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EN

[1] Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) No 949/2011

of 22 September 2011

implementing Regulation (EC) No 560/2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire

THE COUNCIL OF THE EUROPEAN UNION

Having regard to Council Regulation (EC) No 560/2005 of 12 April 2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire [1], and in particular Article 11a(2) thereof,

Whereas:

(1) On 12 April 2005, the Council adopted Regulation (EC) No 560/2005.

(2) In view of the developments in Côte d'Ivoire, the list of natural and legal persons, entities or bodies subject to restrictive measures set out in Annex IA to Regulation (EC) No 560/2005 should be amended.

(3) In view of the urgency, and in order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately upon its publication,

HAS ADOPTED THIS REGULATION:

Article 1

The natural persons listed in the Annex to this Regulation shall be deleted from the list set out in Annex IA to Regulation (EC) No 560/2005.

Article 2

This Regulation shall enter into force on the date of 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, 22 September 2011.

For the Council
The President
M. DOWGIELEWICZ

[1] OJ L 95, 14.4.2005, p. 1.

ANNEX

Natural persons referred to in Article 1

2.	Lieutenant-Colonel Nathanaël Ahouman Brouha
19.	Mr Yao N'Dré
52.	Mr Timothée Ahoua N'Guetta
53.	Mr Jacques André Daligou Monoko
54.	Mr Bruno Walé Ekpo
55.	Mr Félix Tano Kouakou
56.	Ms Hortense Kouassi Angoran
57.	Ms Joséphine Suzanne Touré
79.	Colonel Major Hilaire Babri Gohourou
89.	Mr Roland Dagher
105.	Zakaria Fellah
107.	Charles Kader Gore
109.	Kadio Morokro Mathieu

COUNCIL REGULATION (EU) No 950/2011

of 23 September 2011

amending Regulation (EU) No 442/2011 concerning restrictive measures in view of the situation in Syria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2011/273/CFSP of 9 May 2011 concerning restrictive measures against Syria [1],

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission,

Whereas:

(1) On 9 May 2011, the Council adopted Regulation (EU) No 442/2011 concerning restrictive measures in view of the situation in Syria [2].

(2) By Regulation (EU) No 878/2011 [3], the Council amended Regulation (EU) No 442/2011 to extend the measures against Syria, including an expansion of the listing criteria, and a prohibition on the purchase, import or transportation from Syria of crude oil.

(3) By Council Decision 2011/628/CFSP [4] which amended Decision 2011/273/CFSP, the Council agreed on the adoption of further measures, namely a prohibition on investment in the crude oil sector, the addition of further listings, the prohibition of the delivery of Syrian banknotes and coins to the Central Bank of Syria and some adjustments to the provisions protecting economic operators against claims related to the implementation of sanctions.

(4) Those measures fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.

(5) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately upon its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 442/2011 is hereby amended as follows:

(1) In Article 1, the following point is inserted:

'(j) 'Syrian person, entity or body' means:

(i) the State of Syria or any public authority thereof;

(ii) any natural person in, or resident in, Syria;

(iii) any legal person, entity or body having its registered office in Syria;

(iv) any legal person, entity or body, inside or outside Syria, owned or controlled directly or indirectly by one or more of the above mentioned persons or bodies;';

(2) The following Article is inserted:

'*Article 2a*

It shall be prohibited to sell, supply, transfer or export, directly or indirectly, new Syrian denominated banknotes and coinage, printed or minted in the European Union, to the Central Bank of Syria.';

(3) The following Article is inserted:

'*Article 3c*

1. The following shall be prohibited:

(a) the granting of any financial loan or credit to any Syrian person, entity or body referred to in paragraph 2;

(b) the acquisition or extension of a participation in any Syrian person, entity or body referred to in paragraph 2;

(c) the creation of any joint venture with any Syrian person, entity or body referred to in paragraph 2;

[1] OJ L 121, 10.5.2011, p. 11.
[2] OJ L 121, 10.5.2011, p. 1.
[3] OJ L 228, 3.9.2011, p. 1.
[4] See page 17 of this Official Journal.

(d) the participation, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in points (a), (b) or (c).

2. The prohibitions in paragraph 1 shall apply to any Syrian person, entity or body engaged in the exploration, production or refining of crude oil.

3. For the purposes of paragraph 2 only, the following definitions shall apply:

(a) 'exploration of crude oil' includes the exploration for, prospecting for and management of crude oil reserves, as well as the provision of geological services in relation to such reserves;

(b) 'refining of crude oil' means the processing, conditioning or preparation of oil for the ultimately final sale of fuels.

4. The prohibitions in paragraph 1:

(a) shall be without prejudice to the execution of an obligation arising from contracts or agreements concluded before 23 September 2011;

(b) shall not prevent the extension of a participation, if such extension is an obligation under an agreement concluded before 23 September 2011.';

(4) Article 10a is replaced by the following:

'Article 10a

No claims, including for compensation or indemnification or any other claim of this kind, such as a claim of set-off, fines or claims under a guarantee, claims for extension or payment of a bond, financial guarantee, including claims arising from letters of credit and similar instruments in connection with any contract or transaction the performance of which was affected, directly or indirectly, in whole or in part, by the measures imposed by this Regulation, shall be granted to the Government of Syria, its public bodies, corporations and agencies, or to any person or entity claiming through it or for its benefit.'.

Article 2

Annex II to Regulation (EU) No 442/2011 is hereby amended in accordance with Annex I to this Regulation.

Article 3

Annex IV to Regulation (EU) No 442/2011 is hereby replaced by the text set out in Annex II to this Regulation.

Article 4

This Regulation shall enter into force on the day of 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, 23 September 2011.

For the Council
The President
M. DOWGIELEWICZ

ANNEX I

In Annex II to Regulation (EU) No 442/2011, the following entries are added:

Persons

	Name	Identifying information	Reasons	Date of listing
1.	Tayseer Qala Awwad	DoB: 1943; PoB Damascus	Minister of Justice. Associated with the Syrian regime, including by supporting its policies and practices of arbitrary arrest and detention.	23.09.2011
2.	Dr. Adnan Hassan Mahmoud	DoB: 1966; PoB Tartous	Minister of Information. Associated with the Syrian regime, including by supporting and promoting its information policy.	23.09.2011

Entities

	Name	Identifying information	Reasons	Date of listing
1.	Addounia TV (a.k.a. Dounia TV)	Telephone:+963-11-5667274, +963-11-5667271, Fax:+963-11-5667272 Website: http://www.addounia.tv	Addounia TV has incited violence against the civilian population in Syria.	23.09.2011
2.	Cham Holding	Cham Holding Building Daraa Highway - Ashrafiyat Sahnaya Rif Dimashq – Syria P.O Box 9525 Tel +963 (11) 9962 +963 (11) 668 14000 +963 (11) 673 1044 Fax +963 (11) 673 1274 Email info@chamholding.sy www.chamholding.sy	Controlled by Rami Makhlouf; largest holding company in Syria, benefiting from and supporting the regime.	23.09.2011
3.	El-Tel Co. (a.k.a. El-Tel Middle East Company)	Address: Dair Ali Jordan Highway, P.O.Box 13052, Damascus – Syria Telephone: +963-11-2212345 Fax: +963-11-44694450 Email: sales@eltelme.com Website: www.eltelme.com	Manufacturing and supplying telecommunication equipment for the Army.	23.09.2011
4.	Ramak Constructions Co.	Address: Daa'ra Highway, Damascus, Syria Telephone: +963-11-6858111 Mobile: +963-933-240231	Construction of military barracks, border post barracks and other buildings for Army needs.	23.09.2011
5.	Souruh Company (a.k.a. SOROH Al Cham Company)	Address: Adra Free Zone Area Damascus – Syria Telephone:+963-11-5327266 Mobile:+963-933-526812 +963-932-878282 Fax:+963-11-5316396 Email: sorohco@gmail.com Website: http://sites.google.com/site/sorohco	Investment in local military industrial projects, manufacturing weapons parts and related items. 100 % of the company is owned by Rami Makhlouf.	23.09.2011

	Name	Identifying information	Reasons	Date of listing
6.	Syriatel	Thawra Street, Ste Building 6ème étage, BP 2900 Tel: +963 11 61 26 270 Fax: +963 11 23 73 97 19 Email: info@syriatel.com.sy; Website: http://syriatel.sy/	Controlled by Rami Makhlouf; provides financial support to the regime: through its licensing contract it pays 50 % of its profits to the Government.	23.09.2011

ANNEX II

'ANNEX IV

List of Petroleum Products

HS Code	Description
2709 00	Petroleum oils and oils obtained from bituminous minerals, crude:
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils:
2712	Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured:
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals:
2714	Bitumen and asphalt, natural; bituminous or oil-shale and tar sands; asphaltites and asphaltic rocks:
2715 00 00	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)'

COMMISSION IMPLEMENTING REGULATION (EU) No 951/2011

of 23 September 2011

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) [1],

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors [2], and in particular Article 136(1) thereof,

Whereas:

Implementing Regulation (EU) No 543/2011 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 Annex XVI, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 September 2011.

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

Done at Brussels, 23 September 2011.

For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and Rural Development

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 157, 15.6.2011, p. 1.

ANNEX

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	AR	25,3
	EC	25,3
	MK	53,6
	XS	31,8
	ZZ	34,0
0707 00 05	MK	20,0
	TR	106,2
	ZZ	63,1
0709 90 70	TR	124,7
	ZZ	124,7
0805 50 10	AR	65,5
	CL	75,7
	TR	74,0
	UY	57,5
	ZA	75,7
	ZZ	69,7
0806 10 10	CL	69,0
	EG	116,3
	IL	136,9
	MK	82,2
	TR	107,5
	ZA	63,5
	ZZ	95,9
0808 10 80	BZ	86,4
	CL	135,4
	CN	82,6
	NZ	114,0
	US	123,7
	ZA	126,7
	ZZ	111,5
0808 20 50	AR	47,4
	CN	78,7
	TR	114,2
	ZA	61,3
	ZZ	75,4
0809 30	TR	158,6
	ZZ	158,6

(1) Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) No 952/2011

of 23 September 2011

on the issue of licences for importing rice under the tariff quotas opened for the September 2011 subperiod by Regulation (EC) No 327/98

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) [1],

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences [2], and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice [3], and in particular the first paragraph of Article 5 thereof,

Whereas:

(1) Regulation (EC) No 327/98 opened and provided for the administration of certain import tariff quotas for rice and broken rice, broken down by country of origin and split into several subperiods in accordance with Annex IX to that Regulation.

(2) September is the fourth subperiod for the quotas laid down in Article 1(1)(a) of Regulation (EC) No 327/98, the third subperiod for the quotas laid down in Article 1(1)(d) and the first subperiod for the quota laid down in Article 1(1)(e).

(3) The notifications presented under Article 8(a) of Regulation (EC) No 327/98 show that, for the quotas with order numbers 09.4112 – 09.4168, the applications lodged in the first ten working days of September 2011 under Article 4(1) of the Regulation cover a quantity greater than that available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested under the quotas in question.

(4) It is also clear from the notifications that, for the quotas with order numbers 09.4127 – 09.4128 – 09.4129 – 09.4130 – 09.4116 – 09.4117 – 09.4118, the applications lodged in the first ten working days of September 2011 under Article 4(1) of the Regulation cover a quantity less than that available.

(5) The quantities not used for the September subperiod of the quotas with order numbers 09.4127 – 09.4128 – 09.4129 – 09.4130 are transferred to the quota bearing the order number 09.4138 for the following subperiod under Article 2 of Regulation (EC) No 327/98.

(6) The total quantities available for the following subperiod should therefore be fixed for the quotas with order numbers 09.4138 and 09.4168, in accordance with the first paragraph of Article 5 of Regulation (EC) No 327/98.

(7) In order to ensure sound management of the procedure of issuing import licences, the present Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

Article 1

1. For import licence applications for rice under the quotas with order numbers 09.4112 – 09.4168 as referred to in Regulation (EC) No 327/98 lodged in the first ten working days of September 2011, licences shall be issued for the quantities requested, multiplied by the allocation coefficients set out in the Annex to this Regulation.

2. The total quantities available under the quotas with order numbers 09.4138 and 09.4168 as referred to in Regulation (EC) No 327/98 for the following subperiod are set out in the Annex to this Regulation.

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 238, 1.9.2006, p. 13.
[3] OJ L 37, 11.2.1998, p. 5.

Article 2

This Regulation shall enter into force on the day of 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, 23 September 2011.

For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and Rural Development

ANNEX

to be allocated for the September 2011 subperiod and quantities available for the following subperiod under Regulation (EC) No 327/98

(a) Quota for wholly milled or semi-milled rice falling within CN code 1006 30 laid down in Article 1(1)(a) of Regulation (EC) No 327/98:

Origin	Order number	Allocation coefficient for the September 2011 subperiod	Total quantities available for the October 2011 subperiod (kg)
United States of America	09.4127	— (1)	
Thailand	09.4128	— (1)	
Australia	09.4129	— (1)	
Other origins	09.4130	— (2)	
All countries	09.4138		705 795

(1) Applications cover quantities less than or equal to the quantities available: all applications are therefore acceptable.
(2) No award coefficient applied for this subperiod: no licence applications were notified to the Commission.

(b) Quota for wholly milled or semi-milled rice falling within CN code 1006 30 laid down in Article 1(1)(d) of Regulation (EC) No 327/98:

Origin	Order number	Allocation coefficient for the September 2011 subperiod
Thailand	09.4112	8,333333 %
United States of America	09.4116	— (1)
India	09.4117	— (1)
Pakistan	09.4118	— (1)
Other origins	09.4119	— (2)
All countries	09.4166	— (2)

(1) No award coefficient applied for this subperiod: no licence applications were notified to the Commission.
(2) No quantity remaining available for this subperiod.

(c) Quota for broken rice falling within CN code 1006 40 laid down in Article 1(1)(e) of Regulation (EC) No 327/98:

Origin	Order number	Allocation coefficient for the September 2011 subperiod	Total quantities available for the October 2011 subperiod (kg)
All countries	09.4168	1,260196 %	0

COMMISSION IMPLEMENTING REGULATION (EU) No 953/2011

of 23 September 2011

amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) [1],

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector [2], and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 [3]. These prices and duties have been last amended by Commission Implementing Regulation (EU) No 948/2011 [4].

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 September 2011.

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

Done at Brussels, 23 September 2011.

For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and Rural Development

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 178, 1.7.2006, p. 24.
[3] OJ L 259, 1.10.2010, p. 3.
[4] OJ L 246, 23.9.2011, p. 28.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 24 September 2011

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 (1)	45,34	0,00
1701 11 90 (1)	45,34	1,30
1701 12 10 (1)	45,34	0,00
1701 12 90 (1)	45,34	1,01
1701 91 00 (2)	48,57	2,90
1701 99 10 (2)	48,57	0,00
1701 99 90 (2)	48,57	0,00
1702 90 95 (3)	0,49	0,22

(1) For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.
(2) For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.
(3) Per 1 % sucrose content.

DECISIONS

COUNCIL IMPLEMENTING DECISION 2011/627/CFSP

of 22 September 2011

implementing Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Decision 2010/656/CFSP of 29 October 2010 renewing the restrictive measures against Côte d'Ivoire [1], and in particular Article 6(2) thereof, in conjunction with Article 31(2) of the Treaty on European Union,

Whereas:

(1) On 29 October 2010, the Council adopted Decision 2010/656/CFSP.

(2) In view of the developments in Côte d'Ivoire, the list of persons and entities subject to restrictive measures set out in Annex II to Decision 2010/656/CFSP should be amended,

HAS ADOPTED THIS DECISION:

Article 1

The persons listed in the Annex to this Decision shall be deleted from the list set out in Annex II to Decision 2010/656/CFSP.

Article 2

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

Done at Brussels, 22 September 2011.

For the Council
The President
M. DOWGIELEWICZ

[1] OJ L 285, 30.10.2010, p. 28.

ANNEX

Persons referred to in Article 1

2.	Lieutenant-Colonel Nathanaël Ahouman Brouha
19.	Mr Yao N'Dré
52.	Mr Timothée Ahoua N'Guetta
53.	Mr Jacques André Daligou Monoko
54.	Mr Bruno Walé Ekpo
55.	Mr Félix Tano Kouakou
56.	Ms Hortense Kouassi Angoran
57.	Ms Joséphine Suzanne Touré
79.	Colonel Major Hilaire Babri Gohourou
89.	Mr Roland Dagher
105.	Zakaria Fellah
107.	Charles Kader Gore
109.	Kadio Morokro Mathieu

COUNCIL DECISION 2011/628/CFSP

of 23 September 2011

amending Decision 2011/273/CFSP concerning restrictive measures against Syria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

(1) On 9 May 2011, the Council adopted Decision 2011/273/CFSP concerning restrictive measures against Syria. [1]

(2) In light of the seriousness of the situation in Syria, the Union has decided to adopt additional restrictive measures against the Syrian regime.

(3) Investment in key sectors in the oil industry in Syria should be prohibited.

(4) The delivery of Syrian denominated banknotes and coinage to the Central Bank of Syria should be prohibited.

(5) Additional persons and entities should be subject to the restrictive measures set out in Decision 2011/273/CFSP.

(6) The information relating to certain persons on the list in the Annex to that Decision should be updated.

(7) Decision 2011/273/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/273/CFSP is hereby amended as follows:

(1) Article 2b is replaced by the following:

'*Article 2b*

The following shall be prohibited:

(a) the granting of any financial loan or credit to enterprises in Syria that are engaged in the Syrian oil industry sectors of exploration, production or refining, or to Syrian or Syrian-owned enterprises engaged in those sectors outside Syria;

(b) the acquisition or extension of a participation in enterprises in Syria that are engaged in the Syrian oil industry sectors of exploration, production or refining, or in Syrian or Syrian-owned enterprises engaged in those sectors outside Syria, including the acquisition in full of such enterprises and the acquisition of shares or securities of a participating nature;

(c) the creation of any joint venture with enterprises in Syria that are engaged in the Syrian oil industry sectors of exploration, production or refining and with any subsidiary or affiliate under their control.';

(2) The following Articles are added:

'*Article 2c*

1. The prohibitions in Article 2a shall be without prejudice to the execution, until 15 November 2011, of obligations provided for in contracts concluded before 2 September 2011.

2. The prohibitions in Article 2b(a) and (b) respectively:

(i) shall be without prejudice to the execution of an obligation arising from contracts or agreements concluded before 23 September 2011;

(ii) shall not prevent the extension of a participation, if such extension is an obligation under an agreement concluded before 23 September 2011.

Article 2d

The delivery of Syrian denominated banknotes and coinage to the Central Bank of Syria shall be prohibited.';

(3) Article 4(3)(e) is replaced by the following:

'(e) necessary for humanitarian purposes, such as delivering or facilitating the delivery of assistance, including medical supplies, food, humanitarian workers and related assistance, or evacuations from Syria;'.

Article 2

The persons and entities listed in Annex I to this Decision shall be added to the list set out in the Annex to Decision 2011/273/CFSP.

Article 3

In the Annex to Decision 2011/273/CFSP, the entries for the following persons:

(1) Emad GHRAIWATI;

(2) Tarif AKHRAS;

(3) Issam ANBOUBA,

shall be replaced by the entries set out in Annex II to this Decision.

[1] OJ L 121, 10.5.2011, p. 11.

Article 4

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

Done at Brussels, 23 September 2011.

For the Council
The President
M. DOWGIELEWICZ

ANNEX I

Persons and entities referred to in Article 2

Persons

	Name	Identifying information	Reasons	Date of listing
1.	Tayseer Qala Awwad	DoB: 1943; PoB Damascus	Minister of Justice. Associated with the Syrian regime, including by supporting its policies and practices of arbitrary arrest and detention.	23.09.2011
2.	Dr. Adnan Hassan Mahmoud	DoB: 1966; PoB Tartous	Minister of Information. Associated with the Syrian regime, including by supporting and promoting its information policy.	23.09.2011

Entities

	Name	Identifying information	Reasons	Date of listing
1.	Addounia TV (a.k.a. Dounia TV)	Telephone: +963-11-5667274, +963-11-5667271, Fax: +963-11-5667272 Website: http://www.addounia.tv	Addounia TV has incited violence against the civilian population in Syria.	23.09.2011
2.	Cham Holding	Cham Holding Building Daraa Highway - Ashrafiyat Sahnaya Rif Dimashq – Syria P.O Box 9525 Tel +963 (11) 9962 +963 (11) 668 14000 +963 (11) 673 1044 Fax +963 (11) 673 1274 Email info@chamholding.sy www.chamholding.sy	Controlled by Rami Makhlouf; largest holding company in Syria, benefiting from and supporting the regime.	23.09.2011
3.	El-Tel Co. (a.k.a. El-Tel Middle East Company)	Address: Dair Ali Jordan Highway, P.O.Box 13052, Damascus – Syria Telephone: +963-11-2212345 Fax: +963-11-44694450 Email: sales@eltelme.com Website: www.eltelme.com	Manufacturing and supplying telecommunication equipment for the Army.	23.09.2011
4.	Ramak Constructions Co.	Address: Daa'ra Highway, Damascus, Syria Telephone: +963-11-6858111 Mobile: +963-933-240231	Construction of military barracks, border post barracks and other buildings for Army needs.	23.09.2011
5.	Souruh Company (a.k.a. SOROH Al Cham Company)	Address: Adra Free Zone Area Damascus – Syria Telephone: +963-11-5327266 Mobile: +963-933-526812 +963-932-878282 Fax:+963-11-5316396 Email: sorohco@gmail.com Website: http://sites.google.com/site/sorohco	Investment in local military industrial projects, manufacturing weapons parts and related items. 100 % of the company is owned by Rami Makhlouf.	23.09.2011

	Name	Identifying information	Reasons	Date of listing
6.	Syriatel	Thawra Street, Ste Building 6ème étage, BP 2900 Tel: +963 11 61 26 270 Fax: +963 11 23 73 97 19 Email: info@syriatel.com.sy; Website: http://syriatel.sy/	Controlled by Rami Makhlouf; provides financial support to the regime: through its licensing contract it pays 50 % of its profits to the Government.	23.09.2011

ANNEX II

Persons referred to in Article 3

	Name	Identifying information (date of birth, place of birth …)	Reasons	Date of listing
1.	Emad GHRAIWATI	DoB: March 1959; PoB: Damascus, Syria	President of the Damascus Chamber of Industry (Zuhair Ghraiwati Sons). Provides economic support to the Syrian regime.	2.9.2011
2.	Tarif AKHRAS	DoB: 1949; PoB: Homs, Syria	Founder of the Akhras Group (commodities, trading, processing and logistics), Homs. Provides economic support to the Syrian regime.	2.9.2011
3.	Issam ANBOUBA	DoB: 1949; PoB: Lattakia, Syria	President of Issam Anbouba Est. for agro-industry. Provides economic support to the Syrian regime.	2.9.2011

COMMISSION IMPLEMENTING DECISION

of 20 September 2011

amending Annex D to Council Directive 88/407/EEC as regards trade within the Union in semen of domestic animals of the bovine species dispatched from the semen collection and storage centres

(notified under document C(2011) 6425)

(Text with EEA relevance)

(2011/629/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species [1], and in particular the second paragraph of Article 17 thereof,

Whereas:

(1) Directive 88/407/EEC lays down the animal health conditions applicable to, inter alia, trade within the Union of semen of domestic animals of bovine species and establishes the model animal health certificates for such trade in that commodity.

(2) Directive 88/407/EEC, as amended by Council Directive 2008/73/EC [2], introduces a simplified procedure for the listing of semen collection and storage centres in the Member States.

(3) In addition, Directive 88/407/EEC provides that Member States are to make the admission of semen conditional upon submission of an animal health certificate drawn up by an official veterinarian of the Member State of collection in accordance with Annex D. That Annex sets out three different model animal health certificates, D1, D2 and D3, for trade within the Union in semen of domestic animal of the bovine species.

(4) Annex D to Directive 88/407/EEC should therefore be amended to take account of the simplified procedure for the listing of semen collection and storage centres in the Member States.

(5) Commission Decision 2010/470/EU [3] lays down model health certificates for trade within the Union in semen, ova and embryos of animals of the equine, ovine and caprine species and in ova and embryos of animals of the porcine species. That Decision aimed to ensure full traceability of the commodities concerned collected in a semen collection centre and dispatched from a semen storage centre, whether or not the latter constitute part of a semen collection centre approved under a different approval number.

(6) In the interests of consistency of Union legislation, the structure of model health certificates set out in Decision 2010/470/EU should be taken into account in the model animal health certificates for trade within the Union in semen of domestic animals of bovine species.

(7) In particular, the model animal health certificate in Annex D3 concerns trade within the Union in semen and stocks of semen of domestic animals of the bovine species dispatched from the semen collection and storage centres.

(8) In order to ensure full traceability of the semen, the model animal health certificate in Annex D3 should be supplemented by additional certification requirements and only used for trade in semen collected in a semen collection centre and dispatched from a semen storage centre, whether or not the latter constitute part of a semen collection centre approved under a different approval number.

(9) It is also necessary to adapt the dates in the titles of certificates in Annexes D2 and D3 related to the stocks of semen collected, processed and stored before 31 December 2004 to reflect the provisions of Article 2(1) and (2) of Council Directive 2003/43/EC of 26 May 2003 amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species [4].

(10) In addition, the model animal health certificates in Annexes D1 and D2 should be adapted to the structure of model health certificates set out in Decision 2010/470/EU.

[1] OJ L 194, 22.7.1988, p. 10.
[2] OJ L 219, 14.8.2008, p. 40.
[3] OJ L 228, 31.8.2010, p. 15.
[4] OJ L 143, 11.6.2003, p. 23.

(11) Annex D to Directive 88/407/EEC should therefore be amended accordingly.

(12) To avoid any disruption of trade, the use of animal health certificates issued in accordance with Annex D to Directive 88/407/EEC, applying until 31 October 2011, should be authorised during a transitional period subject to certain conditions.

(13) 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

Annex D to Directive 88/407/EEC is replaced by the text in the Annex to this Decision.

Article 2

For a transitional period until 31 December 2011, Member States may authorise trade in semen and stocks of semen of domestic animals of the bovine species accompanied by an animal health certificate issued not later than 31 October 2011 in accordance with the models set out in Annex D to Directive 88/407/EEC, applying until 31 October 2011.

Article 3

This Decision shall apply from 1 November 2011.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 20 September 2011.

For the Commission

John DALLI

Member of the Commission

ANNEX

'ANNEX D

MODEL ANIMAL HEALTH CERTIFICATES FOR TRADE WITHIN THE UNION

ANNEX D1

Model of animal health certificate applicable to trade within the Union in semen of domestic animals of the bovine species collected, processed and stored in accordance with Council Directive 88/407/EEC, as amended by Directive 2003/43/EC, dispatched from a semen collection centre where the semen was collected

EUROPEAN UNION **Intra trade certificate**

Part I: Details of consignment presented

I.1. Consignor Name Address Postcode		I.2. Certificate reference No	I.2.a. Local reference No
		I.3. Central competent authority	
		I.4. Local competent authority	
I.5. Consignee Name Address Postcode		I.6.	
		I.7.	
I.8. Country of origin ISO code	I.9. Region of origin Code	I.10. Country of destination ISO code	I.11. Region of destination Code
I.12. Place of origin Semen centre ☐ Name Approval number Address Postcode		I.13. Place of destination Semen centre ☐ Holding ☐ Name Approval number Address Postcode	
I.14.		I.15.	
I.16. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code) **05 11 10**	
			I.20. Quantity
I.21. Temperature of products Ambient ☐ Chilled ☐ Frozen ☐			I.22. Number of packages
I.23. Seal/Container No			I.24. Type of packaging
I.25. Commodities certified for: Artificial reproduction ☐			
I.26. Transit through third country ☐ Third country ISO code Exit point Code Entry point BIP No		I.27. Transit through Member States ☐ Member State ISO code Member State ISO code Member State ISO code	
I.28. Export ☐ Third country ISO code Exit point Code		I.29.	
I.30.			

I.31. Identification of the commodities

Species (Scientific name)	Breed	Donor identity	Date of collection	Approval number of the centre	Quantity

EUROPEAN UNION **Bovine semen — D1**

Part II: Certification

II. Health information	II.a. Certificate reference No	II.b.

II.1 **Animal Health Attestation**

I, the undersigned official veterinarian, hereby certify that:

II.1. The semen described above:

II.1.1. was collected, processed and stored in a semen collection centre ([2]) approved and supervised by the competent authority in accordance with Chapter I(1) and Chapter II(1) of Annex A to Directive 88/407/EEC;

II.1.2. was collected from bulls, which:

II.1.2.1. meet the requirements of Chapters I and II of Annex B to Directive 88/407/EEC,

([1]) *either* II.1.2.2. [have not been vaccinated against foot-and-mouth disease within 12 months prior to collection;]

([1]) *or* II.1.2.2. [have been vaccinated against foot-and-mouth disease less than 12 months and more than 30 days prior to the collection, and 5 % of doses of semen of each collection, with a minimum of 5 straws, have been submitted to a virus isolation test for foot-and-mouth disease, carried out with negative results in the laboratory (.....) ([3]) situated in or designated by the Member State of destination;]

II.1.3. was collected, processed, stored and transported under conditions which comply with the standards laid down in Annex C to Directive 88/407/EEC;

II.1.4. was stored in approved conditions for a minimum period of 30 days immediately following collection ([4]).

Notes

Part I:

Box I.12.: place of origin shall correspond to the semen collection centre (as defined in Article 2(b) first indent of Directive 88/407/EEC) where the semen was collected.

Box I.13.: place of destination shall correspond to the semen collection or storage centre (as defined in Article 2(b) of Directive 88/407/EEC), or to the holding of semen destination.

Box I.23.: identification of container and seal number shall be indicated.

Box I.31.: donor identity shall correspond to the official identification of the animal.

date of collection shall be indicated in the following format: dd/mm/yyyy.

approval number of the centre shall correspond to the approval number of the semen centre indicated in Box I.12. where the semen was collected.

Part II:

([1]) Delete as appropriate.

([2]) Only semen collection centres listed in accordance with Article 5(2) of Council Directive 88/407/EEC on the Commission website:

http://ec.europa.eu/food/animal/approved_establishments/establishments_vet_field_en.htm

([3]) Name of the laboratory.

([4]) May be deleted for fresh semen.

— The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian or official inspector

Name (in capital letters): Qualification and title:

Local veterinary unit: LVU No:

Date: Signature:

Stamp:

ANNEX D2

Model of animal health certificate applicable from 1 January 2005 to trade within the Union in stocks of semen collected, processed and stored before 31 December 2004 in conformity with the provisions of Council Directive 88/407/EEC, applying until 1 July 2004 and traded after that date in accordance with Article 2(2) of Directive 2003/43/EC, dispatched from a semen collection centre where the semen was collected

EUROPEAN UNION **Intra trade certificate**

Part I: Details of consignment presented

I.1. Consignor Name Address Postcode		I.2. Certificate reference No	I.2.a. Local reference No
		I.3. Central competent authority	
		I.4. Local competent authority	
I.5. Consignee Name Address Postcode		I.6.	
		I.7.	
I.8. Country of origin ISO code	I.9. Region of origin Code	I.10. Country of destination ISO code	I.11. Region of destination Code
I.12. Place of origin Semen centre ☐ Name Approval number Address Postcode		I.13. Place of destination Semen centre ☐ Holding ☐ Name Approval number Address Postcode	
I.14.		I.15	
I.16. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code) **05 11 10**	
			I.20. Quantity
I.21. Temperature of products Ambient ☐ Chilled ☐ Frozen ☐			I.22. Number of packages
I.23. Seal/Container No			I.24. Type of packaging
I.25. Commodities certified for: Artificial reproduction ☐			
I.26. Transit through third country ☐ Third country ISO code Exit point Code Entry point BIP No		I.27. Transit through Member States ☐ Member State ISO code Member State ISO code Member State ISO code	
I.28. Export ☐ Third country ISO code Exit point Code		I.29.	
I.30.			

I.31. Identification of the commodities

Species (Scientific name)	Breed	Donor identity	Date of collection	Approval number of the centre	Quantity

EUROPEAN UNION **Bovine semen — D2**

Part II: Certification

II.	Health information	II.a. Certificate reference No	II.b.

II.1 **Animal Health Attestation**

I, the undersigned official veterinarian, hereby certify that:

II.1.1 The semen described above was collected before the date of 31 December 2004 on a semen collection centre which:

(a) was approved under conditions laid down in Chapter I of Annex A to Directive 88/407/EEC;

(b) was operated and supervised under conditions laid down in Chapter II of Annex A to Directive 88/407/EEC.

II.1.2 At the time the semen described above was collected, all bovine animals at the semen collection centre:

(a) came from herds and/or were born to dams which satisfy the conditions of points 1(b) and (c) in Chapter I of Annex B to Directive 88/407/EEC;

(b) have, within the 30 days preceding the quarantine isolation period, undergone, with negative results:

— the tests referred to in points 1(d)(i), (ii) and (iii) of Chapter I of Annex B to Directive 88/407/EEC, and,

— a serum neutralisation test or ELISA test for infectious bovine *rhinotracheitis/infectious pustular vulvovaginitis,* and,

— a virus isolation test (fluorescent antibody test or immunoperoxidase test) for bovine viral diarrhoea, which in the case of an animal less than 6 months of age has been deferred until that age was reached,

(c) have satisfied the quarantine isolation period of 30 days and have been subjected with the required negative results to the following health tests:

— a serological test for brucellosis carried out in accordance with the procedure described in Annex C to Directive 64/432/EEC,

— either an immunofluorescent antibody test or a culture test for *Campylobacter fetus* infection on a sample of preputial material or artificial vagina washings, or, in the case of a female animal, a vaginal mucus agglutination test,

— a microscopic examination and culture test for *Trichomonas foetus* on a sample of preputial material or artificial vagina washings, or in case of a female animal a vaginal mucus agglutination test,

(d) have undergone, at least once a year, with negative results, the routine tests referred to in points 1(a), (b) and (c) in Chapter II of Annex B to Directive 88/407/EEC.

II.1.3 At the time the semen described above was collected,

(a) all female bovine animals in the centre have undergone, at least once a year, a vaginal mucus agglutination test for *Campylobacter fetus* infection with negative results, and

(b) all bulls used for semen production have undergone with negative result either an immunofluorescent antibody test or a culture test for *Campylobacter fetus* infection on a sample of preputial material or artificial vagina washings carried out within 12 months prior to collection.

II.1.4 The semen described above was collected from bulls standing in a semen collection centre in which:

([1]) *either* [all bovine animals have not been vaccinated against infectious bovine *rhinotracheitis* and have undergone at least once a year with negative result a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvovaginitis;]

([1]) *or* [bovine animals not vaccinated against infectious bovine rhinotracheitis have undergone, at least once a year, with negative result a serum neutralisation test or ELISA test for infectious bovine *rhinotracheitis/infectious pustular vulvovaginitis*, and testing for infectious bovine *rhinotracheitis* is not carried out on bulls which have received a first vaccination against infectious bovine *rhinotracheitis* at the insemination centre after they have been tested with negative result in a serum neutralisation test or ELISA test for infectious bovine *rhinotracheitis/infectious pustular vulvovaginitis* and which since the first vaccination have been regularly re-vaccinated with an interval of not more than 6 months;].

EUROPEAN UNION **Bovine semen — D2**

II.1.5. The semen described above was collected from bulls which:

II.1.5.1.

([1]) *either* [have not been vaccinated against foot-and-mouth disease within 12 months prior to collection;]

([1]) *or* [have been vaccinated against foot-and-mouth disease less than 12 months and more than 30 days prior to collection, and 5 % of doses of the semen from each collection, with a minimum of five straws, have been submitted to a virus isolation test for foot-and-mouth disease, carried out with negative results in the laboratory (.....) ([2]), situated in or designated by the Member State of destination;]

II.1.5.2.

([1]) *either* [have not been vaccinated against infectious bovine *rhinotracheitis,]*

([1]) *or* [have been vaccinated against infectious bovine *rhinotracheitis* in accordance with point II.1.4,].

II.1.6. The semen described above was stored in approved conditions for a minimum period of 30 days immediately following collection ([3]).

II.1.7. The semen described above was sent to the place of loading in a sealed container and bearing the number detailed in Box I.23.

Notes

Part I:

Box I.12.: place of origin shall correspond to the semen collection centre (as defined in Article 2(b) first indent of Directive 88/407/EEC) where the semen was collected.

Box I.13.: place of destination shall correspond to the semen collection or storage centre (as defined in Article 2(b) of Directive 88/407/EEC), or to the holding of semen destination.

Box I.23.: identification of container and seal number shall be indicated.

Box I.31.: donor identity shall correspond to the official identification of the animal.

date of collection shall be indicated in the following format: dd/mm/yyyy and shall be earlier than 31 December 2004.

approval number of the centre shall correspond to the approval number of the semen centre indicated in Box I.12. where the semen was collected.

Part II:

([1]) Delete as appropriate.

([2]) Name of the laboratory.

([3]) May be deleted for fresh semen.

— The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian or official inspector

Name (in capital letters): Qualification and title:

Local veterinary unit: LVU No:

Date: Signature:

Stamp:

ANNEX D3

Model of animal health certificate applicable to trade within the Union in semen of domestic animals of the bovine species collected, processed and stored in accordance with Council Directive 88/407/EEC, as amended by Directive 2003/43/EC, and in stocks of semen collected, processed and stored before 31 December 2004 in conformity with the provisions of Council Directive 88/407/EEC, applying until 1 July 2004, and traded after that date in accordance with Article 2(2) of Directive 2003/43/EC, dispatched from a semen storage centre

EUROPEAN UNION **Intra trade certificate**

Part I: Details of consignment presented

I.1. Consignor
Name
Address
Postcode

I.2. Certificate reference No | I.2.a. Local reference No

I.3. Central competent authority

I.4. Local competent authority

I.5. Consignee
Name
Address
Postcode

I.6. No(s) of related original certificates | No(s) of accompanying documents

I.7.

I.8. Country of origin ISO code | I.9. Region of origin Code

I.10. Country of destination ISO code | I.11. Region of destination Code

I.12. Place of origin
Semen centre ☐
Name Approval number
Address
Postcode

I.13. Place of destination
Semen centre ☐ Holding ☐
Name Approval number
Address
Postcode

I.14.

I.15.

I.16. Means of transport
Aeroplane ☐ Ship ☐ Railway wagon ☐
Road vehicle ☐ Other ☐
Identification

I.17.

I.18. Description of commodity

I.19. Commodity code (HS code)
05 11 10

I.20. Quantity

I.21. Temperature of products
Ambient ☐ Chilled ☐ Frozen ☐

I.22. Number of packages

I.23. Seal/Container No

I.24. Type of packaging

I.25. Commodities certified for:
Artificial reproduction ☐

I.26. Transit through third country ☐
Third country ISO code
Exit point Code
Entry point BIP No

I.27. Transit through Member States ☐
Member State ISO code
Member State ISO code
Member State ISO code

I.28. Export ☐
Third country ISO code
Exit point Code

I.29.

I.30.

I.31. Identification of the commodities

Species (Scientific name)	Breed	Donor identity	Date of collecion	Approval number of the centre	Quantity

EUROPEAN UNION **Bovine semen — D3**

Part II: Certification

II.	Health information	II.a. Certificate reference No	II.b.

II.1 **Animal Health Attestation**

I, the undersigned official veterinarian, hereby certify that the semen described above:

(1) *either* [II.1. was collected, processed and stored for a minimum period of 30 days immediately following collection in a semen collection centre (2) situated in the Member State of origin of the semen and operated and supervised in accordance with Chapter I(1) and Chapter II(1) of Annex A to Directive 88/407/EEC, and from where the semen was accepted into the semen storage centre detailed in Box I.12. situated in the same Member State of origin of the semen under animal health and veterinary certification conditions at least as strict as those provided for in:

(1) *either* [Annex D1 to Directive 88/407/EEC (3);]]

(1) *and/or* [Annex D2 to Directive 88/407/EEC (4);]]

(1) *and/or* [Annex D3 to Directive 88/407/EEC (3) (4);]]

(1) *and/or* [until 31 October 2011, Annex D3 to Directive 88/407/EEC (3) (4) (5);]]

(1) *and/or* [II.1. was collected, processed and stored for a minimum period of 30 days immediately following collection in a semen collection centre (2) situated in the European Union and operated and supervised in accordance with Chapter I(1) and Chapter II(1) of Annex A to Directive 88/407/EEC and was accepted into the semen storage centre detailed in Box I.12., in accordance with:

(1) *either* [Annex D1 to Directive 88/407/EEC (3);]]

(1) *and/or* [Annex D2 to Directive 88/407/EEC (4);]]

(1) *and/or* [Annex D3 to Directive 88/407/EEC (3) (4);]]

(1) *and/or* [until 31 October 2011, Annex D3 to Directive 88/407/EEC (3) (4) (5);]]

(1) *and/or* [II.1. was collected, processed and stored for a minimum period of 30 days immediately following collection in a semen collection centre (2) situated in a third country or part(s) thereof listed in Annex I to Commission Decision 2011/630/EU which is operated and supervised in accordance with Chapter I(1) and Chapter II(1) of Annex A to Directive 88/407/EEC, and was imported into the European Union under the conditions of Articles 8 to 12 of Directive 88/407/EEC in accordance with:

(1) *either* [Section A of Part 2 of Annex II to Decision 2011/630/EU (3);]]

(1) *and/or* [until 31 October 2011, Part 1 of Annex II to Decision 2004/639/EC (3);]]

(1) *and/or* [Section B of Part 2 of Annex II to Decision 2011/630/EU (4);]]

(1) *and/or* [until 31 October 2011, Part 2 of Annex II to Decision 2004/639/EC (4);]]

(1) *and/or* [Section C of Part 2 of Annex II to Decision 2011/630/EU (3) (4);]]

(1) *and/or* [until 31 October 2011, Part 3 of Annex II to Decision 2004/639/EC (3) (4);]]

II.2. was stored in the semen storage centre (2) indicated in Box I.12. which is operated and supervised in accordance with Chapter I(2) and Chapter II(2) of Annex A to Directive 88/407/EEC.

Notes

Part I:

Box I.6.: Number(s) of related original certificates shall correspond to the serial number(s) of the individual official national document(s), INTRA health certificate(s) or CVED(s) that accompanied the semen described above from the semen collection centre of its origin to the described above semen storage centre.

Box I.12: place of origin shall correspond to the semen storage centre (as defined in Article 2(b) of Directive 88/407/EEC) of dispatch of the semen.

Box I.13: place of destination shall correspond to the semen collection or storage centre (as defined in Article 2(b) of Directive 88/407/EEC), or to the holding of semen destination.

Box I.23.: identification of container and seal number shall be indicated.

Box I.31.: donor identity shall correspond to the official identification of the animal.
date of collection shall be indicated in the following format: dd/mm/yyyy.
approval number of the centre shall correspond to the approval number of the semen collection centre of the semen origin.

EUROPEAN UNION **Bovine semen — D3**

Part II:

(1) Delete as appropriate

(2) Only semen collection or storage centres listed in accordance with Article 5(2) or Article 9(1) of Directive 88/407/EEC on the Commission websites:

http://ec.europa.eu/food/animal/approved_establishments/establishments_vet_field_en.htm,

http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm

(3) For semen collected, processed and stored in accordance with provisions of Directive 88/407/EEC, as amended by Directive 2003/43/EC.

(4) For semen collected, processed and stored before 31 December 2004 in conformity with the provisions of Directive 88/407/EEC applying until 1 July 2004.

(5) Annex D3 to Directive 88/407/EEC as introduced by Commission Decision 2008/120/EC.

— The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian or official inspector

Name (in capital letters): Qualification and title:

Local veterinary unit: LVU No:

Date: Signature:'

Stamp:

COMMISSION IMPLEMENTING DECISION

of 20 September 2011

on imports into the Union of semen of domestic animals of the bovine species

(notified under document C(2011) 6426)

(Text with EEA relevance)

(2011/630/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species [1], and in particular Article 8(1), the first subparagraph of Article 10(2), and Article 11(2) thereof,

Whereas:

(1) Directive 88/407/EEC lays down the animal health conditions applicable to imports from third countries into the Union of semen of domestic animals of the bovine species. It provides that only semen that comes from a third country included on a list of third countries drawn up in accordance with that Directive and accompanied by an animal health certificate corresponding to a model also drawn up in accordance with that Directive, is to be imported into the Union. The animal health certificate is to certify that semen comes from semen collection and storage centres offering guarantees provided for in Article 9(1) of that Directive.

(2) Commission Decision 2004/639/EC of 6 September 2004 laying down the importation conditions of semen of domestic animals of the bovine species [2] currently sets out the list of third countries from which Member States are to authorise imports of semen of domestic animals of the bovine species in Annex I thereto.

(3) Under Article 8(2) of Directive 88/407/EEC, a Member State may authorise imports of semen of domestic animals of the bovine species only from those third countries which appear on a list to be drawn up in accordance with that Directive. In deciding whether a third country may appear on such a list, particular account is to be taken of various conditions, such as the state of health of the livestock.

(4) Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements [3] repealed and replaced Council Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat [4]. Regulation (EU) No 206/2010 sets out a list of third countries authorised for the introduction of ungulates into the Union in Annex I thereto. The conditions for the introduction of ungulates, laid down in that Regulation, are similar to the conditions for imports of semen of domestic animals of the bovine species laid down in Directive 88/407/EEC.

(5) There is no scientific evidence suggesting that, with regard to major exotic contagious diseases, the risks arising from the health status of the donor bovine male could be mitigated by treatment of the semen. Accordingly, the list of third countries from which Member States are to authorise imports of semen should be based on the animal health status of the third countries from which imports of live domestic animals of the bovine species are authorised. The list set out in Annex I to Regulation (EU) No 206/2010 includes Chile, Iceland and Saint Pierre and Miquelon. Therefore, those third countries should also be included in the list set out in Annex I to Decision 2004/639/EC.

(6) The model animal health certificate in Part 1 of Annex II to Decision 2004/639/EC includes the animal health conditions for imports of semen of domestic animals of the bovine species into the Union. Currently, the conditions for enzootic bovine leukosis and epizootic haemorrhagic disease in that certificate are not entirely consistent with those set out respectively in Chapter I(1)(c) of Annex B to Directive 88/407/EEC and in the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health (OIE). As a result, that model animal health certificate should be amended to take account of that provision of that Directive and that Manual.

(7) The model animal health certificate in Part 3 of Annex II to Decision 2004/639/EC applies to imports and transits of semen of domestic animals of the bovine species dispatched from a semen storage centre or a semen collection centre either collected and processed in accordance with the conditions of Directive 88/407/EEC, as amended by Council Directive 2003/43/EC [5], or collected processed and stored before 31 December 2004 in conformity with the provisions of Directive

[1] OJ L 194, 22.7.1988, p. 10.
[2] OJ L 292, 15.9.2004, p. 21.
[3] OJ L 73, 20.3.2010, p. 1.
[4] OJ L 146, 14.6.1979, p. 15.
[5] OJ L 143, 11.6.2003, p. 23.

88/407/EEC applying until 1 July 2003, and imported after 31 December 2004 in accordance with Article 2(2) of Directive 2003/43/EC.

(8) In order to ensure full traceability of the semen, the model animal health certificate in Part 3 of Annex II to Decision 2004/639/EC should be supplemented by additional certification requirements and only used for trade in semen of domestic animals of the bovine species collected in the semen collection centres and dispatched from a semen storage centre, whether or not the latter constitute part of a semen collection centre approved under a different approval number. As a result, the model animal health certificate in Part 3 of Annex II to Decision 2004/639/EC should be adapted accordingly by this Decision.

(9) It is also necessary to adapt by this Decision the dates in the titles of model health certificates in Part 2 and Part 3 of Annex II to Decision 2004/639/EC related to the stocks of semen of domestic animals of the bovine species collected, processed and stored before 31 December 2004 to reflect the provisions of Article 2(1) of Directive 2003/43/EC.

(10) There are bilateral agreements concluded between the Union and certain third countries containing specific conditions for the imports into the Union of semen of domestic animals of the bovine species. Therefore, where the bilateral agreements contain specific conditions and model animal health certificates for imports, those conditions and models should apply instead of the conditions and models set out in this Decision.

(11) On the basis of Directive 88/407/EEC, Canada was recognised as a third country with an animal health status equivalent to that of Member States for imports into the Union of semen of domestic animals of the bovine species.

(12) It is therefore appropriate that semen of domestic animals of the bovine species collected in Canada and imported into the Union from that third country is accompanied by a simplified certificate drawn up in accordance with the model set out in Commission Decision 2005/290/EC of 4 April 2005 on simplified certificates for the importation of bovine semen and fresh pig meat from Canada and amending Decision 2004/639/EC [1] laid down in accordance with the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products [2], as approved by Council Decision 1999/201/EC [3].

(13) Switzerland is a third country with an animal health status equivalent to that of Member States. It is therefore appropriate that semen of domestic animals of the bovine species imported into the Union from Switzerland is accompanied by an animal health certificate drawn up in accordance with the models used for trade within the Union in semen of domestic animals of the bovine species set out in Annex D to Directive 88/407/EEC, with the adaptations set out in point 4 of Chapter VII(B) of Appendix 2 of Annex 11 to the Agreement between the European Community and the Swiss Confederation on Trade in Agricultural Products, as approved by Decision 2002/309/EC, Euratom of the Council, and of the Commission as regards the Agreement on Scientific and Technological Cooperation, of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation [4].

(14) In the interest of clarity and consistency of Union legislation, Decision 2004/639/EC should be repealed and replaced by this Decision.

(15) To avoid any disruption of trade, the use of animal health certificates issued in accordance with Decision 2004/639/EC should be authorised during a transitional period subject to certain conditions.

(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

This Decision lays down a list of third countries or parts thereof from which Members States shall authorise imports into the Union of semen of domestic animals of the bovine species (semen).

It also lays down certification requirements for the imports of semen into the Union.

Article 2

Imports of semen

1. Member States shall authorise imports of semen provided that it complies with the following conditions:

(a) it comes from a third country or part thereof listed in Annex I;

(b) it comes from a semen collection or storage centre listed in accordance with Article 9(2) of Directive 88/407/EEC;

(c) it is accompanied by an animal health certificate drawn up in accordance with the following model animal health certificates set out in Part 1 of Annex II, and completed in accordance with the explanatory notes set out in Part 2 of that Annex:

(i) Model 1 as set out in Section A, for semen collected, processed and stored in accordance with Directive 88/407/EEC, as amended by Directive 2003/43/EC, dispatched from a semen collection centre where the semen was collected;

[1] OJ L 93, 12.4.2005, p. 34.
[2] OJ L 71, 18.3.1999, p. 3.
[3] OJ L 71, 18.3.1999, p. 1.
[4] OJ L 114, 30.4.2002, p. 1.

(ii) Model 2 as set out in Section B, for stocks of semen collected, processed and stored before 31 December 2004 in conformity with the provisions of Directive 88/407/EEC applying until 1 July 2004, and imported after 31 December 2004 in accordance with Article 2(2) of Directive 2003/43/EC, dispatched from a semen collection centre where the semen was collected;

(iii) Model 3 as set out in Section C, for semen and stocks of semen referred to in (i) and (ii), dispatched from a semen storage centre;

(d) it complies with the requirements set out in the animal health certificates referred to in point (c).

2. Where specific animal health and certification conditions are laid down in bilateral agreements between the Union and third countries, those conditions shall apply instead of the conditions in paragraph 1.

Article 3

Conditions concerning the transport of semen to the Union

1. The semen and stocks of semen referred to in Article 2 shall not be transported in the same container as other consignments of semen that:

(a) are not intended for introduction into the Union; or

(b) are of a lower health status.

2. During transport to the Union, semen and stocks of semen shall be placed in closed and sealed containers and the seal shall not be broken during transport.

Article 4

Repeal

Decision 2004/639/EC is repealed.

Article 5

Transitional provision

For a transitional period until 30 April 2012, Member States shall authorise imports of semen and stocks of semen from third countries which are accompanied by an animal health certificate issued not later than 31 March 2012 in accordance with the models set out in Annex II to Decision 2004/639/EC.

Article 6

Applicability

This Decision shall apply from 1 November 2011.

Article 7

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 20 September 2011.

For the Commission

John DALLI

Member of the Commission

ANNEX I

List of third countries or parts thereof from which Member States shall authorise imports of semen of domestic animals of the bovine species

ISO Code	Name of the third country	Remarks	
		Description of the territory (if appropriate)	Additional guarantees
AU	Australia		The additional guarantees concerning testing set out in points II.5.4.1 and II.5.4.2 of the certificate in Section A of Part 1 of Annex II are compulsory.
CA	Canada (*)	Territory as described in Part 1 of Annex I to Regulation (EU) No 206/2010.	
CH	Switzerland (**)		
CL	Chile		
GL	Greenland		
HR	Croatia		
IS	Iceland		
NZ	New Zealand		
PM	Saint Pierre and Miquelon		
US	United States		The additional guarantee set out in point II.5.4.1 of the certificate in Section A of Part 1 of Annex II is compulsory.

(*) The certificate to be used for imports from Canada is set out in Commission Decision 2005/290/EC of 4 April 2005 on simplified certificates for the importation of bovine semen and fresh pig meat from Canada and amending Decision 2004/639/EC (only for the semen collected in Canada) laid down in accordance with the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products, as approved by Council Decision 1999/201/EC.

(**) The certificates to be used for imports from Switzerland are set out in Annex D to Directive 88/407/EEC, with the adaptations set out in point 4 of Chapter VII(B) of Appendix 2 of Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products as approved by Decision 2002/309/EC, Euratom of the Council, and of the Commission as regards the Agreement on Scientific and Technological Cooperation of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation.

ANNEX II

PART 1

Model animal health certificates for imports and transits of semen and of stocks of semen of domestic animals of the bovine species

SECTION A

Model 1 — Animal health certificate applicable to imports and transits of semen of domestic animals of the bovine species collected, processed and stored in accordance with Council Directive 88/407/EEC, as amended by Directive 2003/43/EC, dispatched from a semen collection centre where the semen was collected

COUNTRY: **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel.	I.2. Certificate reference No / I.2.a. I.3. Central competent authority I.4. Local competent authority
I.5. Consignee Name Address Postal code Tel.	I.6. Person responsible for the load in EU Name Address Postal code Tel.
I.7. Country of origin / ISO code / I.8. Region of origin / Code	I.9. Country of destination / ISO code / I.10. Region of destination / Code
I.11. Place of origin Name / Approval number Address Name / Approval number Address Name / Approval number Address	I.12. Place of destination Name Address Postal code
I.13. Place of loading	I.14. Date of departure
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentary references	I.16. Entry BIP in EU I.17.
I.18. Description of commodity	I.19. Commodity code (HS code) **05 11 10** I.20. Quantity
I.21.	I.22. Number of packages
I.23. Seal/Container No	I.24.
I.25. Commodities certified for: Artificial reproduction ☐	
I.26. For transit through EU to third country ☐ Third country / ISO code	I.27. For import or admission into EU ☐

I.28. Identification of the commodities

Species (Scientific name)	Breed	Donor identity	Date of collection	Approval number of the centre	Quantity

COUNTRY **Bovine semen — Section A**

Part II: Certification

II. Health information	II.a. Certificate reference No	II.b.

I, the undersigned official veterinarian, hereby certify that:

II.1 .....

(name of exporting country) (2)

was free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and until its date of dispatch and no vaccination against these diseases has taken place during the same period.

II.2. The centre (3) described in Box I.11 at which the semen to be exported was collected:

II.2.1. meets the conditions laid down in Chapter I(1) of Annex A to Directive 88/407/EEC;

II.2.2. is operated and supervised in accordance with the conditions laid down in Chapter II(1) of Annex A to Directive 88/407/EEC.

II.3. The centre at which the semen to be exported was collected was free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during 30 days prior to the date of collection of the semen to be exported and the 30 days after collection (in the case of fresh semen until the day of dispatch).

II.4. The bovine animals standing at the semen collection centre:

II.4.1. come from herds which satisfy the conditions of paragraph 1(b) of Chapter I of Annex B to Directive 88/407/EEC;

II.4.2. come from herds or were born to dams which comply with the conditions of Chapter I(1)(c) of Annex B to Directive 88/407/EEC, or were tested at the age of at least 24 months in accordance with Chapter II(1)(c) of Annex B to that Directive;

II.4.3. underwent the tests required in accordance with paragraph 1(d) of Chapter I of Annex B to Directive 88/407/EEC in the 28 days preceding the quarantine isolation period;

II.4.4. have satisfied the quarantine isolation period and testing requirements laid down in paragraph 1(e) of Chapter I of Annex B to Directive 88/407/EEC;

II.4.5 have undergone, at least once a year, the routine tests referred to in Chapter II of Annex B to Directive 88/407/EEC.

II.5 The semen to be exported was obtained from donor bulls which:

II.5.1. satisfy the conditions laid down in Annex C to Directive 88/407/EEC;

II.5.2. have remained

(1) either [in the exporting country for at least the last 6 months prior to collection of the semen to be exported;]

(1) or [in the exporting country for at least 30 days prior to the collection of the semen since entry and they were imported from ..... (2) during the period of less than 6 months prior to the collection of the semen and satisfied the animal health conditions applying to donors of the semen which is intended for export to the European Union;]

II.5.3. fulfil the import conditions for bovine semen laid down in the bluetongue chapter of the Terrestrial Animal Health Code of the OIE, depending on the status of the country or zone of residence;

II.5.4. were resident in the exporting country,

(1) either [II.5.4.1. which according to official findings is free from epizootic haemorrhagic disease (EHD);]

(1)(5) or [II.5.4.1. in which according to official findings the following serotypes of epizootic haemorrhagic disease (EHD) exist: ..... and were subjected with negative results in each case to:

(1) either [on two occasions not more than 12 months apart in a serological test (4) carried out in an approved laboratory on samples of blood taken prior to and not less than 21 days following collection for this consignment of semen;]]

(1) or [a serological test (4) for the detection of antibody to the EHDV group, carried out on samples taken at intervals of not more than 60 days throughout the collection period and between 21 and 60 days after the final collection for this consignment of semen;]]

COUNTRY **Bovine semen — Section A**

(1) or [an agent identification test (4) carried out in approved laboratories on blood samples collected at commencement and conclusion of, and at least every 7 days (virus isolation test) or at least every 28 days (PCR test) during collection for this consignment of semen;]]

(1) (6) either [II.5.4.2. which according to official findings is free from Akabane disease and Aino disease;]

(1) or [II.5.4.2. and were tested negative on two occasions not more than 12 months apart to a serum neutralisation test for Akabane virus and Aino virus carried out in approved laboratory on samples of blood taken prior to and not less than 21 days following collection of the semen;]

II.6. The semen to be exported was collected after the date on which the centre was approved by the competent national authorities of the exporting country;

II.7. The semen to be exported was processed, stored and transported under conditions which satisfy the terms of Directive 88/407/EEC.

Notes

Part I:

Box I.6: person responsible for the load in EU: this box is to be filled in only if it is a certificate for transit commodity.

Box I.11: place of origin shall correspond to the semen collection centre listed in accordance with Article 9(2) of Directive 88/407/EEC on the Commission website:
http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm and where the semen was collected.

Box I.22: number of packages shall correspond to the number of containers.

Box I.23: identification of container and seal number shall be indicated.

Box I.26: fill in according to whether it is a transit or an import certificate.

Box I.27: fill in according to whether it is a transit or an import certificate.

Box I.28: *donor identity* shall correspond to the official identification of the animal;

date of collection shall be indicated in the following format: dd/mm/yyyy;

approval number of the centre shall correspond to the approval number of the semen collection centre indicated in Box I.11 where the semen was collected.

Part II:

(1) Delete as necessary.

(2) Only third countries listed in Annex I to Commission Decision 2011/630/EU.

(3) Only semen collection centres listed in accordance with Article 9(2) of Directive 88/407/EEC on the Commission website:
http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm

(4) Standards for EHD virus diagnostic tests are described in the bluetongue chapter of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals.

(5) Compulsory for Australia, Canada and the United States.

(6) Compulsory for Australia.

Official veterinarian (*)

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

(*) The signature and the stamp must be in a different colour to that of the printing.

SECTION B

Model 2 — Animal health certificate applicable from 1 January 2005 to imports and transits of stocks of semen of domestic animals of the bovine species collected, processed and stored before 31 December 2004 in conformity with Council Directive 88/407/EEC applying until 1 July 2004, and imported after 31 December 2004 in accordance with Article 2(2) of Directive 2003/43/EC, dispatched from a semen collection centre where the semen was collected

COUNTRY: **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel.	I.2. Certificate reference No	I.2.a.
	I.3. Central competent authority	
	I.4. Local competent authority	
I.5. Consignee Name Address Postal code Tel.	I.6. Person responsible for the load in EU Name Address Postal code Tel.	
I.7. Country of origin / ISO code / I.8. Region of origin / Code	I.9. Country of destination / ISO code / I.10. Region of destination / Code	
I.11. Place of origin Name / Approval number Address Name / Approval number Address Name / Approval number Address	I.12. Place of destination Name Address Postal code	
I.13. Place of loading	I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentary references	I.16. Entry BIP in EU	
	I.17.	
I.18. Description of commodity	I.19. Commodity code (HS code) **05 11 10**	
	I.20. Quantity	
I.21.	I.22. Number of packages	
I.23. Seal/Container No	I.24.	
I.25. Commodities certified for: Artificial reproduction ☐		
I.26. For transit through EU to third country ☐ Third country / ISO code	I.27. For import or admission into EU ☐	

I.28. Identification of the commodities

Species (Scientific name)	Breed	Donor identity	Date of collection	Approval number of the centre	Quantity

COUNTRY **Bovine semen — Section B**

Part II: Certification

II. Health information	II.a. Certificate reference No	II.b.

I, the undersigned official veterinarian, hereby certify that:

II.1. .....

(name of exporting country) ([2])

has been free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and until its date of dispatch and no vaccination against these diseases has taken place during the same period.

II.2. The semen described above was collected before 31 December 2004 at the semen collection centre which:

II.2.1. meets the conditions laid down in Chapter I of Annex A to Directive 88/407/EEC;

II.2.2. is operated and supervised in accordance with the conditions laid down in Chapter II of Annex A to Directive 88/407/EEC.

II.3. The centre at which the semen to be exported was collected was free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during the period commencing 30 days prior to the date of collection of the semen to be exported and the 30 days after collection.

II.4. At the time semen described above was collected, all bovine animals standing at the semen collection centre:

II.4.1. came from herds and/or were born to dams which satisfy the conditions of paragraph 1(b) and (c) of Chapter I of Annex B to Directive 88/407/EEC;

II.4.2. had tested negative, within the 30 days preceding the quarantine isolation period, to:

— the tests referred to in points 1(d)(i), (ii) and (iii) of Chapter I of Annex B to Directive 88/407/EEC, and

— a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, and

— a virus isolation test (fluorescent antibody test or immunoperoxidase test) for bovine viral diarrhoea, deferred until the animal reached the age of 6 months in the case of younger animals;

II.4.3. had undergone the 30-day quarantine isolation period and had tested negative to the following health tests:

— a serological test for brucellosis carried out in accordance with the procedure described in Annex C to Directive 64/432/EEC,

— either an immunofluorescent antibody test or a culture test for *Campylobacter fetus* infection on a sample of preputial material or artificial vagina washings, or, in the case of a female animal, a vaginal mucus agglutination test,

— a microscopic examination and culture test for *Trichomonas foetus* on a sample of preputial material or artificial vagina washings, or in the case of a female animal a vaginal mucus agglutination test;

II.4.4. had tested negative, at least once a year, to the routine tests referred to in points 1(a), (b) and (c) of Chapter II of Annex B to Directive 88/407/EEC.

II.5. At the time the semen described above was collected,

II.5.1. all female bovine animals in the centre had tested negative at least once a year to a vaginal mucus agglutination test for *Campylobacter fetus* infection, and

II.5.2. all bulls used for semen production had tested negative either to an immunofluorescent antibody test or to a culture test for *Campylobacter fetus* infection on a sample of preputial material or artificial vagina washings carried out in 12 months prior to collection.

II.6. The semen to be exported was obtained from donor bulls which

II.6.1. satisfy the conditions laid down in Annex C to Directive 88/407/EEC;

([1]) either [II.6.2. were resident in the exporting country during the 6 months immediately prior to collection of the semen for export;]

([1]) or [II.6.2. were imported from ..... ([2]) after spending less than 6 months in the exporting country and at the time of import satisfied the animal health conditions applying to donors of the semen which is intended for export to the European Union;]

COUNTRY **Bovine semen — Section B**

II.6.3. stand in a semen collection centre at which:

([1]) either [all bovine animals were not vaccinated against infectious bovine rhinotracheitis and tested negative at least once a year to a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis;]

([1]) or [bovine animals not vaccinated against infectious bovine rhinotracheitis tested negative, at least once a year, to a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, at which testing for infectious bovine rhinotracheitis was not carried out on bulls which had received their first vaccination against infectious bovine rhinotracheitis at the insemination centre after they had tested negative to a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis and which had been regularly re-vaccinated at intervals of not more than 6 months since the first vaccination;]

([1]) either [II.6.4. have not been vaccinated against infectious bovine rhinotracheitis,]

([1]) or [II.6.4. have been vaccinated against infectious bovine rhinotracheitis in accordance with point II.6.3,]

II.6.5. fulfil the import conditions for bovine semen laid down in the bluetongue chapter of the Terrestrial Animal Health Code of the OIE, depending on the status of the country or zone of residence; ****

II.6.6. were resident in the country of export in which the following serotypes of epizootic haemorrhagic disease (EHD) exist: .....: and tested negative on two occasions not more than 12 months apart to an agar gel immunodiffusion test ([3]) and to a virus neutralisation test for all above-listed serotypes of EHD, carried out in approved laboratory on samples of blood taken prior to and not less than 21 days following collection of the semen; ***

II.6.7. were resident in the country of export in which the following serotypes of epizootic haemorrhagic disease (EHD) exist: .....: and tested negative, prior to entry and at 6-monthly intervals, to an agar gel immunodiffusion test ([3]) and a virus neutralisation test for all above-listed serotypes of EHD, carried out in approved laboratory; **

II.6.8. tested negative on two occasions not more than 12 months apart to a serum neutralisation test for Akabane virus carried out in approved laboratory on samples of blood taken prior to and not less than 21 days following collection of the semen. *

II.7. The semen to be exported was collected after the date on which the centre was approved by the competent national authorities of the exporting country.

II.8. The semen to be exported was processed, stored and transported under conditions which satisfy the terms of Directive 88/407/EEC prior to its amendment by Directive 2003/43/EC.

Notes

Part I:

Box I.6: person responsible for the load in EU: this box is to be filled in only if it is a certificate for transit commodity.

Box I.11: place of origin shall correspond to the semen collection centre where the semen was collected.

Box I.12: place of destination: this box is to be filled in only if it is a certificate for transit commodity.

Box I.22: number of packages shall correspond to the number of containers.

Box I.23: identification of container and seal number shall be indicated.

Box I.26: fill in according to whether it is a transit or an import certificate.

Box I.27: fill in according to whether it is a transit or an import certificate.

Box I.28: *donor identity* shall correspond to the official identification of the animal;

date of collection shall be prior to 31 December 2004 and indicated in the following format: dd/mm/yyyy;

approval number of the centre shall correspond to the approval number of the approved semen collection centre where the semen was collected.

COUNTRY **Bovine semen — Section B**

Part II:

([1]) Delete as necessary.

([2]) Only third countries listed in Annex I to Commission Decision 2011/630/EU

([3]) Standards for EHD virus diagnostic tests are described in the bluetongue chapter of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals.

**** To be used only by Australia, Canada and the USA.

*** To be used only by Australia and the USA.

** To be used only by Canada.

* To be used only by Australia.

Official veterinarian (*)

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

(*) The signature and the stamp must be in a different colour to that of the printing.

SECTION C

Model 3 — Animal health certificate for imports and transits of semen of domestic animals of the bovine species collected, processed and stored in accordance with Council Directive 88/407/EEC, as amended by Directive 2003/43/EC, and of stocks of semen of domestic animals of the bovine species collected, processed and stored before 31 December 2004 in conformity with Directive 88/407/EEC, applying until 1 July 2004, and imported after 31 December 2004 in accordance with Article 2(2) of Directive 2003/43/EC, dispatched from a semen storage centre

COUNTRY: **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel.	I.2. Certificate reference No	I.2.a.
	I.3. Central competent authority	
	I.4. Local competent authority	
I.5. Consignee Name Address Postal code Tel.	I.6. Person responsible for the load in EU Name Address Postal code Tel.	
I.7. Country of origin / ISO code / I.8. Region of origin / Code	I.9. Country of destination / ISO code / I.10. Region of destination / Code	
I.11. Place of origin Name / Approval number Address Name / Approval number Address Name / Approval number Address	I.12. Place of destination Name Address Postal code	
I.13. Place of loading	I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentary references	I.16. Entry BIP in EU	
	I.17. No(s) of related original certificates	
I.18. Description of commodity	I.19. Commodity code (HS code) **05 11 10**	
	I.20. Quantity	
I.21.	I.22. Number of packages	
I.23. Seal/Container No	I.24.	
I.25. Commodities certified for: Artificial reproduction ☐		
I.26. For transit through EU to third country ☐ Third country / ISO code	I.27. For import or admission into EU ☐	

I.28. Identification of the commodities

Species (Scientific name)	Breed	Donor identity	Date of collection	Approval number of the centre	Quantity

COUNTRY **Bovine semen — Section C**

Parte II: Certificación

II. Health information	II.a. Certificate reference No	II.b.

I, the undersigned official veterinarian of ..... hereby certify that:
(name of exporting country) (2)

II.1. The centre (3) described in Box I.11 at which the semen to be exported to the European Union was stored:

II.1.1. meets the conditions laid down in Chapter I(2) of Annex A to Directive 88/407/EEC;

II.1.2. is operated and supervised in accordance with the conditions laid down in Chapter II(2) of Annex A to Directive 88/407/EEC.

II.2. The semen to be exported to the European Union:

II.2.1. has been collected, processed and stored for a minimum period of 30 days immediately following collection in an approved semen collection centre (4) operated and supervised in accordance with Chapter I(1) and Chapter II(1) of Annex A to Directive 88/407/EEC, and

(1) either [located in the exporting country;]

(1) and/or [located in ..... (2), and has been imported to the exporting country under conditions at least as strict as for imports of semen of bovine species into the Union in accordance with Directive 88/407/EEC,]

II.2.2. was moved to the centre described in Box I.11 under conditions at least as strict as described in:

(1) either [Model 1 in Section A of Part 1 of Annex II to Commission Decision 2011/630/EU (5);]

(1) and/or [Model 2 in Section B of Part 1 of Annex II to Commission Decision 2011/630/EU (5);]

(1) and/or [Part 1 of Annex II to Decision 2004/639/EC (5);]

(1) and/or [Part 2 of Annex II to Decision 2004/639/EC (5);]

(1) and/or [Part 3 of Annex II to Decision 2004/639/EC (5);]

II.2.3. was stored under conditions which satisfy the terms of Directive 88/407/EEC;

II.2.4. was sent to the place of loading in a sealed container under conditions which comply with Directive 88/407/EEC and bearing the number detailed in Box I.23.

Notes

Part I:

Box I.6: person responsible for the load in EU: this box is to be filled in only if it is a certificate for transit commodity.

Box I.11: place of origin shall correspond to the semen storage centre of dispatch of the semen.

Box I.12: place of destination: this box is to be filled in only if it is a certificate for transit commodity.

Box I.17: Number(s) of related original certificate(s) shall correspond to the serial number of the individual official document(s) or health certificate(s) that accompanied the semen described above from the approved semen collection centre of its origin to the centre described in Box I.11. The original(s) of those document(s) or those certificate(s) or the officially endorsed copies thereof must be attached to this certificate.

Box I.22: number of packages shall correspond to the number of containers.

Box I.23: identification of container and seal number shall be indicated.

Box I.26: fill in according to whether it is a transit or an import certificate.

Box I.27: fill in according to whether it is a transit or an import certificate.

Box I.28: *donor identity* shall correspond to the official identification of the animal;

date of collection shall be indicated in the following format: dd/mm/yyyy;

approval number of the centre shall correspond to the approval number of the semen collection centre where the semen was collected.

COUNTRY **Bovine semen — Section C**

Part II:

([1]) Delete as necessary.

([2]) Only third countries listed in Annex I to Decision 2011/630/EU.

([3]) Only semen storage centres listed in accordance with Article 9(2) of Directive 88/407/EEC on the Commission website:

http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm

([4]) Only semen collection centres listed in accordance with Articles 5(2) and 9(2) of Directive 88/407/EEC on the Commission websites:

http://ec.europa.eu/food/animal/approved_establishments/establishments_vet_field_en.htm;

http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm

([5]) Only third countries listed in Annex I to Decision 2011/630/EU and the EU Member States.

([6]) The original(s) of the document(s) or the health certificate(s) or the officially endorsed copies of thereof that accompanied the semen described above from the approved semen collection centre in which the semen was collected to the approved semen storage centre of the semen dispatch described in Box I.11 must be attached to this certificate.

Official veterinarian (*)

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

(*) The signature and the stamp must be in a different colour to that of the printing.

PART 2

Explanatory notes for the certification

(a) The animal health certificates shall be issued by the competent authority of the exporting third country, in accordance with the model set out in Part 1 of Annex II.

If the Member State of destination requires additional certification requirements, attestations to certify that those requirements are fulfilled shall be also incorporated in the original form of the animal health certificate.

(b) The original of the animal health certificate shall consist of a single sheet of paper, or, where more text is required, it must be in such a form that all sheets of paper required are part of an integrated whole and indivisible.

(c) Where the model animal health certificate states that certain statements shall be kept as appropriate, statements which are not relevant, may be crossed out and initialled and stamped by the certifying officer, or completely deleted from certificate.

(d) The animal health certificate shall be drawn up in at least one of the official languages of the Member State of the border inspection post of introduction of the consignment into the European Union and of the Member State of destination. However, those Member States may authorise the certificate to be drawn up in the official language of another Member State, and accompanied, if necessary, by an official translation.

(e) If for the reasons of identification of the items of the consignment (schedule in Box I.28 of the model animal health certificates), additional sheets of paper are attached to the animal health certificate, those sheets of paper shall also be considered as forming part of the original of the animal health certificate by application of the signature and stamp of the certifying officer, on each of the pages.

(f) When the animal health certificate, including additional schedules referred to in (e), comprises more than one page, each page shall be numbered (page number) of (total number of pages), at the end of the page and shall bear the certificate reference number designated by the competent authority on the top of the pages.

(g) The original of the animal health certificate must be completed and signed by an official veterinarian the last working day prior to loading of the consignment for exportation to the European Union. The competent authorities of the exporting third country shall ensure that certification requirements equivalent to those laid down in Council Directive 96/93/EC [1] are followed.

The colour of the signature and the stamp of the official veterinarian shall be different to that of the printing on the animal health certificate. This requirement also applies to stamps other than those embossed or watermarks.

(h) The original of the animal health certificate must accompany the consignment until it reaches the border inspection post of introduction into the European Union.

(i) The certificate reference number referred to in Box I.2 and Box II.a of the model animal health certificate must be issued by the competent authority of the exporting third country.

[1] OJ L 13, 16.1.1997, p. 28.

COMMISSION IMPLEMENTING DECISION

of 21 September 2011

establishing a questionnaire to be used for reporting on the implementation of Directive 2008/1/EC of the European Parliament and of the Council concerning integrated pollution prevention and control

(notified under document C(2011) 6502)

(Text with EEA relevance)

(2011/631/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2008/1/EC of the European Parliament and of the Council of 15 January 2008 concerning integrated pollution prevention and control [1], and in particular Article 17(3) thereof,

Whereas:

(1) Under Directive 2008/1/EC, Member States are required to report on the implementation of that Directive every 3 years on the basis of a questionnaire established by the Commission.

(2) Four questionnaires were established by the Commission. The fourth one, established by Commission Decision 2010/728/EU [2], covered the years 2009, 2010 and 2011.

(3) Since the questionnaire established by Decision 2010/728/EU is to be used for reporting until 31 December 2011, a new questionnaire should be established for the next 3-year reporting period, taking into account the experience gained in the implementation of Directive 2008/1/EC and in the use of the previous questionnaires. However, given that Directive 2008/1/EC will be repealed from 7 January 2014 and replaced by Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) [3], the new questionnaire should cover only 2 years, namely 2012 and 2013. For the sake of clarity, Decision 2010/728/EU should be replaced.

(4) The measures provided for in this Decision are in accordance with the opinion of the Committee established in accordance with Article 6 of Council Directive 91/692/EEC [4].

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall use the questionnaire set out in the Annex for reporting on the implementation of Directive 2008/1/EC.

2. The reports to be submitted shall cover the period from 1 January 2012 to 31 December 2013.

Article 2

Decision 2010/728/EU is repealed from 1 January 2013.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 September 2011.

For the Commission

Janez POTOČNIK

Member of the Commission

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[1] OJ L 24, 29.1.2008, p. 8.
[2] OJ L 313, 30.11.2010, p. 13.
[3] OJ L 334, 17.12.2010, p. 17.
[4] OJ L 377, 31.12.1991, p. 48.

ANNEX

PART 1

Questionnaire on the implementation of Directive 2008/1/EC concerning integrated pollution prevention and control

General notes:

This fifth questionnaire under Directive 2008/1/EC covers the years 2012 and 2013. In view of the experience gained in the implementation of Directive 2008/1/EC and the information already obtained through the previous questionnaires, this questionnaire focuses on the changes and progress made by Member States in the implementation of Directive 2008/1/EC. As Directive 2008/1/EC will be repealed from 7 January 2014 and replaced by Directive 2010/75/EU on industrial emissions, the reporting period is limited to 2 years instead of 3 years. In order to ensure continuity and enable direct comparisons to be made with previous responses, this questionnaire maintains many aspects contained in Decision 2010/728/EU. In those cases where questions are similar to those of the previous questionnaires and the situation is unchanged, reference can simply be made to previous answers. Where there have been new developments, those developments should be described in a new answer. When answering the questionnaire on specific questions regarding general binding rules, or official guidelines issued by administrative bodies, please provide outline information on the type of rules or guidelines and web links or other means of accessing them, as appropriate.

1. **General description**

Have Member States experienced any difficulties in implementing Directive 2008/1/EC due to the limited availability or capacity of staff resources? If so, describe those difficulties as well as any plans to address them in view of the transition to Directive 2010/75/EU.

2. **Numbers of installations and permits (Article 2(3) and 2(4) and Article 4)**

2.1. Give details of the numbers of installations as defined by Directive 2008/1/EC and permits by type of activity at the end of the reporting period, using the template and notes laid down in Part 2.

2.2. Identification of IPPC installations. If available, please provide a link to publicly accessible up-to-date information containing the names, location and main activity (Annex I) of the IPPC installations in your Member State. If such information is not publicly available, please submit a list of all individual installations operating at the end of the reporting period (names, location and main IPPC activity). If such a list were not available, please provide an explanation on why this is the case.

3. **Applications for permits (Article 6)**

Describe any general binding rules, guidance documents or application forms produced to ensure that applications contain all the information required by Article 6, either generally or in relation to specific issues (e.g. methodology for the assessment of significant emissions from installations).

4. **Coordination of the permitting procedure and conditions (Articles 7 and 8)**

4.1. Describe any changes made since the last reporting period in the organisational structure of the permitting procedures, in particular concerning the levels of competent authorities and distribution of competencies.

4.2. Are there any particular difficulties in ensuring full coordination of the permitting procedure and conditions as required by Article 7, especially where more than one competent authority is involved? Describe any legislation or guidance documents produced on this issue.

4.3. What legal provisions, procedures or guidance are used to ensure that competent authorities refuse to grant a permit in cases where an installation does not comply with the requirements of Directive 2008/1/EC? If available, give information on the numbers and circumstances in which permits have been refused.

5. **Appropriateness and adequacy of permit conditions (Article 3(1)(d) and (f), Article 9, Article 17(1) and (2))**

5.1. Describe any general binding rules or specific guidelines for competent authorities that have been issued on the following issues:

1. the procedures and criteria for setting emission limit values and other permit conditions;

2. the general principles for the determination of best available techniques;

3. the implementation of Article 9(4).

5.2. Issues related to the BAT Reference Documents (BREFs) established pursuant to Article 17(2) of Directive 2008/1/EC:

1. How, in general terms, is the information published by the Commission pursuant to Article 17(2) taken into account generally or in specific cases when determining best available techniques?

2. How are the BREFs concretely used for setting permit conditions?

5.3. Other issues relating to permit conditions:

(a) Have environmental management systems been taken into account in setting permit conditions? If so, how?

(b) What types of permit conditions or other measures have typically been applied for the purposes of Article 3(1)(f) (site restoration upon definitive cessation of activities) and how have they been implemented in practice?

(c) What types of permit conditions relating to energy efficiency have typically been determined (Article 3(1)(d))?

(d) Has the possibility set in Article 9(3) to choose not to impose requirements relating to energy efficiency been used and, if so, how has this been implemented?

6. **Environmental quality standards (Article 10)**

Have cases arisen where Article 10 applies and the use of best available techniques is insufficient to satisfy an environmental quality standard (as defined in Article 2(7))? If so, give examples of such cases and the additional measures taken.

7. **Changes to installations (Article 12 and Article 2(10))**

How do competent authorities decide in practice, under Article 12, whether a 'change in operation' may have consequences for the environment (Article 2(10)), and whether such a change is a 'substantial change' that 'may have significant negative effects on human beings or the environment' (Article 2(11))? Give reference to relevant legal provisions, guidance or procedures.

8. **Reconsideration and updating of permit conditions (Article 13)**

8.1. Is the frequency of reconsideration and, where necessary, updating of permit conditions (Article 13) specified in national or sub-national law, or determined by other means, such as time limits in permits? If so, what are those other means? Give reference to relevant legislation, guidance or procedures.

8.2. What is the representative frequency for the reconsideration of permit conditions? In cases of differences between installations or sectors, provide illustrative information if available.

8.3. What does the process of reconsidering and updating permit conditions consist of? How is the provision to reconsider permit conditions in cases of substantial changes in the best available techniques implemented? Give reference to relevant legislation, guidance or procedures.

9. **Compliance with permit conditions (Article 14)**

9.1. How is the requirement of Article 14 that operators regularly inform authorities of the results of release monitoring implemented in practice? Give reference to any specific regulations, procedures or guidelines for competent authorities on this subject.

9.2. Is a periodic monitoring report submitted by all operators? Provide information on the representative frequency for the submission of such information. In cases of differences between sectors, provide illustrative information where available.

9.3. If not already submitted in the reporting under Recommendation 2001/331/EC of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States [1], please provide the available information as regards installations falling under the scope of Directive 2008/1/EC, on the following issues:

1. the main features of an environmental inspection performed by Competent Authorities;

2. the total number of site visits by competent authorities during the reporting period;

[1] OJ L 118, 27.4.2001, p. 41.

3. the total number of installations where such site visits took place during the reporting period;

4. the total number of site visits during which emission measurements and/or sampling of waste by or on behalf of the competent authorities took place during the reporting period;

5. the types of actions (sanctions or other measures) taken as a result of accidents, incidents and non-compliance with permit conditions during the reporting period.

10. **Transboundary cooperation (Article 18)**

In the reporting period, have there been instances of the use of Article 18 requirements in respect of transboundary information and cooperation? Provide examples illustrative of the general procedures used.

11. **General observations**

11.1. Are there any particular implementation issues that give rise to concerns in your Member State? If so, please specify.

11.2. Is there any particular information related to the implementation of Directive 2010/75/EU in your Member State that is relevant for interpreting the information provided under this questionnaire? If so, please specify.

PART 2

Template for response to question 2.1

INSTALLATION TYPE		A. INSTALLATIONS		B. SUBSTANTIAL CHANGES	C. PERMIT RECONSIDERATION AND UPDATE	
Code	Main activity operated in the installation as set out in Annex I to Directive 2008/1/EC	1. Number of installations	2. Number of installations covered by a permit which is in full compliance with the Directive 2008/1/EC	3. Number of substantial changes undertaken during the reporting period without a permit issued in accordance with Article 12(2) of Directive 2008/1/EC	4. Number of installations for which the IPPC permit has been reconsidered during the reporting period in accordance with Article 13 of Directive 2008/1/EC	5. Number of installations for which the IPPC permit has been updated during the reporting period in accordance with Article 13 of Directive 2008/1/EC
1.	**Energy**					
1.1.	Combustion					
1.2.	Mineral oil and gas refining					
1.3.	Coke ovens					
1.4.	Coal gasification and liquefaction					
2.	**Metals**					
2.1.	Metal ore roasting/sintering					
2.2.	Producing pig iron or steel					
2.3(a)	Hot-rolling mills					
2.3(b)	Smitheries					
2.3(c)	Applying fused metal coats					
2.4.	Foundries					
2.5(a)	Producing non-ferrous crude metals					
2.5(b)	Smelting non-ferrous metals					
2.6.	Surface treatment of metals and plastic					

Code	Main activity operated in the installation as set out in Annex I to Directive 2008/1/EC	1. Number of installations	2. Number of installations covered by a permit which is in full compliance with the Directive 2008/1/EC	3. Number of substantial changes undertaken during the reporting period without a permit issued in accordance with Article 12(2) of Directive 2008/1/EC	4. Number of installations for which the IPPC permit has been reconsidered during the reporting period in accordance with Article 13 of Directive 2008/1/EC	5. Number of installations for which the IPPC permit has been updated during the reporting period in accordance with Article 13 of Directive 2008/1/EC
3.	**Minerals**					
3.1.	Producing cement or lime					
3.2.	Producing asbestos					
3.3.	Manufacture of glass					
3.4.	Melting minerals					
3.5.	Manufacture of ceramics					
4.	**Chemicals**					
4.1.	Producing organic chemicals					
4.2.	Producing inorganic chemicals					
4.3.	Producing fertilisers					
4.4.	Producing plant health products/biocides					
4.5.	Producing pharmaceuticals					
4.6.	Producing explosives					
5.	**Waste**					
5.1.	Disposal or recovery of hazardous waste					
5.2.	Incineration of municipal waste					
5.3.	Disposal of non-hazardous waste					
5.4.	Landfills					
6.	**Other**					
6.1(a)	Producing pulp					
6.1(b)	Producing paper and board					
6.2.	Pretreatment or dyeing of fibres or textiles					
6.3.	Tanning hides and skins					
6.4(a)	Slaughterhouses					

Code	Main activity operated in the installation as set out in Annex I to Directive 2008/1/EC	1. Number of installations	2. Number of installations covered by a permit which is in full compliance with the Directive 2008/1/EC	3. Number of substantial changes undertaken during the reporting period without a permit issued in accordance with Article 12(2) of Directive 2008/1/EC	4. Number of installations for which the IPPC permit has been reconsidered during the reporting period in accordance with Article 13 of Directive 2008/1/EC	5. Number of installations for which the IPPC permit has been updated during the reporting period in accordance with Article 13 of Directive 2008/1/EC
6.4(b)	Treatment and processing of food products					
6.4(c)	Treatment and processing of milk					
6.5.	Disposal or recycling of animal carcasses					
6.6(a)	Intensive rearing of poultry					
6.6(b)	Intensive rearing of production pigs					
6.6(c)	Intensive rearing of sows					
6.7.	Surface treatment using organic solvents					
6.8.	Producing carbon or electrographite					
6.9.	Capture of CO_2 streams (Directive 2009/31/EC of the European Parliament and of the Council [1])					
Totals						

[1] OJ L 140, 5.6.2009, p. 114.

Explanatory notes to the template:

The collection of data in this template will be based on the 'number of installations' and the 'number of substantial changes' using the definitions of 'installation' in Article 2(3) and 'substantial change' in Article 2(11) of Directive 2008/1/EC.

The 'installation type' refers to the main activity operated in the installation. Installations should only be reported under one single activity, also where several IPPC activities are being operated within the installation.

Further guidance and explanation in relation to the data to be provided in the Table are given in the notes below. Member States are requested to complete the Table as far as possible.

A. 'NUMBER OF INSTALLATIONS' at the end of the reporting period (31 December 2013).

1. Number of installations: total number of IPPC installations (both existing and new) operating in the Member States at the end of the reporting period regardless of the status of their permits.

2. Number of installations covered by a permit which is in full compliance with Directive 2008/1/EC: total number of IPPC installations covered by one or more permits granted in accordance with Directive 2008/1/EC (including pre-IPPC permits which have been reconsidered/updated) regardless of when the permit(s) had been issued or whether the permit has been reconsidered, updated, or amended/renewed due to any reason.

For counting the number of installations to be reported, Member States shall consider the status of the permit(s) covering each installation at the end of the reporting period. Please note that the numbers refer to installations, not permits (since one installation may be covered by several permits and vice versa).

Consistency rule: the total number of IPPC installations (1) minus the total number of installations covered by a permit which is in full compliance with Directive 2008/1/EC (2) shall be equal to the number of installations which are not covered by a fully compliant IPPC permit for any reason (procedure not concluded, not full coverage of all activities, etc.). Where this figure is different from zero, this indicates a potential breach of Directive 2008/1/EC.

B. 'SUBSTANTIAL CHANGES' during the reporting period (1 January 2012-31 December 2013).

3. Number of substantial changes undertaken during the reporting period without a permit issued in accordance with Article 12(2) of Directive 2008/1/EC: number of substantial changes known to the competent authorities which were effectively implemented by the operators without a permit as required under Article 12(2).

Where this figure is different from zero, this indicates a potential breach of the IPPC provisions.

C. 'PERMIT RECONSIDERATION AND UPDATE' during the reporting period (1 January 2012-31 December 2013).

4. Number of installations for which the IPPC permit has been reconsidered during the reporting period in accordance with Article 13 of Directive 2008/1/EC: total number of installations covered by one or more permits which have been reconsidered in accordance with Article 13.

5. Number of installations for which the IPPC permit has been updated during the reporting period in accordance with Article 13 of Directive 2008/1/EC: total number of installations covered by one or more permits which have been updated in accordance with Article 13.

COMMISSION IMPLEMENTING DECISION

of 21 September 2011

establishing a questionnaire to be used for reporting on the implementation of Directive 2000/76/EC of the European Parliament and of the Council on the incineration of waste

(notified under document C(2011) 6504)

(Text with EEA relevance)

(2011/632/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste [1], and in particular Article 15 thereof,

Whereas:

(1) Under Directive 2000/76/EC, Member States are required to report on the implementation of that Directive every 3 years on the basis of a questionnaire established by the Commission.

(2) Two questionnaires were established by the Commission. The second one, established by Commission Decision 2010/731/EU [2], covered the years 2009, 2010 and 2011.

(3) Since the questionnaire established by Decision 2010/731/EU is to be used for reporting until 31 December 2011, a new questionnaire should be established for the next three-year reporting period, taking into account the experience gained in the implementation of Directive 2000/76/EC and in the use of the previous questionnaires. However, given that Directive 2000/76/EC will be repealed from 7 January 2014 and will be replaced by Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) [3], the new questionnaire should cover only 2 years, namely 2012 and 2013. For the sake of clarity, Decision 2010/731/EU should be replaced.

(4) The measures provided for in this Decision are in accordance with the opinion of the Committee established in accordance with Article 6 of Council Directive 91/692/EEC [4].

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall use the questionnaire set out in the Annex for reporting on the implementation of Directive 2000/76/EC.

2. The reports to be submitted shall cover the period from 1 January 2012 to 31 December 2013.

Article 2

Decision 2010/731/EU is repealed from 1 January 2013.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 September 2011.

For the Commission
Janez POTOČNIK
Member of the Commission

[1] OJ L 332, 28.12.2000, p. 91.
[2] OJ L 315, 1.12.2010, p. 38.
[3] OJ L 334, 17.12.2010, p. 17.
[4] OJ L 377, 31.12.1991, p. 48.

ANNEX

Questionnaire on the implementation of Directive 2000/76/EC on the incineration of waste

General notes:

This third questionnaire under Directive 2000/76/EC covers the years 2012 and 2013. In view of the experience gained in the implementation of the Directive and the information already obtained through the previous questionnaires, this questionnaire focuses on the changes and progress made by Member States in the actual implementation of the Directive. As Directive 2000/76/EC will be repealed from 7 January 2014 and will be replaced by Directive 2010/75/EU on industrial emissions (IED), the reporting period is limited to 2 years instead of 3 years.

In order to ensure continuity and enable direct comparisons to be made to previous responses, this questionnaire does not change the general approach contained in Decision 2010/731/EU. In those cases where questions are similar to those of the previous questionnaire, reference can simply be made to the previous answers where the situation is unchanged. If there have been new developments, these should be described in a new answer.

1. Number of plants and permits

1.1. Please give the following information on the number of plants (broken down between incineration and co-incineration plants) that fall within the scope of Directive 2000/76/EC, as well as on their permits and permitted capacities:

(a) number of plants;

(b) number of permits issued in accordance with Article 4(1);

(c) number of plants that recover heat generated by the incineration process;

(d) total permitted capacities of waste throughput (tonnes/year) (optional).

1.2. Please provide a list of all plants falling within the scope of Directive 2000/76/EC, indicating the following information for each of those plants with a capacity of more than 2 tonnes per hour:

(a) whether it is an incineration or co-incineration plant and, for the latter, the type of plant (cement kiln, combustion plant, other industrial facilities not covered by Annex II.1 or II.2 to Directive 2000/76/EC);

(b) for municipal solid waste incineration plants that carry out recovery operations falling in Annex II, R1 to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives [1]: the energy efficiency of the plant, calculated using the formula provided in the footnote to Annex II, R1 to Directive 2008/98/EC.

2. Please describe any problems with the definitions in Article 3 identified when implementing the Directive 2000/76/EC. Provide specific information for each definition for which problems are identified.

3. Have any mobile plants received permits under Directive 2000/76/EC?

4. Please indicate the categories of waste that have been co-incinerated, broken down by the type of co-incineration plant (cement kilns, combustion plants, other industrial facilities not covered by Annex II.1 or II.2).

Please indicate the European Waste Catalogue codes (optional).

Please identify the permitted capacity granted for co-incineration in these plants (optional).

5. How many co-incineration plants are subject to the emission limits for incineration plants as set out in Annex V to Directive 2000/76/EC (i.e. because co-incineration of untreated municipal waste is undertaken or more than 40 % of the heat release results from the combustion of hazardous waste)?

[1] OJ L 312, 22.11.2008, p. 3.

6. What provisions are made within the permitting process for:

   (a) identifying the quantities and categories of hazardous waste that may be treated;

   (b) the minimum and maximum flows of hazardous wastes to be treated;

   (c) the range of calorific values of hazardous wastes permitted;

   (d) the restrictions on the content of pollutants, e.g. PCB, PCP, chlorine, fluorine, sulphur, heavy metals?

7. What wastes have been considered to be 'inappropriate' for representative sampling?

8. With regard to conditions for the furnace gas residence times and temperatures as provided for in Article 6(1) and (2) of Directive 2000/76/EC, have any authorisations to differ from those operating conditions been granted in accordance with Article 6(4)? If the answer is 'yes', please indicate:

   (a) how many authorisations have been granted;

   (b) where these data are available, please describe the reasoning for granting the derogation(s) for a number of representative cases as well as the following information:

      (i) identification of the capacity of the plant;

      (ii) whether it concerns an existing plant as defined in Article 3(6) or a new plant;

      (iii) the type of waste incinerated;

      (iv) how it is ensured that no more residues are produced compared to a non-exempted plant, and that the content of organic pollutants in those residues is no more than expected from a non-exempted plant;

      (v) the operating conditions laid down in the permit;

      (vi) the emission limit values to be met by the plant.

9. For cement kilns co-incinerating waste, have any exemptions from the emission limits for NO_x, dust, SO_2 or TOC been granted in accordance with Annex II.1? If the answer is 'yes', please indicate the following:

   (a) how many exemptions have been granted;

   (b) where these data are available, please describe the reasoning for granting the derogation(s) for a number of representative cases as well as the following information:

      (i) the capacity of the plant;

      (ii) whether it concerns an existing or a new plant (taking into account Article 20(3) of Directive 2000/76/EC);

      (iii) the type of waste co-incinerated;

      (iv) the emission limits values to be met by the plant;

      (v) the other operating conditions laid down in the permit.

10. For releases to air from incineration and co-incineration plants, have emission limit values different to those given in Annex II or Annex V, as appropriate, been set? If the answer is 'yes' and where these data are available, please identify:

   (a) the plants to which they apply, i.e. incineration or co-incineration plants, and for the latter indicating the type of plant;

   (b) which of these plants are 'new' or 'existing';

   (c) the pollutants to which the limit values apply and the limit values set;

(d) why these limit values are applied;

(e) the emission monitoring regime for these pollutants (continuously or discontinuously, and for the latter indicating the frequency).

11. For the pollutants listed in Annex IV to Directive 2000/76/EC, how are emission limit values for discharges of waste water from flue gas cleaning equipment to the aquatic environment determined? Please indicate those cases where emission limit values for those polluting substances differ from the ones in Annex IV.

12. If emission limit values have been set for additional pollutants discharged to water, in comparison to the pollutants specified in Annex IV:

(a) to which plants do they apply (i.e. incineration or co-incineration, 'new' or 'existing');

(b) to which pollutants do they apply and what are the limit values set;

(c) why are these limit values applied?

13. What operational control parameters (pH, temperature, flow rate, etc.) are set within the permitting process for waste water discharges?

14. What provisions have been made to ensure protection of soil, surface waters or groundwater in accordance with Article 8(7)?

15. What criteria are used to ensure that storage capacity is adequate for waters to be tested and treated before discharge where necessary?

16. What provisions in general have been made to minimise the quantities and harmfulness of residues resulting from incineration or co-incineration plants?

17. Are the requirements of the permit for the measurement of pollutants to air and process operation parameters identical to those set out in Article 11(2)? If not, please provide information detailing the following:

(a) reason for deviating from Article 11(2), referring to the derogation possibilities mentioned in Article 11(4) to (7);

(b) the pollutant or parameter concerned and the measurement requirement imposed.

18. Are the requirements of the permit for the measurement of pollutants to water identical to those set out in Article 11(14) to (15)? If not, please provide information detailing the following:

(a) reason for deviating from Article 11(14) and (15);

(b) the pollutant or parameter concerned and the measurement requirement imposed.

19. What provisions are made within the permitting process to ensure compliance with the following provisions as regards air emissions:

(a) Article 11(8);

(b) Article 11(9);

(c) Article 11(11);

(d) Article 11(12);

(e) the compliance regime set out in Article 11(10).

20. What provisions are made within the permitting process to ensure compliance with the following provisions as regards water emissions:

(a) Article 11(9);

(b) the compliance regime set out in Article 11(16).

21. Please describe any official guidance that has been developed on producing validated daily average emission data (Article 11(11)). If available, please provide a web link.

22. What are the procedures for informing the competent authority in the event of a breach of an emission limit value?

23. What arrangements are made to ensure public participation in the permitting process (new and/or updated permits)? Please provide details, at least, on the following aspects:

    (a) by which authority the permit application is made publicly available;

    (b) period during which the public is able to comment;

    (c) by which authority the final decision is made available.

24. With regard to the availability of information throughout the permitting process:

    (a) Is there any information related to environmental aspects not publicly/partially available on the application, decision process and subsequent permit? If yes, please specify which information.

    (b) Where these data are available/partially available, please specify whether this information is available free of charge and, if not, the level of charges made, and in what circumstances these charges are applied.

25. For incineration plants and co-incineration plants with a nominal capacity of 2 tonnes or more per hour, what provisions are made to require an operator to submit an annual report on the functioning and monitoring of a plant to the competent authority?

26. If an annual report is provided:

    (a) what information does this contain;

    (b) how may the public get access to this report?

27. For incineration or co-incineration plants with a nominal capacity of less than 2 tonnes per hour, how are these plants publicly identified?

28. What provisions are made within a permit to control the period of operation of an incineration or co-incineration plant during abnormal operation (i.e. stoppages, disturbances or failure of abatement or monitoring equipment)?

29. For incineration and co-incineration processes, what are the maximum permissible periods of operation during abnormal operation before the plant must shut down:

    (a) maximum permissible period with exceedence of emission limit values;

    (b) maximum cumulative duration of periods exceeding emission limit values over 1 year.

30. Any other remarks.

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