equivalent to those applied by the competent authorities of the Member States, as provided in Commission Decision 2006/115/EC 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 ⁽⁴⁾.
- (4) Croatia has furthermore notified the Commission that it will immediately notify the Commission of any future changes to the animal health status of Croatia, including specifically any further outbreaks of avian influenza that may occur in wild birds. The Commission will immediately inform the Member States and forward any information received from the Croatian authorities to them.
- (5) In the light of those protection measures being applied by the competent authorities of Croatia and the undertaking by Croatia to immediately notify the Commission of any future changes to its animal health status in relation to avian influenza, the protection measures applicable in Community legislation concerning outbreaks of influenza in that country should be amended to allow imports from those parts of Croatia for which the competent authority of Croatia has not established equivalent protection measures as laid down in Decision 2006/115/EC, following confirmation of avian influenza, caused by a highly pathogenic H5N1 virus strain in a wild bird.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1, corrected by OJ L 191, 28.5.2004, p. 1).

⁽³⁾ OJ L 285, 28.10.2005, p. 50. Decision as last amended by Decision 2006/405/EC (OJ L 158, 10.6.2006, p. 14).

⁽⁴⁾ OJ L 48, 18.2.2006, p. 28. Decision as amended by Decision 2006/277/EC (OJ L 103, 12.4.2006, p. 29).

- (6) Commission Decision 2005/432/EC of 3 June 2005 laying down the animal and public health conditions and model certificates for imports of meat products for human consumption from third countries and repealing Decisions 97/41/EC, 97/221/EC and 97/222/EC ⁽¹⁾ lays down the list of third countries from which Member States may authorise the importation of certain meat products and establishes treatment regimes considered effective in inactivating the respective pathogens. In order to prevent the risk of disease transmission via such products, appropriate treatment must be applied depending on the health status of the country of origin and the species the product is obtained from. It appears therefore appropriate, that imports of meat products of wild feathered game originating in Croatia and treated to a temperature of at least 70 °C throughout the product should continue to be authorised.
- (7) Given the epidemiology situation in Croatia and neighbouring countries and the risk still posed by avian influenza, the protection measures provided for in this Decision should apply until 31 December 2006.
- (8) For the sake of clarity and consistency of Community legislation, Decision 2005/758/EC should be repealed and replaced by this Decision.
- (9) 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

Member States shall suspend imports, from that part of the territory of Croatia referred to in the Annex to this Decision, of the following:

- (a) live poultry, ratites, farmed and wild feathered game, live birds other than poultry as defined in Article 1, third indent, of Commission Decision 2000/666/EC ⁽²⁾, including birds accompanying their owners (pet birds), and hatching eggs of these species;
- (b) fresh meat of wild feathered game;

- (c) meat preparations and meat products consisting of or containing meat of wild feathered game;
- (d) raw pet food and unprocessed feed material containing any parts of wild feathered game; and
- (e) non-treated game trophies from any birds.

Article 2

By way of derogation from point (c) of Article 1, Member States shall authorise the importation of meat preparations and meat products consisting of or containing meat of wild feathered game provided that the meat has undergone at least one of the specific treatments referred to under points B, C or D in Part 4 of Annex II to Decision 2005/432/EC.

Article 3

The Member States shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.

Article 4

Decision 2005/758/EC is repealed.

Article 5

This Decision shall apply until 31 December 2006.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 28 July 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 151, 14.6.2005, p. 3. Decision as amended by Decision 2006/330/EC (OJ L 121, 6.5.2006, p. 43).

⁽²⁾ OJ L 278, 31.10.2000, p. 26.

ANNEX

Part of the territory of Croatia referred to in Article 1

ISO country code	Name of country	Part of territory
HR	Croatia	In Croatia: all areas of the territory of Croatia for which the competent authorities of Croatia formally apply protection measures that are equivalent to those laid down in Decision 2006/115/EC.