ISSN 1977-0677

Official Journal of the European Union

L 192

English edition

Legislation

Volume 55

20 July 2012

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 660/2012

of 19 July 2012

on certain market support measures in the sector of poultrymeat in Italy

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 products (single CMO Regulation) ([1]), and in particular Article 44 in conjunction with Article 4 thereof,

Whereas:

(1) Because of an outbreak of avian influenza in certain production regions in Italy between December 1999 and April 2000, between August and October 2000 and between October 2002 and September 2003, veterinary and trade restrictions were adopted by the Italian authorities under, in particular, Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza ([2]). As a result, the transport and marketing of hatching eggs and day old chicks were temporarily restricted within Italy or within the areas directly affected by the outbreak.

(2) The restrictions on the free movement of hatching eggs and day old chicks resulting from the application of the veterinary measures threatened severe disruption of the market in hatching eggs and day old chicks in Italy.

(3) On 9 December 2004 the Commission adopted Regulation (EC) No 2102/2004 of 9 December 2004 on certain exceptional market support measures for eggs in Italy ([3]) pursuant to Article 14 of Regulation (EEC) No 2771/75 of the Council of 29 October 1975 on the common organisation of the market of eggs ([4]). The Commission did not adopt a similar Regulation pursuant to Article 14 of Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organisation of the market in poultrymeat ([5]) to provide for comparable exceptional market support measures in respect of day old chicks.

(4) On 19 April 2007 Italy instituted proceedings before the Court of First Instance of the European Communities ([6]) seeking the annulment of the decision as set out in a letter of 7 February 2007 of the Director General of the Directorate-General for Agriculture of the Commission, by which the request of the Italian authorities to adopt exceptional measures to support the Italian market in poultrymeat within the meaning of Article 14 of Regulation (EEC) No 2777/75 was rejected, so far as concerns the chicks destroyed in areas affected by avian influenza and subject to veterinary measures restricting circulation in the period from December 1999 to September 2003 inclusive. ([7])

(5) On 17 January 2012, the General Court (Seventh Chamber) in its judgment in case T-135/2007 ([8]) annulled the decision of 7 February 2007 rejecting the request of the Italian authorities to adopt exceptional measures to support the Italian market in poultrymeat within the meaning of Article 14 of Regulation (EEC) No 2777/75. The Commission did not appeal against the judgment of the General Court.

(6) In accordance with Article 266 of the Treaty, an institution whose act has been declared void is required to take the necessary measures to comply with the judgment of the Court of Justice of the European Union. In accordance with Article 254 of the Treaty, that Article also applies to judgments of the General Court.

([1]) OJ L 299, 16.11.2007, p. 1.
([2]) OJ L 167, 22.6.1992, p. 1.
([3]) OJ L 365, 10.12.2004, p. 10.
([4]) OJ L 282, 1.11.1975, p. 49. Regulation repealed and replaced by Regulation (EC) No 1234/2007 as from 1 July 2008.
([5]) OJ L 282, 1.11.1975, p. 77. Regulation repealed and replaced by Regulation (EC) No 1234/2007 as from 1 July 2008.
([6]) General Court of the European Union, from 1 December 2009.
([7]) OJ C 140, 23.6.2007, p. 38 (Case T-135/07 – Italy v. Commission).
([8]) OJ C 58, 25.2.2012 p. 7.

(7) It follows from the judgment of the General Court that the Commission should have adopted a Regulation under Article 14 of Regulation (EEC) No 2777/75 to adopt exceptional measures to support the Italian market in poultrymeat so far as concerns the chicks slaughtered and disposed off in areas affected by avian influenza and subject to veterinary measures restricting circulation and prohibiting the placing of day old chicks, in the period from December 1999 to September 2003 inclusive. Given that Regulation (EEC) No 2777/75 is no longer in force, in order to comply with the judgment of the General Court the Commission should adopt a Regulation under Article 44 of Regulation (EC) No 1234/2007.

(8) In accordance with Article 46 of Regulation (EC) No 1234/2007, for exceptional measures referred to in Article 44 thereof, the Union shall provide part-financing equivalent to 50 % of the expenditure borne by the Member State.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

1. The slaughter and disposal of chicks falling within the CN codes 0105 11 19 and 0105 12, between 17 December 1999 and 14 April 2000, between 14 August and 16 October 2000 and between 11 October 2002 and 30 September 2003 in Italy following the application of the national veterinary measures under, in particular, Directive 92/40/EEC, shall be regarded as an exceptional market support measure falling within Article 44 of Regulation (EC) No 1234/2007.

2. The Union shall provide part-financing equivalent to 50 % of the expenditure borne by Italy in respect of the measure referred to in paragraph 1. The amount of Union part-financing shall be as follows:

— EUR 0,1344 per males and females for industrial production (different weight gain) day old chicks of *Gallus domesticus* falling within CN code 0105 11 19 shall be granted for a maximum total number of 3 647 277 day old chicks,

— EUR 0,1548 per mixed (both males and females for rural production) day old chick of *Gallus domesticus* falling within CN code 0105 11 19 shall be granted for a maximum total number of 3 768 800 day old chicks,

— EUR 0,5064 per mixed (both males and females) day old chicks of *Meleagridis gallopavo* falling within CN code 0105 12 shall be granted for a maximum total number of 680 730 day old chicks,

— EUR 0,744 per sexed male day old chicks of *Meleagridis gallopavo* falling within CN code 0105 12 shall be granted for a maximum total number of 193 140 day old chicks,

— EUR 0,2688 per sexed female day old chicks of *Meleagridis gallopavo* falling within CN code 0105 12 shall be granted for a maximum total number of 535 960 day old chicks.

Article 2

This Regulation shall enter into force on the seventh day following that 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, 19 July 2012.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 661/2012

of 19 July 2012

correcting the Slovenian version of Commission Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis

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], and in particular Articles 113(1)(a) and 121(h) in conjunction with Article 4 thereof,

Whereas:

(1) The Slovenian language version of Regulation (EEC) No 2568/91 as amended by Commission Regulation (EU) No 61/2011 [2] contains an error, i.e. in Annex XX, point 4.2, the wording "the purity must be checked" is erroneous. Therefore a correction of the Slovenian language version is necessary. The other language versions are not affected.

(2) Regulation (EEC) No 2568/91 should therefore be corrected accordingly.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Concerns only the Slovenian language version.

Article 2

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

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

Done at Brussels, 19 July 2012.

For the Commission
The President
José Manuel BARROSO

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 23, 27.1.2011, p. 1.

COMMISSION IMPLEMENTING REGULATION (EU) No 662/2012

of 19 July 2012

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:

(1) 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.

(2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

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 to this Regulation.

Article 2

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

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

Done at Brussels, 19 July 2012.

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	MK	41,0
	ZZ	41,0
0707 00 05	TR	95,4
	ZZ	95,4
0709 93 10	TR	96,1
	ZZ	96,1
0805 50 10	AR	90,6
	BO	97,8
	TR	52,0
	UY	90,0
	ZA	90,2
	ZZ	84,1
0808 10 80	AR	138,3
	BR	89,2
	CL	112,0
	CN	126,4
	NZ	132,9
	US	146,3
	UY	52,1
	ZA	98,4
	ZZ	112,0
0808 30 90	AR	137,1
	CL	117,7
	ZA	103,6
	ZZ	119,5
0809 10 00	TR	166,6
	ZZ	166,6
0809 29 00	TR	385,1
	ZZ	385,1
0809 30	TR	177,2
	ZZ	177,2
0809 40 05	BA	81,6
	ZZ	81,6

(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 663/2012

of 19 July 2012

fixing the export refunds on poultrymeat

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], and in particular Article 164(2) and Article 170, in conjunction with Article 4, thereof,

Whereas:

(1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products referred to in Part XX of Annex I to that Regulation and prices in the Union for those products may be covered by an export refund.

(2) In view of the current situation on the market in poultrymeat, export refunds should be fixed in accordance with the rules and criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.

(3) Article 164(1) of Regulation (EC) No 1234/2007 provides that refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.

(4) Refunds should be granted only on products which are authorised to move freely in the Union and bear the identification mark provided for in Article 5(1)(b) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin [2]. Those products should also comply with the requirements of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs [3].

(5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 341/2012 [4]. Since new refunds should be fixed, that Regulation should therefore be repealed.

(6) In order to prevent divergence with the current market situation, to prevent market speculation and to ensure efficient management this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the identification marking conditions laid down in Section I of Annex II to Regulation (EC) No 853/2004.

Article 2

Implementing Regulation (EU) No 341/2012 is hereby repealed.

Article 3

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

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 139, 30.4.2004, p. 55.
[3] OJ L 139, 30.4.2004, p. 1.
[4] OJ L 108, 20.4.2012, p. 21.

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

Done at Brussels, 19 July 2012.

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

ANNEX

Export refunds on poultrymeat applicable from 20 July 2012

Product code	Destination	Unit of measurement	Amount of refund
0105 11 11 9000	A02	EUR/100 pcs	0,00
0105 11 19 9000	A02	EUR/100 pcs	0,00
0105 11 91 9000	A02	EUR/100 pcs	0,00
0105 11 99 9000	A02	EUR/100 pcs	0,00
0105 12 00 9000	A02	EUR/100 pcs	0,00
0105 14 00 9000	A02	EUR/100 pcs	0,00
0207 12 10 9900	V03	EUR/100 kg	32,50
0207 12 90 9190	V03	EUR/100 kg	32,50
0207 12 90 9990	V03	EUR/100 kg	32,50

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

The other destinations are defined as follows:
V03: A24, Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, United Arab Emirates, Jordan, Yemen, Lebanon, Iraq and Iran.

COMMISSION IMPLEMENTING REGULATION (EU) No 664/2012

of 19 July 2012

amending Regulation (EC) No 1484/95 as regards representative prices in the poultrymeat and egg sectors and for egg albumin

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], and in particular Article 143 in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 614/2009 of 7 July 2009 on the common system of trade for ovalbumin and lactalbumin [2], and in particular Article 3(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1484/95 [3] lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

(2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin.

(3) Regulation (EC) No 1484/95 should be amended accordingly.

(4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 19 July 2012.

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 181, 14.7.2009, p. 8.
[3] OJ L 145, 29.6.1995, p. 47.

ANNEX

'ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security pursuant to Article 3(3) (EUR/100 kg)	Origin [1]
0207 12 10	Fowls of the species *Gallus domesticus*, not cut in pieces, presented as "70 % chickens", frozen	123,8	0	AR
		127,9	0	BR
0207 12 90	Fowls of the species *Gallus domesticus*, not cut in pieces, presented as "65 % chickens", frozen	133,5	0	AR
		128,1	0	BR
0207 14 10	Fowls of the species *Gallus domesticus*, boneless cuts, frozen	285,2	4	AR
		242,7	17	BR
		323,9	0	CL
0207 27 10	Turkeys, boneless cuts, frozen	347,7	0	BR
		375,7	0	CL
0408 91 80	Eggs, not in shell, dried	455,4	0	AR
1602 32 11	Preparations of fowls of the species *Gallus domesticus*, uncooked	288,3	0	BR
		350,8	0	CL
3502 11 90	Egg albumin, dried	543,5	0	AR

[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".'

DECISIONS

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 4 July 2012

on mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (EGF/2012/000 TA 2012 — Technical assistance at the initiative of the Commission)

(2012/408/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management [1], and in particular point 28 thereof,

Having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 on establishing the European Globalisation Adjustment Fund [2], and in particular Article 8(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The European Globalisation Adjustment Fund (EGF) was established to provide additional support for workers made redundant as a result of major structural changes in world trade patterns due to globalisation and to assist them with their reintegration into the labour market.

(2) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the EGF within the annual ceiling of EUR 500 million.

(3) Regulation (EC) No 1927/2006 provides that 0,35 % of the annual maximum amount can be made available each year for technical assistance at the initiative of the Commission. The budgetary authority proposes to mobilise an amount of EUR 730 000.

(4) The EGF should, therefore, be mobilised in order to provide technical assistance at the initiative of the Commission,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2012, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 730 000 in commitment and payment appropriations.

Article 2

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

Done at Strasbourg, 4 July 2012.

For the European Parliament	*For the Council*
The President	*The President*
M. SCHULZ	A. D. MAVROYIANNIS

[1] OJ C 139, 14.6.2006, p. 1.
[2] OJ L 406, 30.12.2006, p. 1.

COUNCIL IMPLEMENTING DECISION

of 10 July 2012

amending Implementing Decision 2011/344/EU on granting Union financial assistance to Portugal

(2012/409/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 407/2010 of 11 May 2010 establishing a European financial stabilisation mechanism [1], and in particular Article 3(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) In line with Article 3(9) of Council Implementing Decision 2011/344/EU [2], the Commission, together with the International Monetary Fund (IMF) and in liaison with the European Central Bank (ECB), has conducted the fourth review of the Portuguese authorities' progress on the implementation of the agreed measures under the economic and financial adjustment programme (Programme) as well as of their effectiveness and economic and social impact.

(2) The review has found that Portugal's compliance with the conditionality for the first quarter of 2012 was satisfactory. In 2011, the general government deficit was 4,2 % of GDP. The fiscal target for 2012 of 4,5 % of GDP remains within reach. The rebalancing of the economy has continued at a swift pace and exports have outperformed expectations and more than offset weaker domestic demand. However, risks to the fiscal objectives related to the rebalancing of the macroeconomic outlook have started to materialise, with the growth composition tilting more strongly towards net exports and away from domestic demand and in view of the substantial worsening of the labour market situation. Progress has been made with reforms to raise the long-term growth potential of the economy. Reform of the labour market aimed at removing rigidities and improving productivity has already been legislated for and need to be sustained. Severance payments should be aligned with the Union average and a fund to finance part of severance payments should be created. A proposal to revise the mechanism for extending collective agreements is under preparation. Policy efforts to support financial system stability continue. The sale of Banco Português de Negócios (BPN) has been concluded and the management of the special purpose vehicles should be optimised to maximise the recovery of the assets transferred from BPN.

The deleveraging of the financial sector is evolving in an orderly fashion. The recapitalisation of the banking system is on target to ensure by June 2012 a minimum Core Tier 1 capital ratio of 9 %, including the European Banking Authority requirements and the capital needs related to the partial transfer of pension funds and special on-site inspections. The early intervention, resolution and deposit insurance framework has been strengthened and the Portuguese authorities are asked to prepare the implementing measures. Product market reforms, in particular in sheltered services, are essential to restore competitiveness and promote growth and employment. The Portuguese government is implementing a strategy to restructure state-owned enterprises (SOEs) to reduce their indebtedness and to insure improved conditions for market financing. A study to assess the costs and benefits of renegotiating any public-private partnerships (PPPs) or concession contracts to reduce the government financial obligations is being prepared by an international auditing firm. The Portuguese government is committed to ensuring an effective competition enforcement regime. Housing market regulations are being modernised with a view to promoting geographical mobility and the reform of the judicial system is making good progress. The privatisation programme is being implemented under the new framework law.

(3) In the light of these developments, Implementing Decision 2011/344/EU should be amended,

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Implementing Decision 2011/344/EU is hereby amended as follows:

(1) paragraph 6 is amended as follows:

(a) point (a) is replaced by the following:

'(a) The general government deficit shall not exceed 4,5 % of GDP in 2012. Portugal shall continue to closely monitor fiscal developments and assess whether further policy adjustments are necessary to achieve the 2012 target;';

(b) points (d), (e) and (f) are replaced by the following:

'(d) Portugal shall continue adopting measures to reinforce public finance management. Portugal shall implement the measures provided for in the new Budgetary Framework Law, including setting up a medium-term budgetary framework. The local and regional budgetary frameworks shall be considerably strengthened, in particular by aligning the respective financing laws with the requirements of the Budgetary Framework Law. Portugal shall step up the reporting and monitoring

[1] OJ L 118, 12.5.2010, p. 1.
[2] OJ L 159, 17.6.2011, p. 88.

of public finances and reinforce budgetary execution rules and procedures. The Portuguese Government shall reinforce the implementation of the strategy for the validation and settlement of arrears. That strategy lays out the prioritisation criteria for paying creditors, as well as governance arrangements to ensure a fair and transparent settling process across all sectors. Portugal shall implement the new legal and institutional PPPs framework. Based on the results of a study on PPPs renegotiations, the Portuguese government shall renegotiate the relevant contracts. Portugal shall adopt a law to regulate the creation and the functioning of SOEs at the central, regional and local levels;

(e) Portugal shall reorganise and significantly reduce the number of local government entities. These changes shall come into effect by the beginning of the next local election cycle;

(f) Portugal shall modernise the revenue administration by completing the implementation of the Autoridade Tributária e Aduaneira, reinforcing the links with the revenue collection units of the Social Security, reducing the number of municipal offices and addressing remaining bottlenecks in the tax appeal system;';

(c) points (h) and (i) are replaced by the following:

'(h) Portugal shall adopt measures to improve the efficiency and sustainability of SOEs at central, regional and local level. Portugal shall implement a strategy to restructure and reduce the indebtedness of SOEs, including Parpública, and to ensure improved conditions for market financing. Portugal shall implement this strategy to reach operational balance at sector level by the end of 2012;

(i) Portugal shall continue implementing the privatisation programme. The direct sale of the Caixa Geral de Depósitos (CGD) insurance arm, Caixa Seguros, shall take place in 2012. The privatisation process of the national air carrier TAP, of the airport operator ANA — Aeroportos de Portugal, of the freight branch of CP — Comboios de Portugal, CP Carga, and of CTT — Correios de Portugal shall start in 2012 with a view of finalising it in 2013;';

(d) point (j) is deleted;

(e) point (k) is replaced by the following:

'(k) The Portuguese Government shall submit draft legislation to the Portuguese Parliament to align severance payments with the Union average of 8-12 days per year of work and to create a compensation fund for severance payments;';

(f) point (l) is deleted;

(g) point (o) is replaced by the following:

'(o) Portugal shall implement the measures set out in its action plan to improve the quality of secondary and vocational education and training;';

(h) points (p) and (r) are replaced by the following:

'(p) The functioning of the judicial system shall be improved by implementing the measures proposed under the Judicial Reform Map and by applying targeted measures to progressively eliminate the court backlog and to foster alternative dispute resolution;

(r) The competition and regulatory framework shall be improved. Portugal shall reinforce the independence and resources of the main national regulatory authorities; implement the Competition Law with a view to improving the speed and effectiveness of the enforcement of competition rules; and monitor the inflow of new cases and report on the functioning of the specialised court for competition, regulation and supervision;';

(i) points (u) and (v) are deleted;

(2) paragraph 8 is replaced by the following:

'8. With a view to restoring confidence in the financial sector, Portugal shall adequately recapitalise its banking sector and ensure an orderly deleveraging process. In that regard, Portugal shall implement the strategy for the Portuguese banking sector agreed with the Commission, the ECB and the IMF so that financial stability is preserved. In particular, Portugal shall:

(a) advise banks to strengthen their collateral buffers on a sustainable basis and monitor the issuance of the government guaranteed bank bonds, which has been authorised up to EUR 35 billion in line with Union State aid rules;

(b) ensure that banks reach the Programme target of the Core Tier 1 ratio of 10 % at the latest by the end of 2012. The capital requirements stemming from valuing sovereign debt based on market prices according to the Union wide recapitalisation exercise coordinated by the European Banking Authority shall be met in June 2012 together with the capital implications resulting from the special on-site inspections programme and the transfer of the banks' pension funds to the State social security system. If banks cannot reach the capital requirement thresholds within the deadlines set, the EUR 12 billion bank solvency support facility established under the Programme shall be made available;

(c) ensure a balanced and orderly deleveraging of the banking sector, which remains critical to eliminating funding imbalances on a permanent basis. Banks' funding plans aim at reducing the loan-to-deposit ratio to an indicative value of around 120 % by the end of the Programme and potentially reducing the reliance on Eurosystem funding for the duration of the Programme. Those funding plans shall be reviewed quarterly;

(d) ensure that the state-owned CGD is streamlined to increase the capital base of its core banking arm as needed. The sale of its insurance and health arms shall take place before the end of 2012, while the sale of non-strategic equity stakes is ongoing. In so far as these needs cannot be met from internal group sources by the end of June 2012, CGD shall be provided with government capital support from cash buffers outside the bank solvency support facility;

(e) optimise the process for recovering the assets transferred from BPN to the three state-owned special purpose vehicles through the outsourcing to a professional third party of the management of the assets, with a mandate to gradually recover the assets over time. The Portuguese government shall select the party managing the assets through a competitive bidding process and include proper incentives to optimise the recoveries into the mandate;

(f) complete a proposal for encouraging the diversification of financing alternatives to the corporate sector by the end of July 2012;

(g) implement measures to conclude the setting-up of the Resolution Fund with a view to ensuring that it is fully operational by July 2012; adopt the supervisory notices on recovery plans by the end of July 2012; adopt the regulation on resolution plans by the end of October 2012; and adopt the rules applicable to the setting-up and operation of bridge banks in line with Union competition rules by the end of September 2012. Priority shall be given to the review of the recovery and subsequent resolution plans of the banks that are of systemic importance;

(h) establish a framework for financial institutions to engage in out-of-court debt restructuring for households and SMEs.'.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 10 July 2012.

For the Council
The President
V. SHIARLY

COUNCIL DECISION

of 16 July 2012

establishing the position to be taken by the European Union within the General Council of the World Trade Organisation on the Philippines' request for a WTO waiver to extend the special treatment for rice

(2012/410/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Philippines was provided with special treatment for rice for a period of 10 years upon the entry into force of the Marrakesh Agreement establishing the World Trade Organisation (WTO Agreement) and in particular the Agreement on Agriculture (AoA).

(2) In accordance with the AoA the Philippines was subsequently granted an extension of the special treatment for rice from 1 July 2005 to 30 June 2012 by modifying its Schedule LXXV.

(3) Continuation of special treatment for rice after 30 June 2012 was contingent on the outcome of the Doha Development Agenda (DDA) negotiations, providing an alternative special mechanism. However, the DDA negotiations have not yet been concluded.

(4) The Philippines notified the Committee on Agriculture of the WTO on 22 November 2011 of its intention to enter into negotiations with WTO Members that have substantial interest in the products concerned for the continuation of its special treatment for rice.

(5) Article IX paragraphs 3 and 4 of the WTO Agreement sets out the procedures for the granting of waivers concerning Multilateral Trade Agreements.

(6) On that basis on 20 March 2012, the Philippines requested a WTO waiver from its obligations under Article 4.2 and Section B of Annex 5 of the AoA in order to receive special treatment for rice from 1 July 2012 until 30 June 2017.

(7) The Union is a net importer of rice. The granting of this waiver would thus be of minimal economic and trade importance to the Union.

(8) It is appropriate, therefore, to establish the position to be taken by the Union within the WTO General Council in relation to this waiver request,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union within the General Council of the World Trade Organisation is to support the Philippines' waiver request to extend its special treatment for rice from 1 July 2012 until 30 June 2017 in accordance with the terms of the waiver request.

This position shall be expressed by the Commission.

Article 2

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

Done at Brussels, 16 July 2012.

For the Council

The President

S. ALETRARIS

COMMISSION IMPLEMENTING DECISION

of 17 July 2012

amending Decision 2010/472/EU as regards animal health requirements relating to Simbu viruses and epizootic haemorrhagic disease

(notified under document C(2012) 4831)

(Text with EEA relevance)

(2012/411/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC [1], and in particular Article 17(2)(b), the first indent of Article 18(1), and the introductory phrase and point (b) of Article 19 thereof,

Whereas:

(1) Commission Decision 2010/472/EU of 26 August 2010 on imports of semen, ova and embryos of animals of the ovine and caprine species into the Union [2] sets out a list of third countries or parts thereof from which Member States are to authorise the importation into the Union of consignments of semen, ova and embryos of animals of the ovine and caprine species. It also lays down additional guarantees as regards specific animal diseases to be provided by certain third countries or parts thereof listed in Annexes I and III thereto and establishes the model health certificates for such imports in Part 2 of Annexes II and IV thereto.

(2) The animal health requirements relating to bluetongue in the model health certificates set out in Part 2 of Annexes II and IV to Decision 2010/472/EU are based on the recommendations of Chapter 8.3 of the Terrestrial Animal Health Code of the World Organisation for animal Health (OIE) which deals with that disease. That Chapter recommends a whole range of risk mitigating measures aiming at either protecting the mammalian host from exposure to the infectious vector or at inactivating the virus by antibodies.

(3) In addition, the OIE has laid down a Chapter on Surveillance for arthropod vectors of animal diseases in the Terrestrial Animal Health Code. Those recommendations do not include the monitoring of ruminants for antibodies to Simbu viruses, such as the Akabane and Aino viruses of the *Bunyaviridae* family, which in the past was considered an economical method for determining the distribution of bluetongue competent vectors until more information on the spread of those diseases became available.

(4) Also, the OIE does not list Akabane and Aino diseases in the Terrestrial Animal Health Code. Consequently, the requirement for annual testing for those diseases to prove the absence of the vector should be deleted from Annexes I and III to Decision 2010/472/EU and from the model health certificates set out in Part 2 of Annexes II and IV thereto.

(5) In addition, the animal health requirements for epizootic haemorrhagic disease in the model health certificates in Part 2 of Annexes II and IV to Decision 2010/472/EU are not entirely consistent with the requirements laid down in Commission Implementing Decision 2011/630/EU of 20 September 2011 on imports into the Union of semen of domestic animals of the bovine species [3] and the recommendations of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the OIE. Those model health certificates should therefore be amended to take account of the requirements laid down in Implementing Decision 2011/630/EU and the recommendations of that Manual.

(6) The Annexes to Decision 2010/472/EU should therefore be amended accordingly.

(7) To avoid any disruption of trade, the use of health certificates issued in accordance with Decision 2010/472/EU in its version prior to the amendments introduced by this Decision should be authorised during a transitional period subject to certain conditions.

(8) 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

The Annexes to Decision 2010/472/EU are amended in accordance with the Annex to this Decision.

[1] OJ L 268, 14.9.1992, p. 54.
[2] OJ L 228, 31.8.2010, p. 74.
[3] OJ L 247, 24.9.2011, p. 32.

Article 2

For a transitional period until 30 June 2013, Member States shall authorise imports from third countries of consignments of:

(a) semen of animals of the ovine and caprine species which are accompanied by a health certificate issued not later than 31 May 2013 in accordance with the model health certificate set out in Section A of Part 2 of Annex II to Decision 2010/472/EU in its version prior to the amendments introduced by this Decision.

(b) ova and embryos of animals of the ovine and caprine species accompanied by a health certificate issued not later than 31 May 2013 in accordance with the model health certificate set out in Part 2 of Annex IV to Decision 2010/472/EU in its version prior to the amendments introduced by this Decision.

Article 3

This Decision shall apply from 1 January 2013.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 17 July 2012.

For the Commission
John DALLI
Member of the Commission

ANNEX

The Annexes to Decision 2010/472/EU are amended as follows:

(1) Annex I is replaced by the following:

'ANNEX I

List of third countries or parts thereof from which Member States are to authorise imports of consignments of semen of animals of the ovine and caprine species

ISO Code	Name of the third country	Remarks	
		Description of the territory (*if appropriate*)	Additional guarantees
AU	Australia		The additional guarantee as regards testing set out in point II.4.9.1 of the model health certificate set out in Section A of Part 2 of Annex II is compulsory.
CA	Canada		The additional guarantee as regards testing set out in point II.4.9.1 of the model health certificate set out in Section A of Part 2 of Annex II is compulsory.
CH	Switzerland (*)		
CL	Chile		
GL	Greenland		
HR	Croatia		
IS	Iceland		
NZ	New Zealand		
PM	Saint Pierre and Miquelon		
US	United States		The additional guarantee as regards testing set out in point II.4.9.1 of the model health certificate set out in Section A of Part 2 of Annex II is compulsory.

(*) Certificates in accordance with 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 Federation (OJ L 114, 30.4.2002, p. 1).'

(2) in Part 2 of Annex II, Section A is replaced by the following:

'**Section A**

Model 1 — Health certificate for semen dispatched from an approved semen collection centre of origin of the semen

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 99 85**	
		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	Dondor identity	Date of collection	Approval number of the centre	Quantity

COUNTRY **Ovine and caprine semen — Section A**

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

Part II: Certification

I, the undersigned, official veterinarian, hereby certify that:

II.1. The exporting country .....
(name of exporting country) (2)

II.1.1. has been free from rinderpest, peste des petits ruminants, sheep and goat pox, contagious caprine pleuropneumonia and Rift Valley fever during the 12 months immediately prior to collection of the semen to be exported and until its date of dispatch to the Union and no vaccination against these diseases took place during that period;

II.1.2. has been free from foot-and-mouth disease during the 12 months immediately prior to collection of the semen to be exported and until its date of dispatch to the Union and no vaccination against this disease took place during that period.

II.2. The semen collection centre described in Box I.11 and at which the semen to be exported was collected and stored:

II.2.1. meets the conditions for the approval of semen collection centres laid down in Chapter I(I)(1) of Annex D to Directive 92/65/EEC;

II.2.2. is operated and supervised in accordance with the conditions applicable to semen collection centres and storage centres laid down in Chapter I(II)(1) of Annex D to Directive 92/65/EEC.

II.3. The ovine/caprine (1) animals standing at the semen collection centre:

II.3.1. prior to their stay in the quarantine accommodation described in point II.3.3,

(1)(4) either [II.3.1.1. originate from the territory described in Box I.8, which has been recognised as officially brucellosis (*B. melitensis*)-free,]

(1)or [II.3.1.1. have belonged to a holding which has obtained and maintained its officially brucellosis (*B. melitensis*)-free status in accordance with Directive 91/68/EEC,]

(1)or [II.3.1.1. originate from a holding, where in respect of brucellosis (*B. melitensis*) all susceptible animals have been free from clinical or any signs of this disease for the last 12 months, none of the ovine and caprine animals have been vaccinated against this disease, save those vaccinated with Rev. 1 vaccine more than two years ago, and all ovine and caprine animals over six months of age have been subjected to at least two tests (3), carried out with negative results on samples taken on ..... (*date*) and on ..... (*date*) at least six months apart, the latter being within 30 days of entry into the quarantine accommodation,]

and have not been kept previously in a holding of a lower status;

II.3.1.2. have been kept continuously for at least 60 days on a holding where no case of contagious epididymitis (*Brucella ovis*) has been diagnosed in the last 12 months,

(1) and [they are animals of the ovine species and have undergone during the 60 days prior to their stay in the quarantine accommodation described in point II.3.3 a complement fixation test, or any other test with an equivalent documented sensitivity and specificity, to detect contagious epididymitis with result of less than 50 ICFTU/ml;]

II.3.1.3. to the best of my knowledge do not come from holdings and have not been in contact with animals of a holding, in which, based on the official notification system and according to the written declaration made by the owner, any of the following diseases has been clinically detected within the periods referred to in (a) to (d) prior to their stay in the quarantine accommodation described in point II.3.3:

(a) contagious agalactia of sheep or goats (*Mycoplasma agalactiae, Mycoplasma capricolum, Mycoplasma mycoides var. mycoides* "large colony"), within the last six months;

(b) paratuberculosis and caseous lymphadenitis, within the last 12 months;

(c) pulmonary adenomatosis, within the last three years;

(1) either [(d) Maedi/Visna for sheep or caprine viral arthritis/encephalitis for goats, within the last three years;]

(1) or [(d) Maedi/Visna for sheep or caprine viral arthritis/encephalitis for goats, within the last 12 months, and all the infected animals were slaughtered and remaining animals subsequently reacted negatively to two tests carried out at least six months apart;]

II.3.2. have undergone the following tests carried out on a blood sample collected within the 28 days preceding the commencement of the period of quarantine specified in point II.3.3 for:

COUNTRY **Ovine and caprine semen — Section A**

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

— brucellosis (*B. melitensis*), with negative results in each case in accordance with Annex C to Directive 91/68/EEC,

— contagious epididymitis (*Brucella. ovis*), in the case of sheep only, with negative results in each case in accordance with Annex D to Directive 91/68/EEC, or any other test with an equivalent documented sensitivity and specificity,

— border disease in accordance with point 1.4 (c) of Chapter II(II) of Annex D to Directive 92/65/EEC;

II.3.3. have satisfied the quarantine isolation period of at least 28 days in a quarantine accommodation specifically approved for the purpose by the competent authority and during that period

II.3.3.1. only animals of at least the same health status were present in the quarantine accommodation;

II.3.3.2. the animals have undergone the following tests, carried out by the laboratory approved by the competent authority of the exporting country on samples taken not earlier than 21 days after the animals were admitted to the quarantine accommodation, for:

— brucellosis (*B. melitensis*) with negative results in accordance with Annex C to Directive 91/68/EEC,

— contagious epididymitis (*Brucella ovis*), in the case of sheep only, with negative results in accordance with Annex D to Directive 91/68/EEC, or any other test with an equivalent documented sensitivity and specificity,

— border disease in accordance with point 1.6 of Chapter II(II) of Annex D to Directive 92/65/EEC;

II.3.4. have undergone at least once a year the routine tests with negative results for:

— brucellosis (*B. melitensis*) in accordance with Annex C to Directive 91/68/EEC,

— contagious epididymitis (*Brucella ovis*) in accordance with Annex D to Directive 91/68/EEC, or any other test with an equivalent documented sensitivity and specificity; in the case of sheep only,

— border disease in accordance with point 5(c) of Chapter II(II) of Annex D to Directive 92/65/EEC.

II.4. The semen to be exported was obtained from donor rams/bucks ([1]) which:

II.4.1. were admitted to the approved semen collection centre with the express permission of the centre veterinarian;

II.4.2. show no clinical signs of disease on the day of admission to the approved semen collection centre and on the day the semen was collected;

([1]) either [II.4.3. have not been vaccinated against foot-and-mouth disease during the 12 months prior to collection of the semen;]

([1]) or [II.4.3. have been vaccinated against foot-and-mouth disease at least 30 days prior to the collection, and 5 % (with a minimum of five straws) of each collection have been submitted to a virus isolation test for foot-and-mouth disease with negative results;]

II.4.4. have been kept at an approved semen collection centre for a continuous period of at least 30 days immediately prior to collection of the semen, in the case of collections of fresh semen;

II.4.5. have not served naturally after their entry to the quarantine accommodation described in point II.3.3 and up to and including the day of semen collection;

II.4.6. have been kept at the approved semen collection centres:

II.4.6.1. which have been free from foot-and-mouth disease for at least three months prior to collection of the semen and 30 days after collection or, in the case of fresh semen, until the date of dispatch, and which are situated in the centre of an area of 10 kilometres radius in which there has been no case of foot-and-mouth disease for at least 30 days prior to collection of the semen;

II.4.6.2. which have been free, during the period commencing 30 days prior to collection and ending 30 days after collection of the semen or, in the case of fresh semen, until the date of dispatch, from brucellosis (*B. melitensis*), contagious epididymitis (*Brucella. ovis*), anthrax and rabies;

COUNTRY **Ovine and caprine semen — Section A**

II.	Health information		II.a. Certificate reference No	II.b.
(1) either	[II.4.7.	have remained in the exporting country for at least the past six months prior to collection of the semen to be exported;]		
(1) or	[II.4.7.	during the past six months prior to collection of the semen they satisfied the animal health conditions applying to donors of the semen which is intended for export to the Union and they have been imported into the exporting country at least 30 days prior to collection of the semen from ..... (2);]		
(1) either	[II.4.8.	were kept in a bluetongue virus-free country or zone for at least 60 days prior to, and during, collection of the semen;]		
(1) or	[II.4.8.	were kept during a bluetongue virus seasonally free period in a seasonally free zone for at least 60 days prior to, and during collection of the semen;]		
(1) or	[II.4.8.	were kept in a vector-protected establishment for at least 60 days prior to, and during collection of the semen;]		
(1) or	[II.4.8.	were subjected to a serological test to detect antibodies to the bluetongue virus group, carried out in accordance with the OIE Manual of Diagnostic Tests and Vaccines for Terrestrial Animals, with negative results, at least every 60 days throughout the collection period and between 21 and 60 days after the final collection for this consignment of semen;]		
(1) or	[II.4.8.	were subjected to an agent identification test for bluetongue virus, carried out in accordance with the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals with negative results on blood samples taken at commencement and final collection for this consignment of semen and at least every seven days (virus isolation test) or at least every 28 days (PCR test) during collection for this consignment of semen;]		
	II.4.9.	were resident in the exporting country,		
(1)(5) either	[II.4.9.1.	which according to official findings is free from epizootic haemorrhagic disease (EHD);]		
(1) or	[II.4.9.1.	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 (6) 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 (6) 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.]		
	(1) or	[an agent identification test (6) carried out in approved laboratories on blood samples collected at commencement and conclusion of, and at least every seven days (virus isolation test) or at least every 28 days (PCR test) during collection for this consignment of semen.]]		
II.5.	The semen to be exported:			
	II.5.1.	was collected after the date on which the semen collection centre was approved by the competent authority of the exporting country;		
	II.5.2.	was collected, processed, preserved, stored and transported in accordance with the requirements applicable to semen laid down in Chapter III(I) of Annex D to Directive 92/65/EEC;		
(1) either	[II.5.3.	meets the requirements of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001;]		
(1) or	[II.5.3.	meets the requirements of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001 and is destined for a Member State which benefits, for all or part of its territory, from the provisions laid down in point (b) or (c) of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001 and the donor animals comply regarding scrapie with the guarantees provided for by the national scrapie control program referred to in those points and with the guarantees (7) requested by the Member State of destination;]		
	II.5.4.	was sent to the place of loading in a sealed container in accordance with the requirements for semen to be subject to trade laid down in point 1.4 of Chapter III(I) of Annex D to Directive 92/65/EEC and bearing the number indicated in Box I.23.		
(1) either	[II.6.	No antibiotics were added to the semen.]		

COUNTRY **Ovine and caprine semen — Section A**

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

(1) or [II.6. The following antibiotic or combination of antibiotics was added to produce a concentration in the final diluted semen of not less than (8):

.....]

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 approved semen collection centre in which the semen was collected and listed in accordance with Article 17(3)(b) of Directive 92/65/EEC on the Commission website: http://ec.europa.eu/food/animal/semen_ova/ovine/index_en.htm

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: Species: select amongst "*Ovis aries*" or "*Capra hircus*" as appropriate.

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.

Part II:

(1) Delete as necessary.

(2) Only third countries listed in Annex I to Decision 2010/472/EU.

(3) Tests shall be carried out in accordance with Annex C to Directive 91/68/EEC.

(4) Only for the territory appearing with the entry "V" in column 6 of Part 1 of Annex I to Commission Regulation (EU) No 206/2010 (OJ L 73, 20.3.2010, p. 1).

(5) See remarks for exporting country concerned in Annex I to Decision 2010/472/EU.

(6) Standards for EHD virus diagnostic tests are described in Chapter 2.1.3 of the OIE Manual of Diagnostic Tests and Vaccines for Terrestrial Animals.

(7) Additional guarantees as laid down in Article 2 of Regulation (EC) No 546/2006 (OJ L 94, 1.4.2006, p. 28).

(8) Insert names and concentrations.

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.'

(3) Annex III is replaced by the following:

'ANNEX III

List of third countries or parts thereof from which Member States are to authorise imports of consignments of ova and embryos of animals of the ovine and caprine species

ISO Code	Name of the third country	Remarks	
		Description of the territory *(if appropriate)*	Additional guarantees
AU	Australia		The additional guarantee as regards testing set out in point II.2.6.1 of the model health certificate set out in Part 2 of Annex IV is compulsory.
CA	Canada		The additional guarantee as regards testing set out in point II.2.6.1 of the model health certificate set out in Part 2 of Annex IV is compulsory.
CH	Switzerland (*)		
CL	Chile		
GL	Greenland		
HR	Croatia		
IS	Iceland		
NZ	New Zealand		
PM	Saint Pierre and Miquelon		
US	United States		The additional guarantee as regards testing set out in point II.2.6.1 of the model health certificate set out in Part 2 of Annex IV is compulsory.

(*) Certificates in accordance with the Agreement between the European Community and the Swiss Confederation on Trade in Agricultural Products as approved by Decision 2002/309/EC.'

(4) Part 2 of Annex IV is replaced by the following:

'PART 2

Model health certificate for imports of consignments of ova and embryos of animals of the ovine and caprine species

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 99 85**	
			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	Category	Donor identity	Date of collection	Date of freezing	Approval number of the team	Quantity

COUNTRY **Ovine and caprine ova/embryos**

Part II: Certification

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

I, the undersigned, official veterinarian, hereby certify that:

II.1. The exporting country .....
(name of exporting country) (2)

II.1.1. has been free from rinderpest, peste des petits ruminants, sheep and goat pox, contagious caprine pleuropneumonia, and Rift Valley fever during the 12 months immediately prior to collection of the ova/embryos (1) to be exported and until their date of dispatch to the Union and no vaccination against these diseases took place during that period;

(1) either [II.1.2. has been free from foot-and-mouth disease during the 12 months immediately prior to collection of the ova/embryos (1) and did not carry out vaccination against foot-and-mouth disease during that period;]

(1) or [II.1.2. has not been free from foot-and-mouth disease during the 12 months immediately prior to collection of the ova/embryos (1) and/or carried out vaccination against foot-and-mouth disease during that period and the donor females come from holdings on which no animal was vaccinated against foot-and-mouth disease during 30 days prior to collection and no animal of susceptible species showed clinical signs of foot-and-mouth disease during the 30 days prior to, and at least 30 days after, the ova/embryos (1) were collected and the ova/embryos (1) were not subjected to penetration of *zona pellucida*;]

II.2. The ova/embryos (1) to be exported:

II.2.1. were collected/produced (1) and processed on premises within a 10-km radius of which there was no incidence of foot-and-mouth disease, vesicular stomatitis, Rift Valley fever in the 30 days immediately prior to their collection;

II.2.2. were stored at all times on approved premises within a 10-km radius of which there was no incidence of foot-and-mouth disease, vesicular stomatitis or Rift Valley fever from the time of their collection until 30 days thereafter;

II.2.3. were collected/produced (1) by the team described in Box I.11, which has been approved and supervised in accordance with the conditions for the approval and supervision of embryo collection teams and embryo production teams laid down in Chapter I(III) of Annex D to Directive 92/65/EEC;

II.2.4. meet the conditions for ova and embryos laid down in Chapter III(II) of Annex D to Directive 92/65/EEC;

II.2.5. come from the donor females of ovine/caprine (1) species which:

(1) either [II.2.5.1. were kept in a bluetongue virus-free country or zone for at least 60 days prior to, and during collection of the ova/embryos (1);]

(1) or [II.2.5.1. were kept during a bluetongue virus seasonally free period in a seasonally free zone;]

(1) or [II.2.5.1. were kept protected from the vector for at least 60 days prior to, and during the collection of the ova/embryos (1);]

(1) or [II.2.5.1. underwent a serological test to detect antibodies to the bluetongue virus group, carried out in accordance with the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals between 21 and 60 days after collection of the ova/embryos (1) and giving negative results;]

(1) or [II.2.5.1. underwent an agent identification test for bluetongue virus, carried out in accordance with the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals on a blood sample taken on the day of the ova/embryos (1) collection or the day of slaughtering and giving negative results;]

II.2.5.2. to the best of my knowledge do not come from holdings and have not been in contact with animals of a holding, in which, based on the official notification system and according to the written declaration made by the owner, any of the following diseases has been clinically detected within the periods referred to in (a) to (d) prior to collection of the ova/embryos (1) to be exported:

(a) contagious agalactia of sheep or goats (*Mycoplasma agalactiae, Mycoplasma capricolum, Mycoplasma mycoides var. mycoides* "large colony"), within the last six months;

(b) paratuberculosis and caseous lymphadenitis, within the last 12 months;

(c) pulmonary adenomatosis, within the last three years;

(1) either [(d) Maedi/Visna for sheep or caprine viral arthritis/encephalitis for goats, within the last three years;]

(1) or [(d) Maedi/Visna for sheep or caprine viral arthritis/encephalitis for goats, within the last 12 months, and all the infected animals were slaughtered and remaining animals subsequently reacted negatively to two tests carried out at least six months apart;]

COUNTRY **Ovine and caprine ova/embryos**

II.	Health information		II.a. Certificate reference No	II.b.
	II.2.5.3.	showed no clinical signs of disease on the day of the ova/embryos (1) collection;		
(1)(4) either	[II.2.5.4	originate from the region described in Box I.8., which has been recognised as officially brucellosis *(B. melitensis)*-free, and]		
(1) or	[II.2.5.4.	have belonged to a holding which has obtained and maintained its officially brucellosis (*B. melitensis*)-free status in accordance with Directive 91/68/EEC, and]		
(1) or	[II.2.5.4.	originate from a holding, where in respect of brucellosis (*B. melitensis*) all susceptible animals have been free from any clinical or any signs of this disease for the last 12 months, none of the ovine and caprine animals have been vaccinated against this disease, save those vaccinated with Rev. 1 vaccine more than two years ago, and all ovine and caprine animals over six months of age have been subjected to at least two tests (3) , carried out with negative results on samples taken on ..... (*date*) and on ..... (*date*) at least six months apart, the latter being within 30 days prior to collection of the ova/embryos (1),]		
and		have not been kept previously in a holding of a lower status;		
(1) either	[II.2.5.5.	have remained in the exporting country for at least the past six months prior to collection of the ova/embryos (1) to be exported;]		
(1) or	[II.2.5.5	during the past six months prior to collection of the ova/embryos (1) they satisfied the animal health conditions applying to donors of the ova/embryos (1) which are intended for export to the Union and they have been imported into the exporting country at least 30 days prior to collection of the ova/embryos (1) from ..... (2);]		
	[II.2.6.	were collected/produced (1) in the exporting country,		
(1) either	[II.2.6.1.	which according to official findings is free from epizootic haemorrhagic disease (EHD);]		
(1)(5) or	[II.2.6.1.	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 (6) 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 ova/embryos (1);]		
	(1) or	[a serological test (6) 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 ova/embryos (1);]		
	(1) or	[an agent identification test (6) carried out in approved laboratories on blood samples collected at commencement and conclusion of, and at least every seven days (virus isolation test) or at least every 28 days (PCR test) during collection for this consignment of ova/embryos (1);]]		
(1) either	[II.2.8.	meet the requirements of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001;]		
(1) or	[II.2.8.	meet the requirements of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001 and are destined for a Member State which benefits, for all or part of its territory, from the provisions laid down in point (b) or (c) of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001 and the donor animals comply regarding scrapie with the guarantees provided for by the national scrapie control program referred to in that point and with the guarantees (7) requested by the Member State of destination;]		
	II.2.9.	were collected/produced (1) after the date on which the embryo collection team was approved by the competent authority of the exporting country;		
	II.2.10.	were processed and stored under approved conditions for at least 30 days immediately after their collection/production (1) and transported under conditions for ova and embryos laid down in Chapter III(II) of Annex D to Directive 92/65/EEC;		
	II.2.11.	were sent to the place of loading in a sealed container in accordance with the requirements for the transport of embryos laid down in point 6 of Chapter III(II) of Annex D to Directive 92/65/EEC and bearing the number detailed in Box I.23;		
	(9) II.2.12.	were conceived by artificial insemination/as a result of *in vitro* fertilisation (1) using semen coming from semen collection centres.		
(1) either	[II.2.12.1.	approved in accordance with Article 11(2) of Directive 92/65/EEC and located in a Member State of the European Union; and the semen complies with the requirements of Directive 92/65/EEC.]		
(1) or	[II.2.12.1.	approved in accordance with Article 17(3)(b) of Directive 92/65/EEC and located in a third country or part thereof listed in Annex I to Decision 2010/472/EU, and the semen complies with the requirements set out in Part 2 of Annex II to that Decision.]		

COUNTRY **Ovine and caprine ova/embryos**

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

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 approved embryo collection team or embryo production team by which the ova/embryos were collected/produced, processed and stored; and listed in accordance with Article 17(3)(b) of Directive 92/65/EEC on the Commission website: http://ec.europa.eu/food/animal/semen_ova/ovine/index_en.htm

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: Species: select amongst "*Ovis aries*" or "*Capra hircus*" as appropriate.

Category: specify if *in vivo* derived embryos, *in vivo* derived ova, *in vitro* produced embryos or micromanipulated embryos.

Donor identity shall correspond to the official identification of the animal.

Date of collection shall be indicated for *in vivo* derived embryos and in the following format: dd.mm.yyyy.

Date of freezing shall be indicated in the following format: dd.mm.yyyy.

Approval number of the team: shall correspond to the approved embryo collection team or embryo production team by which the ova/embryos were collected/produced, processed and stored; and listed in accordance with Article 17(3)(b) of Directive 92/65/EEC on the Commission website: http://ec.europa.eu/food/animal/semen_ova/ovine/index_en.htm

Part II:

(1) Delete as appropriate.

(2) Only third countries or parts thereof listed in Annex I to Decision 2010/472/EU.

(3) Tests shall be carried out in accordance with Annex C to Directive 91/68/EEC.

(4) Only for the territory appearing with the entry "V" in column 6 of Part 1 of Annex I to Commission Regulation (EU) No 206/2010 (OJ L 73, 20.3.2010).

(5) See remarks for exporting country or part thereof concerned in Annex III to Decision 2010/472/EU.

(6) Standards for EHD virus diagnostic tests are described in Chapter 2.1.3 of the OIE Manual of Diagnostic Tests and Vaccines for Terrestrial Animals.

(7) Additional guarantees as laid down in Article 2 of Regulation (EC) No 546/2006 (OJ L 94, 1.4.2006, p. 28).

(8) Only approved semen collection centres listed in accordance with Article 11(4) and Article 17(3)(b) of Directive 92/65/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/ovine/index_en.htm

(9) Does not apply to ova.

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.'

COMMISSION IMPLEMENTING DECISION

of 19 July 2012

amending the list of 'basic local government units' in the Annex to Council Directive 94/80/EC laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals

(2012/412/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 22(1) thereof,

Having regard to Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals [1], and in particular Article 2(2) thereof,

Whereas:

(1) Directive 94/80/EC lists in its Annex the 'basic local government units' which determine the scope of the Directive.

(2) According to Article 2(2) of Directive 94/80/EC, a Member State shall notify the Commission if any local government unit referred to in the Annex to that Directive is, by virtue of a change in its domestic law, replaced by another unit or if, by virtue of such a change, any such unit is abolished or further such units are created. Consequently, the Commission shall adapt that Annex by making appropriate substitutions, deletions or additions and that Annex so revised shall be published in the *Official Journal of the European Union*.

(3) Denmark, Ireland, Greece, Latvia and Lithuania have informed the Commission that, following changes in their domestic legislation, the 'basic local government units' concerning them have been modified. These laws have been formally notified to the Commission.

(4) The Annex to Directive 94/80/EC should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Directive 94/80/EC is amended in accordance with the Annex to this Decision.

Article 2

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

Done at Brussels, 19 July 2012.

For the Commission

The President

José Manuel BARROSO

[1] OJ L 368, 31.12.1994, p. 38.

ANNEX

In the Annex to Directive 94/80/EC, the list of 'basic local government units' is replaced by the following:

' "Basic local government unit" within the meaning of Article 2(1)(a) of this Directive means any of the following:

— *in Austria:*

Gemeinden, Bezirke in der Stadt Wien,

— *in Belgium:*

commune/gemeente/Gemeinde,

— *in Bulgaria:*

община/кметство/Общината е основната административно-териториална единица, в която се осъществява местното самоуправление,

— *in Cyprus:*

δήμος, κοινότητα,

— *in the Czech Republic:*

obec, městský obvod nebo městská část územně členěného statutárního města, městská část hlavního města Prahy,

— *in Denmark:*

kommune, region,

— *in Estonia:*

vald, linn,

— *in Finland:*

kunta, kommun, kommun på Åland,

— *in France:*

commune, arrondissement dans les villes déterminées par la législation interne, section de commune,

— *in Germany:*

kreisfreie Stadt bzw. Stadtkreis; Kreis; Gemeinde, Bezirk in der Freien und Hansestadt Hamburg und im Land Berlin; Stadtgemeinde Bremen in der Freien Hansestadt Bremen, Stadt-, Gemeinde-, oder Ortsbezirke bzw. Ortschaften,

— *in Greece:*

δήμος,

— *in Hungary:*

települési önkormányzat; község, nagyközség, város, megyei jogú város, főváros, főváros kerületei; területi önkormányzat; megye,

— *in Ireland:*

City Council, County Council, Borough Council, Town Council,

— *in Italy:*

comune, circoscrizione,

— *in Latvia:*

novads, republikas pilsēta,

— *in Lithuania:*

Savivaldybė,

— *in Luxembourg:*

commune,

— *in Malta:*

Kunsill Lokali,

— *in the Netherlands:*

gemeente, deelgemeente,

— *in Poland:*

gmina,

— *in Portugal:*

município, freguesia,

— *in Romania:*

comuna, orașul, municipiul, sectorul (numai în municipiul București) și județul,

— *in Slovakia:*

samospráva obce: obec, mesto, hlavné mesto Slovenskej republiky Bratislava, mesto Košice, mestská časť hlavného mesta Slovenskej republiky Bratislavy, mestská časť mesta Košice; samospráva vyššieho územného celku: samosprávny kraj,

— *in Slovenia:*

občina,

— *in Spain:*

municipio, entidad de ámbito territorial inferior al municipal,

— *in Sweden:*

kommuner, landsting,

— *in the United Kingdom:*

counties in England; counties, county boroughs and communities in Wales; regions and Islands in Scotland; districts in England, Scotland and Northern Ireland; London boroughs; parishes in England; the City of London in relation to ward elections for common councilmen.'

COMMISSION DECISION

of 19 July 2012

on the establishment of the annual priority lists for the development of network codes and guidelines for 2013

(Text with EEA relevance)

(2012/413/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003 [1] and Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to natural gas transmission networks and repealing Regulation (EC) No 1775/2005 [2], and in particular Article 6(1) thereof,

Whereas:

CONTEXT

(1) The Third Package of directives and regulations (hereinafter the 'Third Package'), as adopted in 2009, entered into force on 3 March 2011. With it a new system of establishing binding European-wide network codes entered into force as well.

(2) As a first step towards binding European network codes, an annual priority list identifying the areas to be included in the development of network codes has to be established by the European Commission ('the Commission') in accordance with Article 6(1) of Regulation (EC) No 714/2009 ('the Electricity Regulation') and Article 6(1) of Regulation (EC) No 715/2009 ('the Gas Regulation'). In setting the priorities, the Commission has to consult the Agency for the Cooperation of Energy Regulators ('ACER'), the responsible European Network of Transmission System Operators ('ENTSOs') and other relevant stakeholders. This decision sets out the priorities as decided by the Commission based on the outcomes from the public consultation.

(3) The European Council on 4 February 2011 set 2014 as a target for the completion of the internal market for electricity and gas. The Third Package is an important element in the development towards this target. However, further efforts have to be made to allow gas and electricity to flow freely across Europe. The network codes and guidelines which are foreseen by the Third Package will provide the relevant rules for this further development.

(4) For the planning of resources it is important to identify annually the key areas for the development of network codes and guidelines. As soon as an area is identified as important for the first time, scoping work needs to be started in order to identify to what extent a harmonisation is needed. Key areas where the work on network codes and guidelines has already started will be continued and completed.

PUBLIC CONSULTATION

(5) The public consultation, as required by Article 6(1) of the Electricity and the Gas Regulation, took place from 8 March to 16 April 2012. The Commission received 18 responses [3], including one response from a local government and responses by ENTSOG and ENTSO-E. Whereas the other responses came mainly from European energy stakeholder organisations, several individual companies also participated in the public consultation.

(6) The following were the major general comments received during the public consultation:

(a) A clear message from the public consultation was that stakeholders supported the focused approach of the Commission prioritising the work to deliver key elements that are necessary for the completion of the internal energy market by 2014 as regards the development of network codes and guidelines both for electricity and gas. Stakeholders are of the view that the Commission has pointed out in its consultation the most important tasks to be done for further integration of the internal energy market.

(b) A further key message by several stakeholders was that they would prefer to put all the issues listed in Article 8(6) of the Electricity and Gas Regulation through the FG/NC process instead of using direct comitology guidelines for the adoption of binding rules on these areas. In this context some stakeholders stressed the importance of a transparent, efficient and coherent process which guarantees early and close stakeholder and distribution system operator involvement. It was also mentioned that the necessary timeslots for the development of robust network codes, with sufficient time for consultation of involved actors, need to be given.

[1] OJ L 211, 14.8.2009, p. 15.
[2] OJ L 211, 14.8.2009, p. 36.
[3] The responses are published under: http://ec.europa.eu/energy/gas_electricity/consultations/20120416_network_codes_en.htm

(c) Several stakeholders requested that draft proposals for the framework guidelines and network codes should be accompanied by the relevant Impact Assessment outlining the main policy options and underpinning by their comprehensive cost-benefit analysis. The Impact Assessment should furthermore be subject to a separate public consultation. Drafting the impact assessment after the end of a public consultation, as in the case of the 'pilot code', would not be acceptable.

(d) Several stakeholders mentioned in their response that the scope of some network codes is too wide and does not restrict itself to the scope given by the Regulations, i.e. cross-border issues. In this context it was also stressed that network codes should not be over-prescriptive.

(7) The following were the major comments concerning the annual priority list regarding electricity network rules received during the public consultation:

(a) Several stakeholders were concerned about possible inconsistencies between network codes. Some proposed to develop only one network code in line with one framework guideline and some emphasised that at least some network codes need to be developed together such as the network codes on generator connection and demand connection, the network codes on grid connection and system operation, the network code on connection and congestion management and the 'governance' comitology guideline.

(b) Several stakeholders support the development of rules regarding harmonised transmission tariff structures and/or investment incentives. ENTSO-E was of the opinion that the issue of tariff structures and the issue of investment incentives are largely unrelated and recommended therefore addressing them independently while giving priority to rules regarding investment incentives.

(c) ENTSO-E expressed the view that rules for longer-term (forward) capacity allocation and rules on High-voltage direct current transmission system connection need to be included into the annual priority list for 2013.

(8) The following were the major comments concerning the annual priority list regarding gas network rules received during the public consultation:

(a) A key message by stakeholders was that they want to have harmonised rules regarding transmission tariff structures but would prefer to develop the rules through the network code process instead of using direct comitology guidelines. Several stakeholders proposed to set a narrow scope.

(b) Some stakeholders raised concerns about the consistency between the network code on capacity allocation and the rules on congestion management procedures and therefore recommended to synchronise the comitology process for both topics.

(9) The following were the major comments concerning possible scope and need of network codes and guidelines beyond 2013 regarding electricity network rules received during the public consultation: some stakeholders were of the view Third Party Access rules should be developed before those related to energy efficiency regarding electricity networks as they could provide a level playing field for operators in the internal market.

(10) The following were the major comments concerning possible scope and need of network codes and guidelines beyond 2013 regarding gas network rules received during the public consultation:

(a) Several stakeholders are asking to address the issue of incremental capacity and propose that rules could be developed in a network code on Third Party Access; others also want to have it addressed in the development of rules on harmonised transmission tariff structures. Several stakeholders were of the opinion that rules for trading related to technical and operational provisions of network access services and system balance are already covered by the rules on capacity allocation and balancing. Still stakeholders called for the development of trading rules focusing on rules to foster a liquid market on secondary capacity trading.

(b) Concerning 'network security and reliability rules' the opinion was given that in case this issue needs to be tackled it would be more appropriate to do so in the framework of Regulation (EU) No 994/2010 of the European Parliament and of the Council [1] concerning measures to safeguard security of gas supply.

(c) Some stakeholders raised concerns whether the development of network codes and guidelines regarding operational procedures in an emergency would have any benefit and were questioning the harmonisation of these provisions.

[1] OJ L 295, 12.11.2010, p. 1.

DECISION

(11) Having regard to the responses of stakeholders the Commission prioritises the work to deliver key elements that are necessary for the completion of the internal energy market by 2014,

HAS ADOPTED THIS DECISION:

Article 1

As it is foreseen that harmonised rules on transparency will pass the comitology procedure in 2012 the Commission establishes for the development of harmonised electricity rules this annual priority list for 2013:

— capacity allocation and congestion management rules including governance for day-ahead and intraday markets including capacity calculation (adoption under comitology procedure),

— rules for longer-term (forward) capacity allocation (drafting of network code),

— network connection rules:

  — network rules on generator grid connection (adoption under comitology procedure),

  — network code on distribution system operator and industrial load connection (finalise network code and start comitology process),

  — network code on High-voltage direct current transmission system connection,

— system operation (finalise network codes on operational security, on operational planning and scheduling and on load-frequency control and reserves and start adoption process ([1])),

— balancing rules including network-related reserve power rules (finalise network code on balancing),

— rules regarding harmonised transmission tariff structures and/or investment incentives.

Article 2

As it is foreseen that harmonised rules on congestion management will pass the comitology procedure in 2012 the Commission establishes for the development of harmonised gas rules this annual priority list for 2013:

— capacity allocation (adoption under comitology procedure),

— balancing rules including network-related rules on nomination procedure, rules for imbalance charges and rules for operational balancing between transmission system operators' systems (finalise network code and start adoption process),

— interoperability and data exchange rules,

— rules regarding harmonised transmission tariff structures.

Article 3

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

Done at Brussels, 19 July 2012.

For the Commission
The President
José Manuel BARROSO

([1]) The network codes on operational training and on requirements and operational procedures in emergency will follow later.

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