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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 239/2006
of 10 February 2006
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 11 February 2006.

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

Done at Brussels, 10 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 10 February 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	91,5
	204	42,2
	212	88,5
	624	106,4
	999	82,2
0707 00 05	052	114,0
	204	101,8
	999	107,9
0709 10 00	220	57,6
	624	101,9
	999	79,8
0709 90 70	052	160,4
	204	79,4
	999	119,9
0805 10 20	052	53,6
	204	49,3
	212	45,0
	220	44,2
	448	47,7
	624	61,1
	999	50,2
0805 20 10	204	87,2
	999	87,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	63,4
	204	106,7
	400	79,6
	464	131,1
	624	70,9
	662	45,3
	999	82,8
0805 50 10	052	54,1
	999	54,1
0808 10 80	400	109,0
	404	105,2
	720	74,3
	999	96,2
0808 20 50	388	88,6
	400	98,4
	512	67,9
	528	67,3
	720	74,0
	999	79,2

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

COMMISSION REGULATION (EC) No 240/2006**of 10 February 2006****amending Regulation (EC) No 622/2003 laying down measures for the implementation of the common basic standards on aviation security****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2320/2002 of the European Parliament and the Council of 16 December 2002 establishing common rules in the field of civil aviation security ⁽¹⁾ and in particular Article 4(2) thereof,

Whereas:

- (1) The Commission is required, pursuant to Regulation (EC) No 2320/2002, to adopt measures for the implementation of common basic standards for aviation security throughout the European Community. Commission Regulation (EC) No 622/2003 of 4 April 2003 laying down measures for the implementation of the common basic standards on aviation security ⁽²⁾ was the first act containing such measures.
- (2) There is a need for measures giving greater precision to the common basic standards.
- (3) In accordance with Regulation (EC) No 2320/2002 and in order to prevent unlawful acts, the measures laid down in the Annex to Regulation (EC) No 622/2003

should be secret and should not be published. The same rule necessarily applies to any amending act.

- (4) Regulation (EC) No 622/2003 should be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Civil Aviation Security,

HAS ADOPTED THIS REGULATION:

Article 1**Objective**

The Annex to Regulation (EC) No 622/2003 is amended as set out in the Annex to this Regulation.

Article 3 of that Regulation shall apply as regards the confidential nature of this Annex.

Article 2**Entry into Force**

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, 10 February 2006.

For the Commission

Jacques BARROT

Vice-President

⁽¹⁾ OJ L 355, 30.12.2002, p. 1. Regulation as amended by Regulation (EC) No 849/2004 (OJ L 158, 30.4.2004, p. 1).

⁽²⁾ OJ L 89, 5.4.2003, p. 9. Regulation as last amended by Regulation (EC) No 65/2006 (OJ L 11, 17.1.2006, p. 5).

ANNEX

In accordance with Article 1 the Annex is secret and shall not be published in the *Official Journal of the European Union*.

COMMISSION REGULATION (EC) No 241/2006
of 10 February 2006
amending Regulation (EC) No 1004/2001 concerning the classification of certain goods in the
Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) The classification of a colour plasma-screen with installation diskettes in Commission Regulation (EC) No 1004/2001 of 22 May 2001 concerning the classification of certain goods in the Combined Nomenclature⁽²⁾ has led to classifications under CN code 8528 21 90 for the plasma-screen and 8524 91 00 for the installation diskettes. Since Note 6 to Chapter 85 of the Combined Nomenclature was amended with effect from 1 January 2002 and in view of the fact that the HS Committee agreed in October 2004 on the interpretation of this Note, Regulation (EC) No 1004/2001 is to be considered as incorrect.

tation of this Note, Regulation (EC) No 1004/2001 is to be considered as incorrect.

- (2) Regulation (EC) No 1004/2001 should therefore be amended accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The second item of the table set out in the Annex to Regulation (EC) No 1004/2001 is replaced by the text set out in the Annex to this Regulation.

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, 10 February 2006.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 2175/2005 (OJ L 347, 30.12.2005, p. 9).

⁽²⁾ OJ L 140, 24.5.2001, p. 8.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>Set put up for retail sale comprising a colour monitor, cable clips, power cable, remote control (operated by two batteries), a user manual and installation diskettes.</p> <p>The monitor is of the plasma type with a diagonal measurement of the screen of 105,6 cm (overall dimensions 103,5 (W) × 64 (H) × 15 (D) cm) with an 852 × 480 pixel configuration and two internal loudspeakers. It has the following interfaces:</p> <ul style="list-style-type: none"> — three video input connectors (composite video signal), — a data input connector (VGA-SVGA), — an audio input connector, — a control connector. <p>The different interfaces enable the monitor to show in colour both data received from automatic data-processing machines and still or moving images from a video recording or reproducing apparatus, a DVD-player, a video camera, etc.</p>	8528 21 90	<p>Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and the wording of the CN codes 8528, 8528 21 and 8528 21 90.</p> <p>The essential character of the set is conferred by the monitor.</p> <p>The product is not classifiable under subheading 8471 60 because it is capable of reproducing a colour image from a composite video signal (see the HS Explanatory Notes to heading 8471, point (I)(D)(1)).</p> <p>Likewise, the product is not to be classified under heading 8531 because its function is not to provide visual indication for signalling purposes (see the HS Explanatory Notes to heading 8531, point (D)).</p>

COMMISSION REGULATION (EC) No 242/2006**of 10 February 2006****concerning the classification of certain goods in the Combined Nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN code indicated in column 2, by virtue of the reasons set out in column 3.
- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities

of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, pursuant to Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column 2.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months pursuant to Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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, 10 February 2006.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 2175/2005 (OJ L 347, 30.12.2005, p. 9).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council (OJ L 117, 4.5.2005, p. 13).

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
Food preparation consisting of cocoa powder and sugar (% by weight): Sugar 99,5 to 99,7 Cocoa powder calculated 0,2 to 0,4 on a totally defatted basis The product is in the form of brownish crystals. It is used and sold as sugar.	1806 10 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, by Note 2 to Chapter 18 and by the wording of CN codes 1806, 1806 10 and 1806 10 90. The product cannot be classified in Chapter 17 because the content of cocoa powder can be detected by chemical analysis. The product is a food preparation containing cocoa (Note 2 to Chapter 18).

COMMISSION REGULATION (EC) No 243/2006**of 10 February 2006****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat ⁽²⁾,

Whereas:

- (1) Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f).
- (2) Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal meeting the definition laid down therein which may

be imported on special terms for the period 1 July 2005 to 30 June 2006 at 11 500 t.

- (3) It should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 February 2006 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of March 2006 for 7 706,862 t.

Article 2

This Regulation shall enter into force on 11 February 2006.

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

Done at Brussels, 10 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 137, 28.5.1997, p. 10. Regulation as last amended by Regulation (EC) No 2186/2005 (OJ L 347, 30.12.2005, p. 74).

COMMISSION REGULATION (EC) No 244/2006**of 10 February 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2005/2006 marketing year are fixed by

Commission Regulation (EC) No 1011/2005 ⁽³⁾. These prices and duties were last amended by Commission Regulation (EC) No 232/2006 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 February 2006.

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

Done at Brussels, 10 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 170, 1.7.2005, p. 35.

⁽⁴⁾ OJ L 39, 10.2.2006, p. 15.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 11 February 2006

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	36,52	0,33
1701 11 90 ⁽¹⁾	36,52	3,95
1701 12 10 ⁽¹⁾	36,52	0,19
1701 12 90 ⁽¹⁾	36,52	3,65
1701 91 00 ⁽²⁾	36,08	7,19
1701 99 10 ⁽²⁾	36,08	3,51
1701 99 90 ⁽²⁾	36,08	3,51
1702 90 99 ⁽³⁾	0,36	0,31

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.I to Regulation (EC) No 1260/2001.⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 245/2006
of 10 February 2006
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme ⁽³⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned

cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling 24,448 EUR/100 kg.

Article 2

This Regulation shall enter into force on 11 February 2006.

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

Done at Brussels, 10 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10. Regulation as amended by Regulation (EC) No 1486/2002 (OJ L 223, 20.8.2002, p. 3).

COMMISSION REGULATION (EC) No 246/2006**of 10 February 2006****amending for the 63rd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan ⁽¹⁾, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 7 February 2006, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended as 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, 10 February 2006.

For the Commission

Eneko LANDÁBURU

Director-General for External Relations

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Commission Regulation (EC) No 142/2006 (OJ L 23, 27.1.2006, p. 55).

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

The following entries shall be added under the heading 'Legal persons, groups and entities':

- (1) Meadowbrook Investments Limited. Address: 44 Upper Belgrave Road, Clifton, Bristol, BS8 2XN, United Kingdom. Other information: Registration number: 05059698.
- (2) Ozlam Properties Limited. Address: 88 Smithdown Road, Liverpool L7 4JQ, United Kingdom. Other information: Registration number: 05258730.
- (3) Sanabel Relief Agency Limited (*alias* (a) Sanabel Relief Agency (b) Sanabel L'il-Igatha (c) SRA (d) Sara (e) Al-Rahama Relief Foundation Limited). Address: (a) 63 South Rd, Sparkbrook, Birmingham B 111 EX, United Kingdom (b) 1011 Stockport Rd, Levenshulme, Manchester M9 2TB, United Kingdom (c) P.O. Box 50, Manchester M19 25P, United Kingdom (d) 98 Gresham Road, Middlesbrough, United Kingdom (e) 54 Anson Road, London NW2 6AD, United Kingdom. Other information: (a) website: <http://www.sanabel.org.uk>, (b) e-mail: info@sanabel.org.uk, (c) charity number: 1083469, (d) registration number: 3713110.
- (4) Sara Properties Limited (*alias* Sara Properties). Address: (a) 104 Smithdown Road, Liverpool, Merseyside L7 4JQ, United Kingdom (b) 2a Hartington Road, Liverpool L8 OSG, United Kingdom. Other information: (a) website: <http://www.saraproperties.co.uk>, (b) registration number: 4636613.

The following entries shall be added under the heading 'Natural persons':

- (5) Ghuma **Abd'rabbah** (*alias* (a) Ghunia Abdurabba, (b) Ghoma Abdrabba, (c) Abd'rabbah, (d) Abu Jamil). Address: Birmingham, United Kingdom. Date of birth: 2.9.1957. Place of birth: Benghazi, Libya. Nationality: British.
 - (6) Abd Al-Rahman **Al-Faqih** (*alias* (a) Mohammed Albashir, (b) Muhammad Al-Bashir, (c) Bashir Mohammed Ibrahim Al-Faqi, (d) Al-Basher Mohammed, (e) Abu Mohammed, (f) Mohammed Ismail, (g) Abu Abd Al Rahman, (h) Abd Al Rahman Al-Khatib, (i) Mustafa, (j) Mahmud, (k) Abu Khalid). Address: Birmingham, United Kingdom. Date of birth: 15.12.1959. Place of birth: Libya.
 - (7) Mohammed **Benhammedi** (*alias* (a) Mohamed Hannadi (b) Mohamed Ben Hammedi (c) Muhammad Muhammad Bin Hammidi (d) Ben Hammedi (e) Panhammedi (f) Abu Hajir (g) Abu Hajir Al Libi (h) Abu Al Qassam). Address: Midlands, United Kingdom. Date of birth: 22.9.1966. Place of birth: Libya. Nationality: British.
 - (8) Abdulbaqi Mohammed **Khaled** (*alias* (a) Abul Baki Mohammed Khaled (b) Abd' Al-Baki Mohammed (c) Abul Baki Khaled (d) Abu Khawla). Address: Birmingham, United Kingdom. Date of birth: 18.8.1957. Place of birth: Tripoli, Libya. Nationality: British.
 - (9) Tahir **Nasuf** (*alias* (a) Tahir Mustafa Nasuf (b) Tahar Nasooof (c) Taher Nasuf (d) Al-Qa'qa (e) Abu Salima El Libi (f) Abu Rida). Address: Manchester, United Kingdom. Date of birth: (a) 4.11.1961, (b) 11.4.1961. Place of birth: Tripoli, Libya.
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II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 1/2005 OF THE EU-BULGARIA ASSOCIATION COUNCIL

of 9 March 2005

on the participation of Bulgaria in the Community system for the rapid exchange of information on dangers arising from the use of consumer products (RAPEX system) under Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety

(2006/82/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, signed in Brussels on 8 March 1993, and in particular Article 93 thereof,

Having regard to Directive 2001/95/EC ⁽¹⁾ of the European Parliament and of the Council, and in particular Article 12 thereof,

Having regard to the letter, dated 28 November 2003, addressed by the Mission of the Republic of Bulgaria to the European Communities to the Director-General for Health and Consumer Protection requesting the Commission to initiate the procedures to enable Bulgaria's access to the RAPEX system,

Whereas:

- (1) Article 93 of the Europe Agreement establishes that the Parties shall cooperate with the aim of achieving full compatibility of the systems of consumer protection in Bulgaria and the Community. To this end, cooperation shall comprise, amongst other things and within existing possibilities, the exchange of information and access to Community databases.
- (2) Article 12(4) of Directive 2001/95/EC establishes that access to RAPEX shall be open to applicant countries, within the framework of agreements between the Community and those countries, according to arrangements defined in these agreements. Any such agreements shall be based on reciprocity and include provisions on confidentiality corresponding to those applicable in the Community.

- (3) Annex II of Directive 2001/95/EC establishes the procedures for the application of RAPEX and guidelines for notification.

- (4) The Commission has adopted guidelines for the management of RAPEX, as required by point 8 of Annex II to Directive 2001/95/EC, on 29 April 2004 ⁽²⁾.

- (5) Bulgaria has actively participated, from its start in May 1999, in TRAPEX (Transitional system for rapid exchange of information), the system that mirrors the activities of RAPEX for the applicant countries,

HAS DECIDED AS FOLLOWS:

Article 1

Bulgaria shall participate in the RAPEX system with the same rights and obligations as the current members, in accordance with the relevant provisions of Directive 2001/95/EC and the RAPEX guidelines.

Article 2

Bulgaria shall apply the same confidentiality principles as those applied by the other members of RAPEX.

Article 3

In cooperation with the Commission services, Bulgaria shall make the necessary practical arrangements to ensure that it is in a position to comply fully with the requirements set out in Directive 2001/95/EC and the procedures included in the RAPEX guidelines.

⁽¹⁾ OJ L 11, 15.1.2002, p. 4.

⁽²⁾ OJ L 151, 30.4.2004, p. 86, corrected by OJ L 208, 10.6.2004, p. 73.

The Commission shall in particular provide initial training of Bulgarian officials for use of the RAPEX application.

Article 4

Any problems that may arise from the application of this Decision shall be solved through direct contacts between the Commission services and the Bulgarian authorities in the context of RAPEX. Whenever this does not lead to a mutually acceptable solution, an exchange of views shall take place in the Association Council at the request of one Party within three months following the request.

Following this exchange of views, or after expiry of the period referred to in the above subparagraph, the Association Council may make appropriate recommendations for the settlement of those problems.

These procedures in the Association Council are without prejudice to any action under the respective consumer protection laws in force in the territory of the Parties.

Article 5

This Decision shall enter into force on the day on which it is adopted.

Done at Brussels, 9 March 2005.

For the Association Council

The President

J. ASSELBORN

COUNCIL DECISION

of 30 January 2006

on the signing on behalf of the European Community and provisional application of the Agreement in the form of an Exchange of Letters extending the Protocol setting out, for the period from 1 June 2005 to 31 May 2006, the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé and Príncipe on fishing off the coast of São Tomé and Príncipe

(2006/83/EC)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

activities of Community vessels. The Agreement in the form of an Exchange of Letters should therefore be signed and applied on a provisional basis pending the completion of the procedures required to conclude it.

- (5) The allocation of fishing opportunities among the Member States under the expired Protocol should be confirmed,

HAS DECIDED AS FOLLOWS:

- (1) Under the terms of the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé and Príncipe on fishing off the coast of São Tomé and Príncipe⁽¹⁾, the Contracting Parties are to enter into negotiations, before the period of validity of the Protocol to the Agreement expires, to determine by mutual agreement the contents of the Protocol for the period that follows and, where applicable, the amendments or additions to be made to the Annex thereto.

Article 1

The signature of the Agreement in the form of an Exchange of Letters extending the Protocol setting out, for the period from 1 June 2005 to 31 May 2006, the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé and Príncipe on fishing off the coast of São Tomé and Príncipe is hereby approved on behalf of the Community, subject to conclusion of the said Agreement.

- (2) Pending negotiations on changes to be made to the existing Protocol approved by Council Regulation (EC) No 2348/2002 of 9 December 2002 on the conclusion of the Protocol setting out, for the period from 1 June 2002 to 31 May 2005, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé and Príncipe on fishing off the coast of São Tomé and Príncipe⁽²⁾, the Parties have decided to extend its validity for a further year by means of an Agreement in the form of an Exchange of Letters.

The text of the Agreement is attached to this Decision.

Article 2

The Agreement shall apply provisionally from 1 June 2005.

Article 3

- (3) The Exchange of Letters provides Community fishermen with fishing opportunities in waters under the sovereignty or jurisdiction of São Tomé and Príncipe from 1 June 2005 to 31 May 2006.
- (4) It is essential that the extension be applied as soon as possible in order to avoid interrupting the fishing

1. The fishing opportunities set out in the Protocol shall be allocated to Member States as follows:

- (a) tuna seiners:

France: 18

Spain: 18

- (b) pole-and-line tuna vessels:

Portugal: 2

⁽¹⁾ OJ L 54, 25.2.1984, p. 2.

⁽²⁾ OJ L 351, 28.12.2002, p. 12.

(c) surface longliners:

Spain: 20

Portugal: 5

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

Article 4

The Member States whose vessels fish under the Agreement shall notify the Commission of the quantities of each stock caught within the fishing zone of São Tomé and Príncipe in accordance with the detailed arrangements set out in Commission Regulation (EC) No 500/2001 of 14 March

2001 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas ⁽¹⁾.

Article 5

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

Done at Brussels, 30 January 2006.

For the Council
The President
U. PLASSNIK

⁽¹⁾ OJ L 73, 15.3.2001, p. 8.

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

extending the Protocol setting out, for the period from 1 June 2005 to 31 May 2006, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé and Príncipe on fishing off the coast of São Tomé and Príncipe

A. Letter from the Community

Sirs,

I have the honour to confirm that pending negotiations on amendments to be made to the Protocol currently in force (1 June 2002 to 31 May 2005) setting out the fishing opportunities and financial contribution provided for in the Fisheries Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé and Príncipe, we agree to the following interim arrangements:

1. From 1 June 2005 to 31 May 2006 the arrangements applicable over the last three years will continue in operation.

The Community's financial contribution under the interim arrangements will correspond to the yearly amount provided for in Article 2 of the Protocol currently in force (EUR 637 500). That amount is to be treated entirely as financial compensation and will be paid no later than 31 January 2006.

The Community will also provide financing of EUR 50 000 during the year for an evaluation study on deep-water crab.

2. During this period, fishing licences will be granted within the limits set in Article 1 of the Protocol currently in force, by means of fees or advances corresponding to those set in point 2 of the Annex to the Protocol.

I should be obliged if you would acknowledge receipt of this letter and confirm that you are in agreement with its terms.

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

*On behalf of the
Council of the European Union*

B. Letter from the Government of the Democratic Republic of São Tomé and Príncipe

Sirs,

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

'I have the honour to confirm that pending negotiations on amendments to be made to the Protocol currently in force (1 June 2002 to 31 May 2005) setting out the fishing opportunities and financial contribution provided for in the Fisheries Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé and Príncipe, we agree to the following interim arrangements:

1. From 1 June 2005 to 31 May 2006 the arrangements applicable over the last three years will continue in operation.

The Community's financial contribution under the interim arrangements will correspond to the yearly amount provided for in Article 2 of the Protocol currently in force (EUR 637 500). That amount is to be treated entirely as financial compensation and will be paid no later than 31 January 2006.

The Community will also provide financing of EUR 50 000 during the year for an evaluation study on deep-water crab.

2. During this period, fishing licences will be granted within the limits set in Article 1 of the Protocol currently in force, by means of fees or advances corresponding to those set in point 2 of the Annex to the Protocol.'

I have the honour to confirm that the contents of your letter are acceptable to the Government of the Democratic Republic of São Tomé and Príncipe and that your letter and this one constitute an agreement in accordance with your proposal.

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

*For the Government
of the Democratic Republic of São Tomé and Príncipe*

COMMISSION

COMMISSION DECISION

of 6 February 2006

on a Community financial contribution for Germany and Portugal for their programmes for strengthening inspection infrastructures for plant-health checks on plants and plant products coming from third countries

(notified under document number C(2006) 238)

(Only the German and Portuguese texts are authentic)

(2006/84/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular the sixth subparagraph of Article 13c(5) thereof.

Whereas:

(1) Directive 2000/29/EC provides for a Community financial contribution to be granted to Member States in order to strengthen inspection infrastructures for plant-health checks on plants and plant products coming from third countries.

(2) Germany and Portugal have each established a programme to strengthen their inspection infrastructure for checks on plants and plant products coming from third countries. They have applied for the allocation of a Community financial contribution for 2006 for those programmes in accordance with Commission Regulation (EC) No 998/2002 of 11 June 2002 establishing detailed rules for the implementation of the provisions relating to the allocation of a Community financial contribution for Member States in order to strengthen inspection infrastructures for plant health checks on plants and plant products coming from third countries ⁽²⁾.

(3) The technical information provided for by Germany and Portugal has enabled the Commission to analyse the situation accurately and comprehensively. The Commission has prepared a list of eligible inspection posts strengthening programmes, which give details of the amount of the proposed Community financial contribution to each programme. The information has also been examined by the Standing Committee on Plant Health.

(4) Each programme included in that list has been individually assessed for approval. The Commission has concluded that the conditions and criteria set out in Directive 2000/29/EC and Regulation (EC) No 998/2002 for the grant of a Community financial contribution have been met.

(5) Accordingly, it is appropriate to allocate a Community financial contribution to cover the expenditure of those programmes for 2006 by Germany and Portugal.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

1. The allocation of a Community financial contribution to cover expenditure to be incurred in 2006 by Germany for its programme for strengthening inspection posts is hereby approved.

2. The allocation of a Community financial contribution to cover expenditure to be incurred in 2006 by Portugal for its programme for strengthening inspection posts is hereby approved.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2005/77/EC (OJ L 296, 12.11.2005, p. 17).

⁽²⁾ OJ L 152, 12.6.2002, p. 16. The Regulation was published as Regulation (EC) No 997/2002 but the number was corrected by a corrigendum (OJ L 153, 13.6.2002, p. 18).

Article 2

1. The total amount of the Community financial contribution as provided for in Article 1 shall be EUR 45 625.

2. The maximum amount of the Community financial contribution for each concerned Member State shall be as follows:

(a) EUR 22 025: Germany;

(b) EUR 23 600: Portugal.

3. The maximum Community financial contribution for each programme for strengthening inspection posts shall be as set out in the Annex.

Article 3

The Community financial contribution per programme as set out in the Annex shall only be paid when:

(a) evidence of the purchase and/or improvement of the equipment and/or facilities listed in the programme has been given by the Member State concerned to the Commission by appropriate documentation; and

(b) a request for payment of the Community financial contribution has been submitted by the Member State concerned to the Commission, in accordance with the rules provided for in Article 3 of Regulation (EC) No 998/2002.

Article 4

This Decision is addressed to the Federal Republic of Germany and the Portuguese Republic.

Done at Brussels, 6 February 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

PROGRAMMES FOR STRENGTHENING INSPECTION POSTS

Programmes with corresponding Community financial contribution to be allocated in 2006

(EUR)			
Member State	Names of the inspection posts (administrative unit, name)	Eligible expenditure	Maximum Community Financial contribution
Germany	Hessen, Frankfurt Flughafen, entry point 7.2	17 600	8 800
	Hessen, Gießen ZA Kassel, entry point 7.3	2 300	1 150
	Mecklenburg-Vorpommern, Rostock, entry points 8.2 and 8.3	520	260
	Mecklenburg-Vorpommern, Wismar, entry point 8.4	520	260
	Mecklenburg-Vorpommern, Sassnitz-Mukran, entry points 8.5 and 8.6	520	260
	Niedersachsen, ZA Wilhelmshaven, entry point 9.5	460	230
	Saarland, ZA Flughafen Saarbrücken and ZA Im Hauptgüterbahnhof, entry point 12.1 and 12.2	500	250
	Schleswig-Holstein, Einlassstelle Kiel, entry points 15.3 to 15.6	5 050	2 525
	Thüringen, Erfurt-Kühnhausen, entry point 16.1	16 580	8 290
Portugal	Porto (airport)	3 820	1 910
	Leixões (port)	5 620	2 810
	Aveiro (port)	5 620	2 810
	Lisboa (airport)	3 820	1 910
	Lisboa (port)	5 620	2 810
	Setúbal (port)	5 620	2 810
	Sines (port)	5 620	2 810
	Faro (airport)	3 820	1 910
	Ponta Delgada (airport)	3 820	1 910
	Funchal (airport)	3 820	1 910
Total Community financial contribution		45 625	

COMMISSION DECISION

of 10 February 2006

amending Decision 92/452/EEC as regards certain embryo collection and production teams in certain third countries*(notified under document number C(2006) 332)***(Text with EEA relevance)**

(2006/85/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

approved for exports to the Community by the veterinary services of those countries.

Having regard to the Treaty establishing the European Community,

(4) Decision 92/452/EEC should therefore be amended accordingly.

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species⁽¹⁾, and in particular Article 8(1) thereof,

(5) 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:

Whereas:

Article 1

(1) Commission Decision 92/452/EEC of 30 July 1992 establishing lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community⁽²⁾ provides that Member States are only to import embryos from third countries where they have been collected, processed and stored by embryo collection teams listed in that Decision.

The Annex to Decision 92/452/EEC is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from 14 February 2006.

Article 3

(2) Canada, New Zealand and the United States of America have requested that amendments be made to the entries for those countries on those lists as regards certain embryo collection and production teams.

This Decision is addressed to the Member States.

Done at Brussels, 10 February 2006.

(3) Canada, New Zealand and the United States of America have provided guarantees regarding compliance with the appropriate rules set out in Directive 89/556/EEC and the embryo collection teams concerned have been officially

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1989, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 250, 29.8.1992, p. 40. Decision as last amended by Decision 2006/8/EC (OJ L 6, 11.1.2006, p. 32).

ANNEX

The Annex to Decision 92/452/EEC is amended as follows:

- (a) the row for Canada embryo collection and production team No E593 is replaced by the following:

'CA		E593		Davis-Rairdan Embryo Transplant Ltd PO Box 590, Crossfield Alberta TOM 0S0	Dr Roger Davis Dr Andres Arteaga'
-----	--	------	--	--	--------------------------------------

- (b) the following row for New Zealand is inserted:

'NZ		NZEB11		ArTech PO Box 23026 Hamilton	Dr Rob Courtney Dr William Hancock'
-----	--	--------	--	------------------------------------	--

- (c) the following rows for United States of America embryo collection teams are deleted:

'US		91WA048 E11		Carnation Research 28901 NE Carnation F Carnation, WA	Eric Studer
US		91WA020 E572		North West Veterinary Clinic 8500 Cedarhome Drive Stanwood, WA	E.E. Elefson
US		91NC054 E705		Apex Veterinary Hospital 1600 E. Williams St Apex, NC	Samuel P. Galphin'

- (d) the following rows for United States of America are inserted:

'US		05NC117 E705		S. Galphin Services 6509 Saddle Path Circle Raleigh, NC 27606	Dr Samuel P. Galphin
US		05IA118 E1477		Donald Yanda 147 Jacobsen Drive Maquoketa, IA 52060	Dr Donald Yanda
US		05WI116 E1554		Reprovider, LLC 2007 Excalibur Drive Janesville, WI 53546	Dr Rick Faber
US		05IA119 E1685		Westwood Embryo Services Inc 1760 Dakota Ave Waverly, IA 50677	Dr Justin Helgersen'

COMMISSION DECISION

of 10 February 2006

concerning certain interim protection measures in relation to suspected cases of highly pathogenic avian influenza in wild birds in Greece

(notified under document number C(2006) 455)

(Only the Greek text is authentic)

(2006/86/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the clinical picture and the epidemiological circumstances allow the suspicion of highly pathogenic avian influenza caused by influenza A virus of subtype H5N1.

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(3) thereof,

- (3) Greece has without undue delay implemented certain measures foreseen in the framework of Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza ⁽⁴⁾.

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(3) thereof,

- (4) Given the disease risk, interim protection measures should be adopted in order to address the particular risks in different areas.

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

- (5) In the interests of consistency, it is appropriate to apply for the purposes of this Decision certain definitions provided for in Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC ⁽⁵⁾, Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs ⁽⁶⁾, 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 ⁽⁷⁾, Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC ⁽⁸⁾.

Whereas:

- (1) Avian influenza is an infectious viral disease in poultry and birds, causing mortality and disturbances which can quickly take epizootic proportions liable to present a serious threat to animal and public health and to reduce sharply the profitability of poultry farming. There is a risk that the disease agent might be spread from wild birds to domestic birds, notably poultry, and from one Member State to other Member States and third countries through the international trade in live birds or their products.
- (2) Greece has informed the Commission about the isolation of an H5 avian influenza virus collected from a clinical case in wild birds. Pending the determination of the neuraminidase (N) type and of the pathogenicity index,

- (6) Protection and surveillance zones should be established around the place where the disease was detected in wild birds. Those zones should be limited to what is necessary to prevent virus introduction into commercial and non-commercial poultry flocks.

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

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

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

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

⁽⁵⁾ OJ L 10, 14.1.2006, p. 16.

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

⁽⁷⁾ OJ L 139, 30.4.2004, p. 206; corrected version in OJ L 226, 25.6.2004, p. 83. Regulation as last amended by Commission Regulation (EC) No 2076/2005 (OJ L 338, 22.12.2005, p. 83).

⁽⁸⁾ OJ L 146, 13.6.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 18/2006 (OJ L 4, 7.1.2006, p. 3).

- (7) It is appropriate to control and restrict the movement of, in particular, live birds and hatching eggs while allowing the controlled dispatch from the zones of such birds and products of avian origin subject to certain conditions.
- (8) The measures laid down in Commission Decision 2005/734/EC of 19 October 2005 laying down biosecurity measures to reduce the risk of transmission of highly pathogenic avian influenza caused by Influenza virus A subtype H5N1 from birds living in the wild to poultry and other captive birds and providing for an early detection system in areas at particular risk⁽¹⁾ should be implemented in protection and surveillance zones, independently of the defined risk status of the area where highly pathogenic avian influenza is suspected or confirmed in wild birds.
- (9) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption⁽²⁾ authorises the placing on the market of a range of animal by-products, such as gelatine for technical use, materials for pharmaceutical use and others, originating in areas of the Community under animal health restrictions, because those products are considered safe due to the specific conditions of production, processing and utilisation that effectively inactivate possible pathogens or prevent contact with susceptible animals. It is therefore appropriate to permit the transport from protection zones of unprocessed used litter or manure for the purposes of treatment in accordance with that Regulation and of animal by-products complying with the conditions set out therein.
- (10) 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⁽³⁾ provides for approved bodies, institutes and centres and a model certificate to accompany animals or their gametes between such approved premises in different Member States. A derogation from the transport restrictions should be envisaged for birds coming from and proceeding to bodies, institutes and centres approved in accordance with that Directive.
- (11) Transport of hatching eggs from the protection zones should be permitted under certain conditions. The dispatch of hatching eggs to other countries may be permitted subject in particular to compliance with the conditions referred to in Directive 2005/94/EC. In such cases the animal health certificates provided for in accordance with Directive 90/539/EEC should include a reference to this Decision.
- (12) The dispatch from protection zones of meat, minced meat, meat preparations and meat products should be permitted subject to certain conditions, in particular as regards compliance with certain requirements of Regulation (EC) No 853/2004 and of Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽⁴⁾.
- (13) Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption⁽⁵⁾ establishes a list of treatments rendering meat from restricted areas safe, and provides for the possibility to establish a specific health mark and the health mark required for meat not authorised for placing on the market for animal health reasons. It is appropriate to permit the dispatch from the protection zones of meat bearing the health mark provided for in that Directive and meat products subjected to treatment referred to therein.
- (14) Pending the meeting of the Standing Committee on the Food Chain and Animal Health and in collaboration with the Member State concerned the Commission should take interim protection measures relating to highly pathogenic avian influenza in wild birds.
- (15) The measures provided for in this Decision should be reviewed at the next meeting of the Standing Committee on the Food Chain and Animal Health,
- ⁽¹⁾ OJ L 274, 20.10.2005, p. 105. Decision as last amended by Decision 2005/855/EC (OJ L 316, 2.12.2005, p. 21).
- ⁽²⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 416/2005 (OJ L 66, 12.3.2005, p. 10).
- ⁽³⁾ OJ L 268, 14.9.1992, p. 54. Directive as last amended by Directive 2004/68/EC (OJ L 139, 30.4.2004, p. 321).
- ⁽⁴⁾ OJ L 139, 30.4.2004, p. 55; corrected version in OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Commission Regulation (EC) No 2076/2005 (OJ L 338, 22.12.2005, p. 83).
- ⁽⁵⁾ OJ L 18, 23.1.2003, p. 11.

HAS ADOPTED THIS DECISION:

Article 1

Subject matter, scope and definitions

1. This Decision lays down certain interim protection measures in relation to highly pathogenic avian influenza in wild birds in Greece caused by influenza A virus of subtype H5 suspected to be of the neuraminidase type N1, in order to prevent the spread of avian influenza from wild birds to poultry or other captive birds as well as the contamination of products thereof.

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

- (a) 'hatching eggs' means eggs as defined in Article 2(2) of Directive 90/539/EEC;
- (b) 'wild feathered game' means game as defined in point 1.5, second indent, and point 1.7 of Annex I to Regulation (EC) No 853/2004;
- (c) 'other captive birds' means birds as defined in point 6 of Article 2 of Directive 2005/94/EC, including:
 - (i) pet animals of the bird species as referred to in Article 3(a) of Regulation (EC) No 998/2003, and
 - (ii) birds for zoos, circuses, amusement parks and experimental laboratories.

Article 2

Establishment of protection and surveillance zones

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

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

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

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

4. Greece shall notify to the Commission and to the other Member States the details of any protection and surveillance zones established under this Article.

Article 3

Measures in the protection zone

1. Greece shall ensure that at least the following measures are applied in the protection zone:

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

2. Greece shall ensure that the following are prohibited in the protection zone:

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

Article 4

Measures in the surveillance zone

1. Greece shall ensure that at least the following measures are applied in the surveillance zone:

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

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

Article 5

Duration of the measures

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

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

Article 6

Derogations for live birds and day-old chicks

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

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

- (a) poultry for immediate slaughter, including spent laying hens, to a slaughterhouse located in the protection zone or in the surveillance zone or, if that is not possible, to a slaughterhouse designated by the competent authority outside the zones;
- (b) day-old chicks from the protection zone to holdings under official control on the territory of Greece on which there are no other poultry or captive birds, except pet birds referred to in Article 1(2)(c)(i), separated from poultry;
- (c) day-old chicks from the surveillance zone to holdings under official control on the territory of Greece;

- (d) ready-to-lay pullets and turkeys for fattening from the surveillance zone to holdings under official control on the territory of Greece;
- (e) pet birds referred to in Article 1(2)(c)(i), to premises on the territory of Greece not keeping poultry, if the consignment consists of five or fewer caged birds, notwithstanding national rules referred to in Article 1, third paragraph, of Directive 92/65/EEC;
- (f) birds referred to in Article 1(2)(c)(ii) coming from bodies, institutes and centres and proceeding to bodies, institutes and centres approved in accordance with Article 13 of Directive 92/65/EEC.

Article 7

Derogations for hatching eggs

1. By way of derogation from Article 3(2)(d), Greece may authorise:
 - (a) the transport of hatching eggs from the protection zone to a designated hatchery within the territory of Greece;
 - (b) the dispatch of hatching eggs from the protection zone to hatcheries situated outside the territory of Greece provided that:
 - (i) the hatching eggs were collected from flocks which:
 - are not suspected of being infected with avian influenza, and
 - have tested negative in a serological survey for avian influenza capable of detecting 5 % prevalence of disease with at least a 95 % level of confidence, and
 - (ii) the conditions laid down in Article 26(1)(b), (c) and (d) of Directive 2005/94/EC are fulfilled.
2. The animal health certificates in accordance with Model 1 of Annex IV to Council Directive 90/539/EEC accompanying consignments of hatching eggs referred to in paragraph 1(b) dispatched to other Member States shall include the words:

'The animal health conditions of this consignment are in accordance with Commission Decision 2006/86/EC.'

Article 8

Derogations for meat, minced meat, meat preparations and meat products

1. By way of derogation from Article 3(2)(e), Greece may authorise the dispatch from the protection zone of:
 - (a) fresh meat from poultry, including meat from ratites, originating in or outside that zone and produced in accordance with Annex II and Sections II and III of Annex III to Regulation (EC) No 853/2004 and controlled in accordance with Sections I, II, III, and Chapters V and VII of Section IV of Annex I to Regulation (EC) No 854/2004;
 - (b) minced meat, meat preparations and meat products containing meat referred to in point (a) and produced in accordance with Sections V and VI of Annex III to Regulation (EC) No 853/2004;
 - (c) fresh meat from wild feathered game originating in that zone, if such meat is marked with the health mark provided for in Annex II to Directive 2002/99/EC and is intended for transport to an establishment for treatment as required for avian influenza in accordance with Annex III to that Directive;
 - (d) meat products produced from meat from wild feathered game which were subjected to a treatment as required for avian influenza in accordance with Annex III to Directive 2002/99/EC;
 - (e) fresh meat from wild feathered game originating outside the protection zone and produced in establishments within the protection zone in accordance with Section IV of Annex III to Regulation (EC) No 853/2004 and controlled in accordance with Chapter VIII of Section IV of Annex I to Regulation (EC) No 854/2004;
 - (f) minced meat, meat preparations and meat products containing meat referred to in point (e) and produced in establishments situated in the protection zone in accordance with Sections V and VI of Annex III to Regulation (EC) No 853/2004.
2. Greece shall ensure that the products referred to in paragraph 1(e) and (f) are accompanied by a commercial document stating:

'The animal health conditions of this consignment are in accordance with Commission Decision 2006/86/EC.'

*Article 9***Conditions for animal by-products**

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

- (a) animal by-products complying with the conditions set out in Chapters II (A), III (B), IV (A), VI (A and B), VII (A), VIII (A), IX (A) and X (A) of Annex VII, and Chapter II (B) and Chapter III (II) (A) of Annex VIII to Regulation (EC) No 1774/2002;
- (b) unprocessed feathers or parts of feathers in accordance with Chapter VIII (A)(1)(a) of Annex VIII to Regulation (EC) No 1774/2002, produced from poultry coming from outside the protection zone;
- (c) processed poultry feathers and parts of poultry feathers that have been treated with a steam current or by some other method that ensures that no pathogens remain;
- (d) products derived from poultry or other captive birds which, in accordance with Community legislation, are not subject to any animal health conditions or which are not subject to any ban or restriction for reasons of animal health, including the products referred to in Chapter VII (A)(1)(a) of Annex VIII to Regulation (EC) No 1774/2002.

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

However, that commercial document shall not be required for processed decorative feathers, processed feathers carried by

travellers for their private use or consignments of processed feathers sent to private individuals for non-industrial purposes.

*Article 10***Conditions for movements**

- 1. Where movements of animals or products thereof covered by this Decision are authorised under Articles 6 to 9, all appropriate biosecurity measures shall be taken to avoid the spread of avian influenza.
- 2. Where the dispatch, movement or transport of products referred to in paragraph 1 are authorised under Articles 7, 8 and 9, they must be obtained, handled, treated, stored and transported separately from other products fulfilling all the animal health requirements for trade, placing on the market or export to third countries.

*Article 11***Compliance**

Greece shall immediately take the necessary measures to comply with this Decision and publish those measures. It shall immediately inform the Commission thereof.

*Article 12***Addressee**

This Decision is addressed to Greece.

Done at Brussels, 10 February 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

EUROPEAN CENTRAL BANK

GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 3 February 2006

amending Guideline ECB/2005/5 on the statistical reporting requirements of the European Central Bank and the procedures for exchanging statistical information within the European System of Central Banks in the field of government finance statistics

(ECB/2006/2)

(2006/87/EC)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

HAS ADOPTED THIS GUIDELINE:

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 5.1 and 5.2, Article 12.1 and Article 14.3 thereof,

Article 1

Guideline ECB/2005/5 is amended as follows:

Whereas:

1. Article 4(1) is replaced by the following:

(1) Article 1 of Council Regulation (EC) No 2103/2005 of 12 December 2005 amending Regulation (EC) No 3605/93 as regards the quality of statistical data in the context of the excessive deficit procedure ⁽¹⁾ *inter alia* revises the deadlines for reporting data in the context of the EDP to ensure their consistency with the deadlines of the European System of Accounts 95 (ESA 95) ⁽²⁾ transmission programme. As a result of this revision, from 2006 Member States will be obliged to report data in the context of the EDP before 1 April and 1 October of each year.

‘1. The NCBs shall report complete data sets twice a year, before 15 April and before 15 October.’;

2. Annex IV is amended as follows:

the word ‘September’ under the heading ‘First date of transmission’ in the right column of the two tables entitled ‘Current data’ and ‘Back data’ is replaced with the word ‘October’.

Article 2

This Guideline shall enter into force two days after its adoption.

Article 3

This Guideline is addressed to the NCBs of the Member States that have adopted the euro.

Done at Frankfurt am Main, 3 February 2006.

For the Governing Council of the ECB

The President of the ECB

Jean-Claude TRICHET

(3) In accordance with Article 12.1 and Article 14.3 of the Statute, ECB guidelines form an integral part of Community law,

⁽¹⁾ OJ L 337, 22.12.2005, p. 1.

⁽²⁾ Council Regulation (EC) No 2223/96 of 25 June 1996 on the European system of national and regional accounts in the Community, OJ L 310, 30.11.1996, p. 1. Regulation as last amended by Regulation (EC) No 1267/2003 of the European Parliament and of the Council (OJ L 180, 18.7.2003, p. 1).

⁽³⁾ OJ L 109, 29.4.2005, p. 81.