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Price: EUR 18

⁽¹⁾ Text with EEA relevance

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EN

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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 809/2008**of 13 August 2008****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 Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 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 XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 August 2008.

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

Done at Brussels, 13 August 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 510/2008 (OJ L 149, 7.6.2008, p. 61).

⁽²⁾ OJ L 350, 31.12.2007, p. 1. Regulation as last amended by Regulation (EC) No 590/2008 (OJ L 163, 24.6.2008, p. 24).

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	29,1
	XS	27,8
	ZZ	28,5
0707 00 05	MK	31,0
	TR	89,6
	ZZ	60,3
0709 90 70	TR	92,6
	ZZ	92,6
0805 50 10	AR	70,2
	UY	59,6
	ZA	81,5
	ZZ	70,4
0806 10 10	CL	82,1
	EG	128,5
	MK	68,7
	TR	120,5
	ZZ	100,0
0808 10 80	AR	87,4
	BR	86,3
	CL	92,4
	CN	80,2
	NZ	108,2
	US	96,6
	UY	148,0
	ZA	83,2
	ZZ	97,8
0808 20 50	AR	75,6
	CL	83,0
	TR	161,7
	ZA	91,7
	ZZ	103,0
0809 30	TR	154,7
	ZZ	154,7
0809 40 05	IL	138,3
	MK	59,0
	TR	90,9
	XS	62,1
	ZZ	87,6

⁽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 REGULATION (EC) No 810/2008**of 11 August 2008****opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat****(Recast)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽¹⁾, and in particular Article 1(1) thereof,

Whereas:

(1) 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⁾ has been substantially amended several times ⁽³⁾. Since further amendments are to be made, it should be recast in the interests of clarity.

(2) The Community has undertaken, pursuant to the Agreement on agriculture concluded under the Uruguay Round of multilateral trade negotiations ⁽⁴⁾, to open tariff quotas for high-quality beef and frozen buffalo meat. Those quotas should be opened on a multiannual basis and detailed rules should be adopted for their application for 12-month periods starting on 1 July.

(3) The exporting third countries have undertaken to issue certificates of authenticity guaranteeing the origin of the products. The form and layout of the certificates and the procedures for using them should be specified. Certificates of authenticity should be issued by authorities in third countries affording all the necessary guarantees to ensure that the arrangements concerned are properly applied.

(4) The quota in question should be managed using import licences. To this end, rules should be laid down on

submission of applications and the information to be given on applications and licences, by way of derogation, if necessary, from certain provisions of Commission Regulation (EC) No 376/2008 of 23 April 2008 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾, and of Commission Regulation (EC) No 382/2008 of 21 April 2008 on rules of application for import and export licences in the beef and veal sector ⁽⁶⁾.

(5) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽⁷⁾ lays down detailed provisions on applications for import licences, the status of applicants and the issue of licences. That Regulation limits the period of validity of licences to the last day of the import tariff quota period. The provisions of Regulation (EC) No 1301/2006 should apply to import licences issued for the quota in question, without prejudice to additional conditions laid down in this Regulation.

(6) In order to ensure proper management of the imports of meat, provision should be made, where relevant, for import licences to be issued subject to verification, in particular of entries on certificates of authenticity.

(7) Experience has shown that importers do not always inform the competent authorities which issued the import licences of the quantity and origin of the beef imported under the quota in question. This information is important for the assessment of the market situation. A security should therefore be introduced to ensure that importers comply with this requirement.

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

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 137, 28.5.1997, p. 10. Regulation as last amended by Regulation (EC) No 317/2007 (OJ L 84, 24.3.2007, p. 4).

⁽³⁾ See Annex VII.

⁽⁴⁾ OJ L 336, 23.12.1994, p. 22.

⁽⁵⁾ OJ L 114, 26.4.2008, p. 3. Regulation as amended by Regulation (EC) No 514/2008 (OJ L 150, 10.6.2008, p. 7).

⁽⁶⁾ OJ L 115, 29.4.2008, p. 10. Regulation as amended by Regulation (EC) No 514/2008.

⁽⁷⁾ OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

HAS ADOPTED THIS REGULATION:

The indication 'High Quality Beef' may be added to the information on the label.

Article 1

1. The following tariff quotas are hereby opened every year for the period from 1 July one year to 30 June the year after, hereinafter called 'import tariff quota period':

(b) 7 150 tonnes product weight for meat covered by CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and meeting the following definition:

(a) 60 250 tonnes for high-quality fresh, chilled or frozen meat of bovine animals covered by CN codes 0201 and 0202 and for products covered by CN codes 0206 10 95 and 0206 29 91. This quota carries order number 09.4002;

'Selected cuts obtained from steer or heifer carcasses which have been classified under one of the following official categories "Y", "YS", "YG", "YGS", "YP" and "YPS" as defined by AUS-MEAT Australia. Beef colour must conform to AUS-MEAT meat colour reference standards 1 B to 4, fat colour to AUS-MEAT fat colour reference standards 0 to 4 and fat depth (measured at the P8 site) to AUS-MEAT fat classes 2 to 5'.

(b) 2 250 tonnes for frozen boneless buffalo meat covered by CN code 0202 30 90, expressed in weight of boneless meat. This quota carries order number 09.4001.

For the purposes of attributing the quotas referred to in the first subparagraph, 100 kilograms of bone-in meat shall be equivalent to 77 kilograms of boneless meat.

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000.

2. For the purposes of this Regulation, 'frozen meat' means meat with an internal temperature of -12°C or lower when it enters the customs territory of the Community.

The indication 'High Quality Beef' may be added to the information on the label.

3. The *ad valorem* customs duty under the quotas referred to in paragraph 1 shall be 20 %.

(c) 6 300 tonnes of boneless beef covered by CN codes 0201 30 00 and 0206 10 95 and meeting the following definition:

Article 2

The tariff quota for fresh, chilled and frozen beef provided for in point (a) of Article 1(1) shall be allocated as follows:

(a) 28 000 tonnes of boneless beef covered by CN codes 0201 30 00 and 0206 10 95 and meeting the following definition:

'Selected beef cuts obtained from steers (novillo) or heifers (vaquillona) as defined in the official carcass classification of bovine meat established by the National Institute of Meat of Uruguay (Instituto Nacional de Carnes — INAC). The eligible animals for production of High Quality Beef have been exclusively fed through pasture grazing since their weaning. The carcasses shall be classified as "I", "N" or "A", with fat cover "1", "2" or "3" in accordance with the above mentioned classification'.

'Selected beef cuts obtained from steers, young steers or heifers having been exclusively fed through pasture grazing since their weaning. The steer carcasses shall be classified as "JJ", "J", "U" or "U2", young steer and heifer carcasses shall be classified as "AA", "A", or "B" according to the official beef classification established by the Secretariat of Agriculture, Livestock, Fisheries and Food in Argentina (Secretaría de Agricultura, Ganadería, Pesca y Alimentos — SAGPyA)'.

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000.

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000 of the European Parliament and of the Council ⁽¹⁾.

The indication 'High Quality Beef' may be added to the information on the label.

(d) 5 000 tonnes of boneless beef covered by CN codes 0201 30 00 and 0206 10 95 and meeting the following definitions:

⁽¹⁾ OJ L 204, 11.8.2000, p. 1.

'Selected cuts obtained from steers or heifers having been exclusively fed with pasture grass since their weaning. The carcasses shall be classified as "B" with fat cover "2" or "3" according to the official beef carcass classification established by the Ministry of Agriculture, Livestock and Supply in Brazil (Ministério da Agricultura, Pecuária e Abastecimento)'.

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000.

The indication 'High Quality Beef' may be added to the information on the label.

- (e) 1 300 tonnes product weight for meat covered by CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and meeting the following definition:

'Selected chilled or frozen premium beef cuts derived from exclusively pasture-grazed bovine animals which do not have more than four permanent incisor teeth in wear, the carcasses of which have a dressed weight of not more than 325 kilograms, a compact appearance with a good eye, of meat of light and uniform colour and adequate but not excessive fat cover. All cuts must be vacuum packaged and referred to as "high-quality beef".'

- (f) 11 500 tonnes product weight for meat falling within CN codes 0201, 0202, 0206 10 95 and 0206 29 91, and meeting the following definition:

'Carcasses or any cuts obtained from bovine animals not over 30 months of age which have been fed for 100 days or more on nutritionally balanced, high-energy-content rations containing not less than 70 % grain and comprising at least 20 pounds total feed per day. Beef graded "choice" or "prime" according to USDA (United States Department of Agriculture) standards automatically meets the above definition. Meat graded "Canada A", "Canada AA", "Canada AAA", "Canada Choice" and "Canada Prime", "A1", "A2" and "A3", according to the Canadian Food Inspection Agency — Government of Canada, corresponds to this definition'.

- (g) 1 000 tonnes of boneless meat falling within CN codes 0201 30 00 and 0202 30 90 and meeting the following definition:

'fillet (lomito), striploin and/or Cube roll (lomo), rump (rabadilla), topside (carnaza negra) obtained from selected crossbred animals with less than 50 % of breeds of the zebu type and having been exclusively fed with pasture

grass or hay. The slaughtered animals must be steers or heifers falling under category "V" of the VACUNO carcass-grading system producing carcasses not exceeding 260 kg'.

The cuts must be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000.

The indication 'High Quality Beef' may be added to the information on the label.

Article 3

1. Imports of the quantities set out in Article 2(f) shall be subject to presentation, on release for free circulation, of:

- (a) an import licence issued in accordance with Articles 4 and 5, and
- (b) a certificate of authenticity issued in accordance with Article 6.

2. For imports of the quantity set out in Article 2(f), the import tariff quota period shall be divided into 12 subperiods of one month each. The quantity available each subperiod corresponds to one twelfth of the total quantity.

Article 4

In order to obtain import licences as referred to in Article 3 the following conditions shall be complied with:

- (a) section 8 of licence applications and licences must show the country of origin and the mention 'yes' shall be marked by a cross. Licences shall be subject to the obligation to import from the country in question;
- (b) section 20 of licence applications and licences must contain one of the entries listed in Annex III.

Article 5

1. Licence applications as referred to in Article 4 may be lodged solely during the first five days of each month of each import tariff quota period.

Notwithstanding Article 5(1) of Regulation (EC) No 382/2008, applications may cover, for the same quota order number, one or several of the products covered by the CN codes or groups of CN codes listed in Annex I to that Regulation. In case applications cover several CN codes, the respective quantity applied for per CN code or group of CN codes shall be specified. In all cases, all the CN codes shall be indicated in section 16 and their description in section 15 of licence applications and licences.

2. No later than 16:00, Brussels time, on the second working day following the closing date for the submission of applications, the Member States shall notify the Commission of the total quantity per countries of origin covered by applications.

3. Import licences shall be issued on the 15th day of each month.

Each licence issued shall specify per CN code or group of CN codes the quantity concerned.

Article 6

1. Certificates of authenticity shall be made out in one original and not less than one copy in accordance with the model in Annex I.

The forms shall measure approximately 210 × 297 mm and the paper shall weigh not less than 40 g/m².

2. The forms shall be printed and completed in one of the official languages of the Community; they may also be printed and completed in the official language or one of the official languages of the exporting country.

The relevant definition in Article 2 applying to the meat originating in the exporting country shall be shown on the reverse of the form.

3. Certificates of authenticity shall bear an individual serial number allocated by the issuing authorities referred to in Article 7. The copies shall bear the same serial number as the original.

4. The original and copies thereof may be typed or handwritten. In the latter case, they shall be completed in black ink and in block capitals.

5. Certificates of authenticity shall be valid only if they are duly completed and endorsed in accordance with the instructions in Annexes I and II by an issuing authority listed in Annex II.

6. Certificates of authenticity shall be considered to have been duly endorsed if they state the date and place of issue and if they bear the stamp of the issuing authority and the signature of the person or persons empowered to sign them.

The stamp may be replaced by a printed seal on the original of the certificate of authenticity and any copies thereof.

Article 7

1. The issuing authorities listed in Annex II shall:

(a) be recognised as such by the exporting country;

(b) undertake to verify entries on certificates of authenticity;

(c) undertake to forward to the Commission each Wednesday any information enabling the entries on certificates of authenticity to be verified.

2. The list set out in Annex II may be revised by the Commission where any issuing authority is no longer recognised, where it fails to fulfil any of the obligations incumbent on it or where a new issuing authority is designated.

Article 8

1. Imports of the quantities set out in Article 1(1)(b) and in Article 2(a) to (e) and (g) shall be subject to presentation, on release for free circulation, of import licences issued in accordance with Article 4(a) and (b) and paragraph 2 of this Article.

2. The original of the certificate of authenticity drawn up in accordance with Articles 6 and 7 plus a copy thereof shall be presented to the competent authority together with the application for the first import licence relating to the certificate of authenticity.

Certificates of authenticity may be used for the issuing of more than one import licence for quantities not exceeding that shown on the certificate. Where more than one licence is issued in respect of a certificate, the competent authority shall endorse the certificate of authenticity to show the quantity attributed.

The competent authorities may issue import licences only after they are satisfied that all the information on the certificate of authenticity corresponds to that received each week from the Commission on the subject. The licences shall be issued immediately thereafter.

3. Notwithstanding the first and the third subparagraphs of paragraph 2, and subject to compliance with paragraphs 4, 5 and 6, the competent authorities may issue import licences when:

(a) the original of the certificate of authenticity has been presented but the relevant information from the Commission has not yet been received; or

(b) the original of the certificate of authenticity has not been presented; or

(c) the original of the certificate of authenticity has been presented and the relevant information from the Commission has been received but certain data are not in conformity.

4. In the cases referred to in paragraph 3, notwithstanding the second indent of Article 4 of Regulation (EC) No 382/2008, the security to be lodged for import licences shall be equal to the amount corresponding, for the products in question, to the full customs duty under the Common Customs Tariff (CCT) applicable on the day on which the application for the import licence is submitted.

After having received the original of the certificate of authenticity and the Commission information on the certificate in question and after having checked that this data is in conformity, the Member States shall release this security on condition that the security referred to in the second indent of Article 4 of Regulation (EC) No 382/2008 has been lodged for the same import licence.

5. The presentation to the competent authority of the original of the conforming authenticity certificate before expiry of the period of validity of the import licence concerned shall constitute a main requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾ for the security referred to in the first subparagraph of paragraph 4.

6. The amounts of the security referred to in the first subparagraph of paragraph 4 not released shall be forfeited and retained as customs duties.

Article 9

Certificates of authenticity and import licences shall be valid for three months from their dates of issue. The term of validity of the certificates of authenticity shall, however, expire at the latest on 30 June following the date of issue.

Article 10

For quantities referred to in Article 2(f) of this Regulation, the provisions of Regulation (EC) No 376/2008, Regulation (EC) No 1301/2006 and Regulation (EC) No 382/2008 shall apply, save as otherwise provided for in this Regulation.

For quantities referred to Article 1(1)(b) and in Article 2(a) to (e) and (g) of this Regulation, the provisions of Regulation (EC) No

376/2008, Chapter III of Regulation (EC) No 1301/2006 and Regulation (EC) No 382/2008 shall apply, save as otherwise provided for in this Regulation.

Article 11

1. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify to the Commission:

- (a) no later than the tenth day of each month, for the import tariff quota with the order number 09.4002, the quantities of products, including nil returns, for which import licences were issued in the previous month;
- (b) no later than 31 August following the end of each import tariff quota period, for the import tariff quota with the order number 09.4001, the quantities of products, including nil returns, for which import licences were issued in the previous import tariff quota period;
- (c) the quantities of products, including nil returns, covered by unused or partly used import licences and corresponding to the difference between the quantities entered on the back of the import licences and the quantities for which they were issued:
 - (i) together with the notifications referred to in Article 5(2) of this Regulation regarding the applications submitted for the last subperiod of the import tariff quota period;
 - (ii) no later than 31 October following the end of each import tariff quota period.

2. No later than 31 October following the end of each import tariff quota period, Member States shall notify to the Commission the quantities of products which were actually released for free circulation during the preceding import tariff quota period.

However, as of the import tariff quota period starting on 1 July 2009, Member States shall forward to the Commission details of the quantities of products put into free circulation as of 1 July 2009 in accordance with Article 4 of Regulation (EC) No 1301/2006.

3. For the notifications referred to in paragraph 1 and the first subparagraph of paragraph 2 of this Article, the quantities shall be expressed in kilograms product weight, per country of origin and per product category as indicated in Annex V of Regulation (EC) No 382/2008.

⁽¹⁾ OJ L 205, 3.8.1985, p. 5.

The notifications regarding the quantities referred to in Article 1(1)(b) and in Article 2(a) to (e) and (g) of this Regulation shall be made as indicated in Annexes IV, V and VI to this Regulation.

Article 12

Regulation (EC) No 936/97 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VIII.

Article 13

This Regulation shall enter into force on the tenth 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, 11 August 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

1. Exporter (name and address):	2. Certificate No:	ORIGINAL		
4. Consignee (name and address):	3. Issuing authority:			
6. Means of transport:	5. CERTIFICATE OF AUTHENTICITY BEAF AND VEAL Regulation (EC) No 810/2008			
7. Marks, numbers, number and kind of packages; description of goods:			8. Gross weight (kg)	9. Net weight (kg)
10. Net weight (in words):				
11. CERTIFICATION BY THE ISSUING AUTHORITY <p>I hereby certify that the beef described in this certificate complies with the specification shown overleaf.</p> <p>(a) for high-quality beef ⁽¹⁾</p> <p>(b) for buffalo meat ⁽¹⁾</p> <p>Place:</p> <p>Date:</p> <p style="text-align: right;">Signature and stamp (or printed seal)</p> <p>To be completed either by typewriter or hand in block capitals.</p>				
⁽¹⁾ Delete as appropriate.				

Definition**High-quality beef originating in ...**

(appropriate definition)

Buffalo meat originating in Australia

ANNEX II

List of authorities in exporting countries empowered to issue certificates of authenticity

- SECRETARÍA DE AGRICULTURA, GANADERÍA, PESCA Y ALIMENTOS (SAGPyA):
for meat originating in Argentina and meeting the definition in Article 2(a).
 - DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY — AUSTRALIA:
for meat originating in Australia:
 - (a) meeting the definition in Article 2(b);
 - (b) meeting the definition in point (b) of Article 1(1).
 - INSTITUTO NACIONAL DE CARNES (INAC):
for meat originating in Uruguay and meeting the definition in Article 2(c).
 - DEPARTAMENTO NACIONAL DE INSPECÇÃO DE PRODUTOS DE ORIGEM ANIMAL (DIPOA):
for meat originating in Brazil and meeting the definition in Article 2(d).
 - NEW ZEALAND MEAT BOARD:
for meat originating in New Zealand, meeting the definition in Article 2(e).
 - FOOD SAFETY AND INSPECTION SERVICE (FSIS) OF THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA):
for meat originating in the United States of America and meeting the definition in Article 2(f).
 - CANADIAN FOOD INSPECTION AGENCY — GOVERNMENT OF CANADA/AGENCE CANADIENNE D'INSPECTION DES ALIMENTS — GOUVERNEMENT DU CANADA:
for meat originating in Canada, and meeting the definition in Article 2(f).
 - MINISTERIO DE AGRICULTURA, GANADERÍA, DIRECCIÓN DE NORMAS Y CONTROL DE ALIMENTOS:
for meat originating in Paraguay and meeting the definition in Article 2(g).
-

ANNEX III

Entries referred to in Article 4(b)

— In Bulgarian:	Говеждо/телешко месо с високо качество (Регламент (ЕО) № 810/2008)
— In Spanish:	Carne de vacuno de alta calidad [Reglamento (CE) n° 810/2008]
— In Czech:	Vysoce jakostní hovězí/telecí maso (nařízení (ES) č. 810/2008)
— In Danish:	Oksekød af høj kvalitet (forordning (EF) nr. 810/2008)
— In German:	Qualitätsrindfleisch (Verordnung (EG) Nr. 810/2008)
— In Estonian:	Kõrge kvaliteediline veiseliha/vasikaliha (määrus (EÜ) nr 810/2008)
— In Greek:	Βόειο κρέας εκλεκτής ποιότητας [κανονισμός (ΕΚ) αριθ. 810/2008]
— In English:	High-quality beef/veal (Regulation (EC) No 810/2008)
— In French:	Viande bovine de haute qualité [règlement (CE) n° 810/2008]
— In Italian:	Carni bovine di alta qualità [regolamento (CE) n. 810/2008]
— In Latvian:	Augstākā labuma liellopu/teļa gaļa (Regula (EK) Nr. 810/2008)
— In Lithuanian:	Aukštos kokybės jautiena ir (arba) veršiena (Reglamentas (EB) Nr. 810/2008)
— In Hungarian:	Kiváló minőségű marha-/borjúhús (810/2008/EK rendelet)
— In Maltese:	Kwalita għolja ta' ċanga/vitella (Regolament (KE) Nru 810/2008)
— In Dutch:	Rundvlees van hoge kwaliteit (Verordening (EG) nr. 810/2008)
— In Polish:	Wołowina/cielęcina wysokiej jakości (Rozporządzenie (WE) nr 810/2008)
— In Portuguese:	Carne de bovino de alta qualidade [Regulamento (CE) n.º 810/2008]
— In Romanian:	Carne de vită/vițel de calitate superioară [Regulamentul (CE) nr. 810/2008]
— In Slovak:	Vysoko kvalitné hovädzie/teľacie mäso (Nariadenie (ES) č. 810/2008)
— In Slovene:	Visokokakovostno goveje/telečje meso (Uredba (ES) št. 810/2008)
— In Finnish:	Korkealaatuista naudantlihaa (asetus (EY) N:o 810/2008)
— In Swedish:	Nötkött av hög kvalitet (förordning (EG) nr 810/2008)

ANNEX IV

Notification of import licences (issued) — Regulation (EC) No 810/2008

Member State:

Application of Article 11 of Regulation (EC) No 810/2008

Quantities of products for which import licences were issued

From: to:

Order No	Product category or categories ⁽¹⁾	Quantity (kilograms product weight)	Country of origin
09.4001			Australia
09.4002			Argentina Australia Uruguay Brazil New Zealand Paraguay

⁽¹⁾ Product category or categories as indicated in Annex V of Regulation (EC) No 382/2008.

ANNEX V

Notification of import licences (unused quantities) — Regulation (EC) No 810/2008

Member State:

Application of Article 11 of Regulation (EC) No 810/2008

Quantities of products for which import licences were unused

From: to:

Order No	Product category or categories ⁽¹⁾	Unused quantity (kilograms product weight)	Country of origin
09.4001			Australia
09.4002			Argentina Australia Uruguay Brazil New Zealand Paraguay

⁽¹⁾ Product category or categories as indicated in Annex V of Regulation (EC) No 382/2008.

ANNEX VI

Notification of quantities of products put into free circulation — Regulation (EC) No 810/2008

Member State:

Application of Article 11 of Regulation (EC) No 810/2008

Quantities of products put into free circulation

From: to: (import tariff quota period)

Order No	Product category or categories ⁽¹⁾	Quantity put into free circulation (kilograms product weight)	Country of origin
09.4001			Australia
09.4002			Argentina Australia Uruguay Brazil New Zealand Paraguay

⁽¹⁾ Product category or categories as indicated in Annex V of Regulation (EC) No 382/2008.

ANNEX VII

Repealed Regulation with its successive amendments

Commission Regulation (EC) No 936/97 (OJ L 137, 28.5.1997, p. 10)	
Commission Regulation (EC) No 2048/97 (OJ L 287, 21.10.1997, p. 10)	only as regards the reference to Regulation (EC) No 936/97 in Article 1
Commission Regulation (EC) No 31/98 (OJ L 5, 9.1.1998, p. 3)	
Commission Regulation (EC) No 260/98 (OJ L 25, 31.1.1998, p. 42)	Article 4 only
Commission Regulation (EC) No 1299/98 (OJ L 180, 24.6.1998, p. 6)	Article 1 only
Commission Regulation (EC) No 1680/98 (OJ L 212, 30.7.1998, p. 36)	Article 1 only
Commission Regulation (EC) No 134/1999 (OJ L 17, 22.1.1999, p. 22)	Article 1 only
Commission Regulation (EC) No 361/2002 (OJ L 58, 28.2.2002, p. 5)	
Commission Regulation (EC) No 1524/2002 (OJ L 229, 27.8.2002, p. 7)	
Commission Regulation (EC) No 1781/2002 (OJ L 270, 8.10.2002, p. 3)	
Commission Regulation (EC) No 649/2003 (OJ L 95, 11.4.2003, p. 13)	Article 2 only
Commission Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10)	Article 2 only
Commission Regulation (EC) No 2186/2005 (OJ L 347, 30.12.2005, p. 74)	
Commission Regulation (EC) No 408/2006 (OJ L 71, 10.3.2006, p. 3)	
Commission Regulation (EC) No 1745/2006 (OJ L 329, 25.11.2006, p. 22)	
Commission Regulation (EC) No 1965/2006 (OJ L 408, 30.12.2006, p. 26)	Article 2 and Annex II only
Commission Regulation (EC) No 317/2007 (OJ L 84, 24.3.2007, p. 4)	

ANNEX VIII

Correlation table

Regulation (EC) No 936/97	This Regulation
Article 1(1), first subparagraph, introductory words	Article 1(1), first subparagraph, introductory words
Article 1(1), first subparagraph, first indent	Article 1(1), first subparagraph, (a)
Article 1(1), first subparagraph, second indent	Article 1(1), first subparagraph, (b)
Article 1(1), second subparagraph	Article 1(1), second subparagraph
Article 1(2) and (3)	Article 1(2) and (3)
Article 2	Article 2
Article 3(1), introductory words	Article 3(1), introductory words
Article 3(1), first indent	Article 3(1)(a)
Article 3(1), second indent	Article 3(1)(b)
Article 3(2)	Article 3(2)
Article 4, introductory words	Article 4, introductory words
Article 4(c)	Article 4(a)
Article 4(d)	Article 4(b)
Article 5	Article 5
Article 6	Article 6
Article 7	Article 7
Article 8(1)	Article 8(1)
Article 8(2)(a)	Article 8(2), first subparagraph
Article 8(2)(b)	Article 8(2), second subparagraph
Article 8(2)(c)	Article 8(2), third subparagraph
Article 8(3), first subparagraph, introductory words	Article 8(3), first subparagraph, introductory words
Article 8(3), first subparagraph, first indent	Article 8(3), first subparagraph, (a)
Article 8(3), first subparagraph, second indent	Article 8(3), first subparagraph, (b)
Article 8(3), first subparagraph, third indent	Article 8(3), first subparagraph, (c)
Article 8(3), second and third subparagraphs	Article 8(4)
Article 8(3), fourth subparagraph	Article 8(5)
Article 8(3), fifth subparagraph	Article 8(6)
Article 9	Article 9
Article 10	Article 10
—	Article 11
—	Article 12
Article 13	Article 13
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
—	Annex IV
—	Annex V
—	Annex VI
—	Annex VII
—	Annex VIII

COMMISSION REGULATION (EC) No 811/2008

of 13 August 2008

suspending the introduction into the Community of specimens of certain species of wild fauna and flora

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein⁽¹⁾, and in particular Article 19(2) thereof,

After consulting the Scientific Review Group,

Whereas:

(1) Article 4(6) of Regulation (EC) No 338/97 provides that the Commission may establish restrictions to the introduction of certain species into the Community in accordance with the conditions laid down in points (a) to (d) thereof. Furthermore, implementing measures for such restrictions have been laid down in Commission Regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 of the protection of species of wild fauna and flora by regulating trade therein⁽²⁾.

(2) A list of species for which the introduction into the Community is suspended was established in Commission Regulation (EC) No 1037/2007 of 29 August 2007 suspending the introduction into the Community of specimens of certain species of wild fauna and flora⁽³⁾.

(3) On the basis of recent information, the Scientific Review Group has concluded that the conservation status of certain species listed in Annexes A and B to Regulation (EC) No 338/97 will be seriously jeopardised if their introduction into the Community from certain countries of origin is not suspended. The introduction of the following species should therefore be suspended:

— *Falco cherrug* from Armenia, Bahrain, Iraq, Mauritania and Tajikistan; *Ovis vignei boharensis* from Uzbekistan,

— *Odobenus rosmarus* from Greenland,

— *Accipiter erythropus*, *Aquila rapax*, *Gyps africanus*, *Lophaelus occipitalis* and *Poicephalus gularis* from Guinea,

— *Hieraaetus ayresii*, *Hieraaetus spilogaster*, *Polemaetus bellicosus*, *Falco chicquera*, *Varanus ornatus* (wild and ranched specimens) and *Calabaria reinhardtii* (wild specimens) from Togo,

— *Agapornis pullarius* and *Poicephalus robustus* from Côte d'Ivoire,

— *Stephanoaetus coronatus* from Côte d'Ivoire and Togo,

— *Pyrrhura caeruleiceps* from Colombia; *Pyrrhura pyrrhura* from Brazil,

— *Brookesia decaryi*, *Uroplatus ebenau*, *Uroplatus fimbriatus*, *Uroplatus guentheri*, *Uroplatus henkeli*, *Uroplatus lineatus*, *Uroplatus malama*, *Uroplatus phantasticus*, *Uroplatus pietschmanni*, *Uroplatus sikorae*, *Euphorbia ankarensis*, *Euphorbia berorohae*, *Euphorbia bongolavensis*, *Euphorbia duranii*, *Euphorbia fiananantsoae*, *Euphorbia iharanae*, *Euphorbia labatii*, *Euphorbia lophogona*, *Euphorbia neohumbertii*, *Euphorbia pachypodoides*, *Euphorbia razafindratsirae*, *Euphorbia suzannae-manieri* and *Euphorbia waringiae* from Madagascar,

— *Varanus niloticus* and *Kinixys homeana* (wild specimens from Togo, ranched specimens from Benin) from Benin and Togo,

— *Python regius*, *Geochelone sulcata* (ranchd specimens) and *Pandinus imperator* (ranchd specimens) from Benin,

— *Cuora amboinensis*, *Malayemys subtrijuga*, *Notochelys platynota*, *Amyda cartilaginea*, *Cheilinus undulatus*, *Hippocampus kelloggi* and *Seriopora stellata* from Indonesia,

— *Peltocephalus dumerilianus* from Guyana;

— *Chitra chitra* from Malaysia; *Cryptophyllobates azureiventris*, *Dendrobates variabilis* and *Dendrobates ventrimaculatus* from Peru,

— *Hippocampus kuda* from Indonesia and Vietnam,

⁽¹⁾ OJ L 61, 3.3.1997, p. 1. Regulation as last amended by Commission Regulation (EC) No 318/2008 (OJ L 95, 8.4.2008, p. 3).

⁽²⁾ OJ L 166, 19.6.2006, p. 1. Regulation as amended by Commission Regulation (EC) No 100/2008 (OJ L 31, 5.2.2008, p. 3).

⁽³⁾ OJ L 238, 11.9.2007, p. 3.

- *Ornithoptera urvillianus* (ranchéed specimens), *Ornithoptera victoriae* (ranchéed specimens), *Tridacna gigas* and *Heliopora coerulea* from Solomon Islands,
 - *Tridacna derasa* from Vietnam; *Tridacna rosewateri* from Mozambique,
 - *Pterogyra simplex*, *Hydnophora rigida*, *Blastomussa wellsi* and *Trachyphyllia geoffroyi* from Fiji,
 - *Pterogyra sinuosa*, *Favites halicora*, *Acanthastrea* spp., *Cynarina lacrymalis* and *Scolymia vitiensis* from Tonga,
 - *Cycadaceae* spp., *Stangeriaceae* spp. and *Zamiaceae* spp. from Madagascar, Mozambique and Vietnam.
- (4) The countries of origin of the species which are subject to new restrictions to introduction into the Community pursuant to this Regulation have all been consulted.
- (5) The Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) at its 14th session has changed the nomenclatural references and has rearranged the listing of animal species in the Appendices to CITES so that the orders, families and genera are presented in alphabetical order. Therefore, the species listed in the Annex to Regulation (EC) No 1037/2007 should be renamed and reordered.

- (6) The list of species for which the introduction into the Community is suspended should therefore be amended and Regulation (EC) No 1037/2007 should be, for clarity reasons, replaced.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the provisions of Article 71 of Regulation (EC) No 865/2006, the introduction into the Community of specimens of the species of wild fauna and flora listed in the Annex to this Regulation is hereby suspended.

Article 2

Regulation (EC) No 1037/2007 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation.

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, 13 August 2008.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

Specimens of species included in Annex A to Regulation (EC) No 338/97 whose introduction into the Community is suspended

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
FAUNA				
CHORDATA				
MAMMALIA				
ARTIODACTYLA				
Bovidae				
<i>Capra falconeri</i>	Wild	Hunting trophies	Uzbekistan	a
<i>Ovis ammon nigrimontana</i>	Wild	Hunting trophies	Kazakhstan	a
CARNIVORA				
Canidae				
<i>Canis lupus</i>	Wild	Hunting trophies	Belarus, Kyrgyzstan, Turkey	a
Felidae				
<i>Lynx lynx</i>	Wild	Hunting trophies	Azerbaijan, Moldova, Ukraine	a
Ursidae				
<i>Ursus arctos</i>	Wild	Hunting trophies	British Columbia	a
<i>Ursus thibetanus</i>	Wild	Hunting trophies	Russia	a
AVES				
FALCONIFORMES				
Accipitridae				
<i>Leucopternis occidentalis</i>	Wild	All	Ecuador, Peru	a
Falconidae				
<i>Falco cherrug</i>	Wild	All	Armenia, Bahrain, Iraq, Mauritania, Tajikistan	a

Specimens of species included in Annex B to Regulation (EC) No 338/97 whose introduction into the Community is suspended

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
FAUNA				
CHORDATA				
MAMMALIA				
ARTIODACTYLA				
Bovidae				
<i>Ovis vignei boharensis</i>	Wild	All	Uzbekistan	b
<i>Saiga borealis</i>	Wild	All	Russia	b
<i>Saiga tatarica</i>	Wild	All	Kazakhstan, Russia	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
Camelidae				
<i>Lama guanicoe</i>	Wild	All, except: — specimens that form part of the registered stock in Argentina, provided that permits are confirmed by the Secretariat before being accepted by the Member State of import, — products obtained from the shearing of live animals carried out under the approved management programme, appropriately marked and registered, — non-commercial exports of limited quantities of wool for industrial testing, up to 500 kg annually.	Argentina	b
Cervidae				
<i>Cervus elaphus bactrianus</i>	Wild	All	Uzbekistan	b
Hippopotamidae				
<i>Hexaprotodon liberiensis</i> (synonym <i>Choeropsis liberiensis</i>)	Wild	All	Côte d'Ivoire, Guinea, Guinea-Bissau, Nigeria, Sierra Leone	b
<i>Hippopotamus amphibius</i>	Wild	All	Democratic Republic of the Congo, Gambia, Malawi, Niger, Nigeria, Rwanda, Sierra Leone, Togo	b
Moschidae				
<i>Moschus anhuiensis</i>	Wild	All	China	b
<i>Moschus berezovskii</i>	Wild	All	China	b
<i>Moschus chrysogaster</i>	Wild	All	China	b
<i>Moschus fuscus</i>	Wild	All	China	b
<i>Moschus moschiferus</i>	Wild	All	China, Russia	b
CARNIVORA				
Canidae				
<i>Chrysocyon brachyurus</i>	Wild	All	Bolivia, Peru	b
Eupleridae				
<i>Cryptoprocta ferox</i>	Wild	All	Madagascar	b
<i>Eupleres goudotii</i>	Wild	All	Madagascar	b
<i>Fossa fossana</i>	Wild	All	Madagascar	b
Felidae				
<i>Leopardus colocolo</i>	Wild	All	Chile	b
<i>Leopardus pajeros</i>	Wild	All	Chile	b
<i>Leptailurus serval</i>	Wild	All	Algeria	b
<i>Panthera leo</i>	Wild	All	Ethiopia	b
<i>Prionailurus bengalensis</i>	Wild	All	Macao	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Profelis aurata</i>	Wild	All	Togo	b
Mustelidae				
<i>Lutra maculicollis</i>	Wild	All	Tanzania	b
Odobenidae				
<i>Odobenus rosmarus</i>	Wild	All	Greenland	b
Viverridae				
<i>Cynogale bennettii</i>	Wild	All	Brunei, China, Indonesia, Malaysia, Thailand	b
MONOTREMATA				
Tachyglossidae				
<i>Zaglossus bartoni</i>	Wild	All	Indonesia, Papua New Guinea	b
<i>Zaglossus bruijni</i>	Wild	All	Indonesia	b
PERISSODACTYLA				
Equidae				
<i>Equus zebra hartmannae</i>	Wild	All	Angola	b
PHOLIDOTA				
Manidae				
<i>Manis temminckii</i>	Wild	All	Democratic Republic of the Congo	b
PRIMATES				
Atelidae				
<i>Alouatta guariba</i>	Wild	All	All	b
<i>Alouatta macconnelli</i>	Wild	All	Trinidad and Tobago	b
<i>Ateles belzebuth</i>	Wild	All	All	b
<i>Ateles fusciceps</i>	Wild	All	All	b
<i>Ateles geoffroyi</i>	Wild	All	All	b
<i>Ateles hybridus</i>	Wild	All	All	b
<i>Ateles paniscus</i>	Wild	All	Peru	b
<i>Lagothrix cana</i>	Wild	All	All	b
<i>Lagothrix lagotricha</i>	Wild	All	All	b
<i>Lagothrix lugens</i>	Wild	All	All	b
<i>Lagothrix poeppigii</i>	Wild	All	All	b
Cebidae				
<i>Callithrix geoffroyi</i> (synonym <i>C. jacchus geoffroyi</i>)	Wild	All	Brazil	b
<i>Cebus capucinus</i>	Wild	All	Belize	b
Cercopithecidae				
<i>Cercocebus atys</i>	Wild	All	Ghana	b
<i>Cercopithecus ascanius</i>	Wild	All	Burundi	b
<i>Cercopithecus cephus</i>	Wild	All	Central African Republic	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Cercopithecus dryas</i> including <i>C. salongo</i>)	Wild	All	Democratic Republic of the Congo	b
<i>Cercopithecus erythrogaster</i>	Wild	All	All	b
<i>Cercopithecus erythrotis</i>	Wild	All	All	b
<i>Cercopithecus hamlyni</i>	Wild	All	All	b
<i>Cercopithecus mona</i>	Wild	All	Togo	b
<i>Cercopithecus petaurista</i>	Wild	All	Togo	b
<i>Cercopithecus pogonias</i>	Wild	All	Cameroon, Equatorial Guinea, Nigeria	b
<i>Cercopithecus preussi</i> (synonym <i>C. lhoesti preussi</i>)	Wild	All	Cameroon, Equatorial Guinea, Nigeria	b
<i>Colobus polykomos</i>	Wild	All	Côte d'Ivoire	b
<i>Colobus vellerosus</i>	Wild	All	Côte d'Ivoire, Ghana, Nigeria, Togo	b
<i>Lophocebus albigena</i> (synonym <i>Cercocebus albigena</i>)	Wild	All	Nigeria	b
<i>Macaca arctoides</i>	Wild	All	India, Malaysia, Thailand	b
<i>Macaca assamensis</i>	Wild	All	Nepal	b
<i>Macaca cyclopis</i>	Wild	All	All	b
<i>Macaca fascicularis</i>	Wild	All	Bangladesh, India	b
<i>Macaca maura</i>	Wild	All	Indonesia	b
<i>Macaca leonina</i>	Wild	All	China	b
<i>Macaca nemestrina pagensis</i>	Wild	All	Indonesia	b
<i>Macaca nigra</i>	Wild	All	Indonesia	b
<i>Macaca nigrescens</i>	Wild	All	Indonesia	b
<i>Macaca ochreata</i>	Wild	All	Indonesia	b
<i>Macaca sylvanus</i>	Wild	All	Algeria, Morocco	b
<i>Papio anubis</i>	Wild	All	Libya	b
<i>Papio papio</i>	Wild	All	Guinea-Bissau	b
<i>Procolobus badius</i> (synonym <i>Colobus badius</i>)	Wild	All	All	b
<i>Procolobus verus</i> (synonym <i>Colobus verus</i>)	Wild	All	Benin, Côte d'Ivoire, Ghana, Sierra Leone, Togo	b
<i>Trachypithecus phayrei</i> (synonym <i>Presbytis phayrei</i>)	Wild	All	Cambodia, China, India	b
<i>Trachypithecus vetulus</i> (synonym <i>Presbytis senex</i>)	Wild	All	Sri Lanka	b
Galagonidae				
<i>Euoticus pallidus</i> (synonym <i>Galago elegantulus pallidus</i>)	Wild	All	Nigeria	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Galago demidoff</i> (synonym <i>Galago demidovii</i>)	Wild	All	Burkina Faso, Central African Republic	b
<i>Galago granti</i>	Wild	All	Malawi	b
<i>Galago matschiei</i> (synonym <i>G. inustus</i>)	Wild	All	Rwanda	b
Lorisidae				
<i>Arctocebus aureus</i>	Wild	All	Central African Republic, Gabon	b
<i>Arctocebus calabarensis</i>	Wild	All	Nigeria	b
<i>Nycticebus pygmaeus</i>	Wild	All	Cambodia, Laos	b
<i>Perodicticus potto</i>	Wild	All	Togo	b
Pitheciidae				
<i>Chiropotes chiropotes</i>	Wild	All	Brazil, Guyana	b
<i>Chiropotes israelita</i>	Wild	All	Brazil	b
<i>Chiropotes satanas</i>	Wild	All	Brazil	b
<i>Chiropotes utahickae</i>	Wild	All	Brazil	b
<i>Pithecia pithecia</i>	Wild	All	Guyana	b
RODENTIA				
Sciuridae				
<i>Ratufa affinis</i>	Wild	All	Singapore	b
<i>Ratufa bicolor</i>	Wild	All	China	b
XENARTHRA				
Myrmecophagidae				
<i>Myrmecophaga tridactyla</i>	Wild	All	Belize, Uruguay	b
AVES				
ANSERIFORMES				
Anatidae				
<i>Anas bernieri</i>	Wild	All	Madagascar	b
<i>Oxyura jamaicensis</i>	All	Live	All	d
APODIFORMES				
Trochilidae				
<i>Chalcostigma olivaceum</i>	Wild	All	Peru	b
<i>Heliodoxa rubinoides</i>	Wild	All	Peru	b
CICONIIFORMES				
Balaenicipitidae				
<i>Balaeniceps rex</i>	Wild	All	Tanzania, Zambia	b
COLUMBIFORMES				
Columbidae				
<i>Goura cristata</i>	Wild	All	Indonesia	b
<i>Goura scheepmakeri</i>	Wild	All	Indonesia	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Goura victoria</i>	Wild	All	Indonesia	b
CORACIIFORMES				
Bucerotidae				
<i>Buceros rhinoceros</i>	Wild	All	Thailand	b
CUCULIFORMES				
Musophagidae				
<i>Tauraco corythaix</i>	Wild	All	Mozambique	b
<i>Tauraco fischeri</i>	Wild	All	Tanzania	b
<i>Tauraco macrorhynchus</i>	Wild	All	Guinea	b
<i>Tauraco porphyreolopha</i>	Wild	All	Uganda	b
FALCONIFORMES				
Accipitridae				
<i>Accipiter brachyurus</i>	Wild	All	Papua New Guinea	b
<i>Accipiter erythropus</i>	Wild	All	Guinea	b
<i>Accipiter gundlachi</i>	Wild	All	Cuba	b
<i>Accipiter imitator</i>	Wild	All	Papua New Guinea, Solomon Islands	b
<i>Accipiter melanoleucus</i>	Wild	All	Guinea	b
<i>Accipiter ovampensis</i>	Wild	All	Guinea	b
<i>Aquila rapax</i>	Wild	All	Guinea	b
<i>Aviceda cuculoides</i>	Wild	All	Guinea	b
<i>Buteo albonotatus</i>	Wild	All	Peru	b
<i>Buteo galapagoensis</i>	Wild	All	Ecuador	b
<i>Buteo platypterus</i>	Wild	All	Peru	b
<i>Buteo ridgwayi</i>	Wild	All	Dominican Republic, Haiti	b
<i>Erythrorhynchus radiatus</i>	Wild	All	Australia	b
<i>Gyps africanus</i>	Wild	All	Guinea	b
<i>Gyps bengalensis</i>	Wild	All	All	b
<i>Gyps coprotheres</i>	Wild	All	Mozambique, Namibia, Swaziland	b
<i>Gyps indicus</i>	Wild	All	All	b
<i>Gyps rueppellii</i>	Wild	All	Guinea	b
<i>Gyps tenuirostris</i>	Wild	All	All	b
<i>Harpyopsis novaeguineae</i>	Wild	All	Indonesia, Papua New Guinea	b
<i>Hieraetus ayresii</i>	Wild	All	Cameroon, Guinea, Togo	b
<i>Hieraetus spilogaster</i>	Wild	All	Guinea, Togo	b
<i>Leucopternis lacermulatus</i>	Wild	All	Brazil	b
<i>Lophaelus occipitalis</i>	Wild	All	Guinea	b
<i>Lophoictinia isura</i>	Wild	All	Australia	b
<i>Macheiramphus alcinus</i>	Wild	All	Guinea	b
<i>Polemaetus bellicosus</i>	Wild	All	Cameroon, Guinea, Togo	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Spizaetus africanus</i>	Wild	All	Guinea	b
<i>Spizaetus bartelsi</i>	Wild	All	Indonesia	b
<i>Stephanoaetus coronatus</i>	Wild	All	Côte d'Ivoire, Guinea, Togo	b
<i>Terathopius ecaudatus</i>	Wild	All	Guinea	b
<i>Torgos tracheliotus</i>	Wild	All	Cameroon, Sudan	b
<i>Trigonoceps occipitalis</i>	Wild	All	Côte d'Ivoire, Guinea	b
<i>Urotriorchis macrourus</i>	Wild	All	Guinea	b
Falconidae				
<i>Falco chicquera</i>	Wild	All	Guinea, Togo	b
<i>Falco deiroleucus</i>	Wild	All	Belize, Guatemala	b
<i>Falco fasciinucha</i>	Wild	All	Botswana, Ethiopia, Kenya, Malawi, Mozambique, South Africa, Sudan, Tanzania, Zambia, Zimbabwe	b
<i>Falco hypoleucos</i>	Wild	All	Australia, Papua New Guinea	b
<i>Micrastur plumbeus</i>	Wild	All	Colombia, Ecuador	b
Sagittariidae				
<i>Sagittarius serpentarius</i>	Wild	All	Cameroon, Guinea, Togo	b
GALLEIFORMES				
Phasianidae				
<i>Polyplectron schleiermacheri</i>	Wild	All	Indonesia, Malaysia	b
GRUIFORMES				
Gruidae				
<i>Anthropoides virgo</i>	Wild	All	Sudan	b
<i>Balearica pavonina</i>	Wild	All	Guinea, Mali	b
<i>Balearica regulorum</i>	Wild	All	Angola, Botswana, Burundi, Democratic Republic of the Congo, Kenya, Lesotho, Malawi, Mozambique, Namibia, Rwanda, South Africa, Swaziland, Uganda, Zambia, Zimbabwe	b
<i>Grus carunculatus</i>	Wild	All	South Africa, Tanzania	b
PASSERIFORMES				
Pittidae				
<i>Pitta nympha</i>	Wild	All	All (except Vietnam)	b
Pycnonotidae				
<i>Pycnonotus zeylanicus</i>	Wild	All	Malaysia	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
PSITTACIFORMES				
Cacatuidae				
<i>Cacatua sanguinea</i>	Wild	All	Indonesia	b
Loriidae				
<i>Chamosyna aureicincta</i>	Wild	All	Fiji	b
<i>Chamosyna diadema</i>	Wild	All	All	b
<i>Lorius domicella</i>	Wild	All	Indonesia	b
<i>Trichoglossus johnstoniae</i>	Wild	All	Philippines	b
Psittacidae				
<i>Agapornis fischer</i>	Wild	All	Tanzania	b
	Ranched	All	Mozambique	b
<i>Agapornis lilianae</i>	Wild	All	Tanzania	b
<i>Agapornis nigrigenis</i>	Wild	All	All	b
<i>Agapornis pullarius</i>	Wild	All	Angola, Democratic Republic of the Congo, Côte d'Ivoire, Guinea, Kenya, Mali, Togo	b
<i>Alisterus chloropterus chloropterus</i>	Wild	All	Indonesia	b
<i>Amazona agilis</i>	Wild	All	Jamaica	b
<i>Amazona autumnalis</i>	Wild	All	Ecuador	b
<i>Amazona collaria</i>	Wild	All	Jamaica	b
<i>Amazona mercenaria</i>	Wild	All	Venezuela	b
<i>Amazona xanthops</i>	Wild	All	Bolivia, Paraguay	b
<i>Ara chloropterus</i>	Wild	All	Argentina, Panama	b
<i>Ara severus</i>	Wild	All	Guyana	b
<i>Aratinga acuticaudata</i>	Wild	All	Uruguay	b
<i>Aratinga aurea</i>	Wild	All	Argentina	b
<i>Aratinga auricapillus</i>	Wild	All	All	b
<i>Aratinga erythrogenys</i>	Wild	All	Peru	b
<i>Aratinga euops</i>	Wild	All	Cuba	b
<i>Bolborhynchus ferrugineifrons</i>	Wild	All	Colombia	b
<i>Coracopsis vasa</i>	Wild	All	Madagascar	b
<i>Cyanoliseus patagonus</i>	Wild	All	Chile, Uruguay	b
<i>Derophtus accipitrinus</i>	Wild	All	Peru, Surinam	b
<i>Eclectus roratus</i>	Wild	All	Indonesia	b
<i>Forpus xanthops</i>	Wild	All	Peru	b
<i>Hapalopsittaca amazonina</i>	Wild	All	All	b
<i>Hapalopsittaca fuertesi</i>	Wild	All	Colombia	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Hapalopsittaca pyrrhops</i>	Wild	All	All	b
<i>Leptosittaca branickii</i>	Wild	All	All	b
<i>Nannopsittaca panychlora</i>	Wild	All	Brazil	b
<i>Pionus chalcopterus</i>	Wild	All	Peru	b
<i>Poicephalus cryptoxanthus</i>	Wild	All	Tanzania	b
<i>Poicephalus gulielmi</i>	Wild	All	Cameroon, Côte d'Ivoire, Congo, Guinea	b
<i>Poicephalus meyeri</i>	Wild	All	Tanzania	b
<i>Poicephalus robustus</i>	Wild	All	Botswana, Democratic Republic of the Congo, Côte d'Ivoire, Gambia, Guinea, Mali, Namibia, Nigeria, Senegal, South Africa, Swaziland, Togo, Uganda	b
<i>Poicephalus rufiventris</i>	Wild	All	Tanzania	b
<i>Polytelis alexandrae</i>	Wild	All	Australia	b
<i>Prioniturus luconensis</i>	Wild	All	Philippines	b
<i>Psittacula alexandri</i>	Wild	All	Indonesia	b
<i>Psittacula finschii</i>	Wild	All	Bangladesh, Cambodia	b
<i>Psittacula roseata</i>	Wild	All	China	b
<i>Psittacus erithacus</i>	Wild	All	Benin, Burundi, Liberia, Mali, Nigeria, Togo	b
<i>Psittacus erithacus timneh</i>	Wild	All	Guinea, Guinea-Bissau	b
<i>Psittichas fulgidus</i>	Wild	All	All	b
<i>Pyrrhura albipectus</i>	Wild	All	Ecuador	b
<i>Pyrrhura caeruleiceps</i>	Wild	All	Colombia	b
<i>Pyrrhura calliptera</i>	Wild	All	Colombia	b
<i>Pyrrhura leucotis</i>	Wild	All	Brazil	b
<i>Pyrrhura orcesi</i>	Wild	All	Ecuador	b
<i>Pyrrhura pfrimeri</i>	Wild	All	Brazil	b
<i>Pyrrhura subandina</i>	Wild	All	Colombia	b
<i>Pyrrhura viridicata</i>	Wild	All	Colombia	b
<i>Tanygnathus gramineus</i>	Wild	All	Indonesia	b
<i>Touit melanonotus</i>	Wild	All	Brazil	b
<i>Touit surdus</i>	Wild	All	Brazil	b
<i>Triclaria malachitacea</i>	Wild	All	Argentina, Brazil	b
STRIGIFORMES				
Strigidae				
<i>Asio capensis</i>	Wild	All	Guinea	b
<i>Bubo blakistoni</i>	Wild	All	China, Japan, Russia	b
<i>Bubo lacteus</i>	Wild	All	Guinea	b
<i>Bubo philippensis</i>	Wild	All	Philippines	b
<i>Bubo poensis</i>	Wild	All	Guinea	b
<i>Bubo vosseleri</i>	Wild	All	Tanzania	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Glaucidium capense</i>	Wild	All	Democratic Republic of the Congo, Rwanda	b
<i>Glaucidium perlatum</i>	Wild	All	Cameroon, Guinea	b
<i>Ketupa ketupu</i>	Wild	All	Singapore	b
<i>Nesasio solomonensis</i>	Wild	All	Papua New Guinea, Solomon Islands	b
<i>Ninox affinis</i>	Wild	All	India	b
<i>Ninox rudolfi</i>	Wild	All	Indonesia	b
<i>Otus angelinae</i>	Wild	All	Indonesia	b
<i>Otus capnodes</i>	Wild	All	Comoros	b
<i>Otus fuliginosus</i>	Wild	All	Philippines	b
<i>Otus insularis</i>	Wild	All	Seychelles	b
<i>Otus leucotis</i>	Wild	All	Guinea	b
<i>Otus longicornis</i>	Wild	All	Philippines	b
<i>Otus mindorensis</i>	Wild	All	Philippines	b
<i>Otus mirus</i>	Wild	All	Philippines	b
<i>Otus pauliani</i>	Wild	All	Comoros	b
<i>Otus roboratus</i>	Wild	All	Peru	b
<i>Pseudoscops clamator</i>	Wild	All	Peru	b
<i>Pulsatrix melanota</i>	Wild	All	Peru	b
<i>Scotopelia bouvieri</i>	Wild	All	Cameroon	b
<i>Scotopelia peli</i>	Wild	All	Guinea	b
<i>Scotopelia ussheri</i>	Wild	All	Côte d'Ivoire, Ghana, Guinea, Liberia, Sierra Leone	b
<i>Strix uralensis davidi</i>	Wild	All	China	b
<i>Strix woodfordii</i>	Wild	All	Guinea	b
Tytonidae				
<i>Phodilus prigoginei</i>	Wild	All	Democratic Republic of the Congo	b
<i>Tyto aurantia</i>	Wild	All	Papua New Guinea	b
<i>Tyto inexpectata</i>	Wild	All	Indonesia	b
<i>Tyto manusi</i>	Wild	All	Papua New Guinea	b
<i>Tyto nigrobrunnea</i>	Wild	All	Indonesia	b
<i>Tyto sororcula</i>	Wild	All	Indonesia	b
REPTILIA				
CROCODYLIA				
Alligatoridae				
<i>Caiman crocodilus</i>	Wild	All	El Salvador, Guatemala, Mexico	b
<i>Palaeosuchus trigonatus</i>	Wild	All	Guyana	b
Crocodylidae				
<i>Crocodylus niloticus</i>	Wild	All	Madagascar	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
SAURIA				
Agamidae				
<i>Uromastix aegyptia</i>	Source 'F' ⁽¹⁾	All	Egypt	b
<i>Uromastix dispar</i>	Wild	All	Algeria, Mali, Sudan	b
<i>Uromastix geyri</i>	Wild	All	Mali, Niger	b
Chamaeleonidae				
<i>Brookesia decaryi</i>	Wild	All	Madagascar	b
<i>Calumma boettgeri</i>	Wild	All	Madagascar	b
<i>Calumma brevicornis</i>	Wild	All	Madagascar	b
<i>Calumma capuroni</i>	Wild	All	Madagascar	b
<i>Calumma cucullata</i>	Wild	All	Madagascar	b
<i>Calumma fallax</i>	Wild	All	Madagascar	b
<i>Calumma furcifer</i>	Wild	All	Madagascar	b
<i>Calumma gallus</i>	Wild	All	Madagascar	b
<i>Calumma gastrotroaenia</i>	Wild	All	Madagascar	b
<i>Calumma globifer</i>	Wild	All	Madagascar	b
<i>Calumma guibei</i>	Wild	All	Madagascar	b
<i>Calumma hilleni</i>	Wild	All	Madagascar	b
<i>Calumma linota</i>	Wild	All	Madagascar	b
<i>Calumma malthe</i>	Wild	All	Madagascar	b
<i>Calumma nasuta</i>	Wild	All	Madagascar	b
<i>Calumma oshaughnessyi</i>	Wild	All	Madagascar	b
<i>Calumma parsonii</i>	Wild	All	Madagascar	b
<i>Calumma peyrierasi</i>	Wild	All	Madagascar	b
<i>Calumma tsaratananensis</i>	Wild	All	Madagascar	b
<i>Chamaeleo deremensis</i>	Wild	All	Tanzania	b
<i>Chamaeleo eisentrauti</i>	Wild	All	Cameroon	b
<i>Chamaeleo ellioti</i>	Wild	All	Burundi	b
<i>Chamaeleo feae</i>	Wild	All	Equatorial Guinea	b
<i>Chamaeleo fuelleborni</i>	Wild	All	Tanzania	b
<i>Chamaeleo gracilis</i>	Wild	All	Benin	b
	Ranched	All	Benin	b
	Ranched	Snout to vent length greater than 8 cm	Togo	b
<i>Chamaeleo montium</i>	Wild	All	Cameroon	b
<i>Chamaeleo pfefferi</i>	Wild	All	Cameroon	b
<i>Chamaeleo senegalensis</i>	Ranched	Snout to vent length greater than 6 cm	Togo	b
<i>Chamaeleo werneri</i>	Wild	All	Tanzania	b
<i>Chamaeleo wiedersheimi</i>	Wild	All	Cameroon	b
<i>Furcifer angeli</i>	Wild	All	Madagascar	b
<i>Furcifer antimena</i>	Wild	All	Madagascar	b
<i>Furcifer balteatus</i>	Wild	All	Madagascar	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Furcifer belandensis</i>	Wild	All	Madagascar	b
<i>Furcifer bifidus</i>	Wild	All	Madagascar	b
<i>Furcifer campani</i>	Wild	All	Madagascar	b
<i>Furcifer labordi</i>	Wild	All	Madagascar	b
<i>Furcifer minor</i>	Wild	All	Madagascar	b
<i>Furcifer monoceras</i>	Wild	All	Madagascar	b
<i>Furcifer petteri</i>	Wild	All	Madagascar	b
<i>Furcifer rhinoceros</i>	Wild	All	Madagascar	b
<i>Furcifer tuzetae</i>	Wild	All	Madagascar	b
<i>Furcifer willsii</i>	Wild	All	Madagascar	b
Cordylidae				
<i>Cordylus mossambicus</i>	Wild	All	Mozambique	b
<i>Cordylus tropidosternum</i>	Wild	All	Mozambique	b
<i>Cordylus vittifer</i>	Wild	All	Mozambique	b
Gekkonidae				
<i>Phelsuma abbotti</i>	Wild	All	Madagascar	b
<i>Phelsuma antanosy</i>	Wild	All	Madagascar	b
<i>Phelsuma barbouri</i>	Wild	All	Madagascar	b
<i>Phelsuma breviceps</i>	Wild	All	Madagascar	b
<i>Phelsuma comorensis</i>	Wild	All	Comoros	b
<i>Phelsuma dubia</i>	Wild	All	Comoros, Madagascar	b
<i>Phelsuma flavivularis</i>	Wild	All	Madagascar	b
<i>Phelsuma guttata</i>	Wild	All	Madagascar	b
<i>Phelsuma klemmeri</i>	Wild	All	Madagascar	b
<i>Phelsuma laticauda</i>	Wild	All	Comoros	b
<i>Phelsuma modesta</i>	Wild	All	Madagascar	b
<i>Phelsuma mutabilis</i>	Wild	All	Madagascar	b
<i>Phelsuma pronki</i>	Wild	All	Madagascar	b
<i>Phelsuma pusilla</i>	Wild	All	Madagascar	b
<i>Phelsuma seippi</i>	Wild	All	Madagascar	b
<i>Phelsuma serraticauda</i>	Wild	All	Madagascar	b
<i>Phelsuma standingi</i>	Wild	All	Madagascar	b
<i>Phelsuma v-nigra</i>	Wild	All	Comoros	b
<i>Uroplatus eburni</i>	Wild	All	Madagascar	b
<i>Uroplatus fimbriatus</i>	Wild	All	Madagascar	b
<i>Uroplatus guentheri</i>	Wild	All	Madagascar	b
<i>Uroplatus henkeli</i>	Wild	All	Madagascar	b
<i>Uroplatus lineatus</i>	Wild	All	Madagascar	b
<i>Uroplatus malama</i>	Wild	All	Madagascar	b
<i>Uroplatus phantasticus</i>	Wild	All	Madagascar	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Uroplatus pietschmanni</i>	Wild	All	Madagascar	b
<i>Uroplatus sikorae</i>	Wild	All	Madagascar	b
Helodermatidae				
<i>Heloderma horridum</i>	Wild	All	Guatemala, Mexico	b
<i>Heloderma suspectum</i>	Wild	All	Mexico, United States	b
Iguanidae				
<i>Conolophus pallidus</i>	Wild	All	Ecuador	b
<i>Conolophus subcristatus</i>	Wild	All	Ecuador	b
<i>Iguana iguana</i>	Wild	All	El Salvador	b
Scincidae				
<i>Corucia zebrata</i>	Wild	All	Solomon Islands	b
Varanidae				
<i>Varanus bogerti</i>	Wild	All	Papua New Guinea	b
<i>Varanus dumerilii</i>	Wild	All	Indonesia	b
<i>Varanus exanthematicus</i>	Wild	All	Benin, Togo	b
	Ranched	All	Benin	b
	Ranched	Greater than 35 cm in length	Togo	b
<i>Varanus jobiensis</i> (synonym <i>V. karlschmidti</i>)	Wild	All	Indonesia	b
<i>Varanus niloticus</i>	Wild	All	Benin, Burundi, Mozambique, Togo	b
	Ranched	All	Benin, Togo	b
<i>Varanus ornatus</i>	Wild	All	Togo	b
	Ranched	All	Togo	b
<i>Varanus prasinus beccarii</i>	Wild	All	Indonesia	b
<i>Varanus salvadorii</i>	Wild	All	Indonesia	b
<i>Varanus salvator</i>	Wild	All	China, India, Singapore	b
<i>Varanus telenesetes</i>	Wild	All	Papua New Guinea	b
<i>Varanus teriae</i>	Wild	All	Australia	b
<i>Varanus yemenensis</i>	Wild	All	All	b
SERPENTES				
Boidae				
<i>Boa constrictor</i>	Wild	All	El Salvador, Honduras	b
<i>Calabaria reinhardtii</i>	Wild	All	Togo	b
	Ranched	All	Benin, Togo	b
<i>Eunectes deschauenseei</i>	Wild	All	Brazil	b
<i>Eunectes murinus</i>	Wild	All	Paraguay	b
<i>Gongylophis colubrinus</i>	Wild	All	Tanzania	b
Elapidae				
<i>Naja atra</i>	Wild	All	Laos	b
<i>Naja kaouthia</i>	Wild	All	Laos	b
<i>Naja siamensis</i>	Wild	All	Laos	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
Pythonidae				
<i>Liasis fuscus</i>	Wild	All	Indonesia	b
<i>Morelia boeleni</i>	Wild	All	Indonesia	b
<i>Python molurus</i>	Wild	All	China	b
<i>Python regius</i>	Wild	All	Benin, Guinea	b
<i>Python reticulatus</i>	Wild	All	India, Malaysia (Peninsular), Singapore	b
<i>Python sebae</i>	Wild	All	Mauritania, Mozambique	b
	Ranched	All	Mozambique	b
TESTUDINES				
Emydidae				
<i>Chrysemys picta</i>	All	Live	All	d
<i>Trachemys scripta elegans</i>	All	Live	All	d
Geoemydidae				
<i>Callagur borneoensis</i>	Wild	All	All	b
<i>Cuora amboinensis</i>	Wild	All	Indonesia, Malaysia	b
<i>Cuora galbinifrons</i>	Wild	All	China	b
<i>Heosemys spinosa</i>	Wild	All	Indonesia	b
<i>Leucocephalon yuwonoi</i>	Wild	All	Indonesia	b
<i>Malayemys subtrijuga</i>	Wild	All	Indonesia	b
<i>Notochelys platynota</i>	Wild	All	Indonesia	b
<i>Siebenrockiella crassicolis</i>	Wild	All	Indonesia	b
Podocnemididae				
<i>Erymnochelys madagascariensis</i>	Wild	All	Madagascar	b
<i>Peltocephalus dumerilianus</i>	Wild	All	Guyana	b
<i>Podocnemis erythrocephala</i>	Wild	All	Colombia, Venezuela	b
<i>Podocnemis expansa</i>	Wild	All	Colombia, Ecuador, Guyana, Peru, Trinidad and Tobago, Venezuela	b
<i>Podocnemis lewyana</i>	Wild	All	All	b
<i>Podocnemis sextuberculata</i>	Wild	All	Peru	b
<i>Podocnemis unifilis</i>	Wild	All	Suriname	b
Testudinidae				
<i>Aldabrachelys gigantea</i>	Wild	All	Seychelles	b
<i>Chelonoidis denticulata</i>	Wild	All	Bolivia, Ecuador	b
<i>Geochelone elegans</i>	Wild	All	Pakistan	b
<i>Geochelone platynota</i>	Wild	All	Myanmar	b
<i>Geochelone sulcata</i>	Ranched	All	Togo, Benin	b
<i>Gopherus agassizii</i>	Wild	All	All	b
<i>Gopherus berlandieri</i>	Wild	All	All	b
<i>Gopherus polyphemus</i>	Wild	All	United States	b
<i>Indotestudo elongata</i>	Wild	All	Bangladesh, China, India	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Indotestudo forstenii</i>	Wild	All	All	b
<i>Indotestudo travancorica</i>	Wild	All	All	b
<i>Kinixys belliana</i>	Wild	All	Mozambique	b
	Ranched	All	Benin	b
<i>Kinixys homeana</i>	Wild	All	Benin, Togo	b
	Ranched	All	Benin	b
<i>Kinixys spekii</i>	Wild	All	Mozambique	b
<i>Manouria emys</i>	Wild	All	Bangladesh, India, Indonesia, Myanmar, Thailand	b
<i>Manouria impressa</i>	Wild	All	Vietnam	b
<i>Stigmochelys pardalis</i>	Wild	All	Democratic Republic of the Congo, Mozambique, Uganda, Tanzania	b
	Ranched	All	Mozambique, Zambia	b
	Source 'F' ⁽¹⁾	All	Zambia	b
<i>Testudo horsfieldii</i>	Wild	All	China, Kazakhstan, Pakistan	b
Trionychidae				
<i>Amyda cartilaginea</i>	Wild	All	Indonesia	b
<i>Chitra chitra</i>	Wild	All	Malaysia	b
<i>Pelochelys cantorii</i>	Wild	All	Indonesia	b
AMPHIBIA				
ANURA				
Dendrobatidae				
<i>Cryptophyllobates azureiventris</i>	Wild	All	Peru	b
<i>Dendrobates auratus</i>	Wild	All	Nicaragua	b
<i>Dendrobates pumilio</i>	Wild	All	Nicaragua	b
	Ranched	All	Nicaragua	b
<i>Dendrobates tinctorius</i>	Wild	All	Surinam	b
<i>Dendrobates variabilis</i>	Wild	All	Peru	b
<i>Dendrobates ventrimaculatus</i>	Wild	All	Peru	b
Mantellidae				
<i>Mantella aurantiaca</i>	Wild	All	Madagascar	b
<i>Mantella baroni</i> (synonym <i>Phrynomantis maculatus</i>)	Wild	All	Madagascar	b
<i>Mantella</i> aff. <i>baroni</i>	Wild	All	Madagascar	b
<i>Mantella bernhardi</i>	Wild	All	Madagascar	b
<i>Mantella cowani</i>	Wild	All	Madagascar	b
<i>Mantella crocea</i>	Wild	All	Madagascar	b
<i>Mantella expectata</i>	Wild	All	Madagascar	b
<i>Mantella haraldmeieri</i> (synonym <i>M. madagascariensis haraldmeieri</i>)	Wild	All	Madagascar	b
<i>Mantella laevigata</i>	Wild	All	Madagascar	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Mantella madagascariensis</i>	Wild	All	Madagascar	b
<i>Mantella manery</i>	Wild	All	Madagascar	b
<i>Mantella milotympanum</i> (synonym <i>M. aurantiaca milotympanum</i>)	Wild	All	Madagascar	b
<i>Mantella nigricans</i> (synonym <i>M. cowani nigricans</i>)	Wild	All	Madagascar	b
<i>Mantella pulchra</i>	Wild	All	Madagascar	b
<i>Mantella viridis</i>	Wild	All	Madagascar	b
Microhylidae				
<i>Scaphiophryne gottlebei</i>	Wild	All	Madagascar	b
Ranidae				
<i>Conraua goliath</i>	Wild	All	Cameroon	b
<i>Rana catesbeiana</i>	All	Live	All	d
ACTINOPTERYGII				
PERCIFORMES				
Labridae				
<i>Cheilinus undulatus</i>	Wild	All	Indonesia	b
SYNGNATHIFORMES				
Syngnathidae				
<i>Hippocampus barbouri</i>	Wild	All	Indonesia	b
<i>Hippocampus comes</i>	Wild	All	Indonesia	b
<i>Hippocampus histrix</i>	Wild	All	Indonesia	b
<i>Hippocampus kelloggi</i>	Wild	All	Indonesia	b
<i>Hippocampus kuda</i>	Wild	All	Indonesia, Vietnam	b
<i>Hippocampus spinosissimus</i>	Wild	All	Indonesia	b
ARTHROPODA				
ARACHNIDA				
ARANEAE				
Theraphosidae				
<i>Brachypelma albopilosum</i>	Wild	All	Nicaragua	b
SCORPIONES				
Scorpionidae				
<i>Pandinus imperator</i>	Ranched	All	Benin	b
INSECTA				
LEPIDOPTERA				
Papilionidae				
<i>Ornithoptera croesus</i>	Wild	All	Indonesia	b
<i>Ornithoptera tithonus</i>	Wild	All	Indonesia	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Ornithoptera urvillianus</i>	Wild	All	Solomon Islands	b
	Ranched	All	Solomon Islands	b
<i>Ornithoptera victoriae</i>	Wild	All	Solomon Islands	b
	Ranched	All	Solomon Islands	b
<i>Troides andromache</i>	Wild	All	Indonesia	b
	Ranched	All	Indonesia	b
MOLLUSCA				
<i>BIVALVIA</i>				
<i>MESOGASTROPODA</i>				
Strombidae				
<i>Strombus gigas</i>	Wild	All	Grenada, Haiti	b
<i>VENEROIDA</i>				
Tridacnidae				
<i>Hippopus hippopus</i>	Wild	All	New Caledonia, Tonga, Vanuatu, Vietnam	b
<i>Tridacna crocea</i>	Wild	All	Fiji, Tonga, Vanuatu, Vietnam	b
<i>Tridacna derasa</i>	Wild	All	Fiji, New Caledonia, Philippines, Palau, Tonga, Vanuatu, Vietnam	b
<i>Tridacna gigas</i>	Wild	All	Fiji, Indonesia, Marshall Islands, Micronesia, Palau, Papua New Guinea, Solomon Islands, Tonga, Vanuatu, Vietnam	b
<i>Tridacna maxima</i>	Wild	All	Micronesia, Fiji, Marshall Islands, Mozambique, New Caledonia, Tonga, Vanuatu, Vietnam	b
<i>Tridacna rosewateri</i>	Wild	All	Mozambique	b
<i>Tridacna squamosa</i>	Wild	All	Fiji, Mozambique, New Caledonia, Tonga, Vanuatu, Vietnam	b
<i>Tridacna tevoroa</i>	Wild	All	Tonga	b
CNIDARIA				
<i>HELIOPORACEA</i>				
Helioporidae				
<i>Heliopora coerulea</i>	Wild	All	Solomon Islands	b
<i>SCLERACTINIA</i>				
Acroporidae				
<i>Montipora caliculata</i>	Wild	All	Tonga	b
Agariciidae				
<i>Agaricia agaricites</i>	Wild	All	Haiti	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
Caryophylliidae				
<i>Catalaphyllia jardinei</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
<i>Catalaphyllia jardinei</i>	Wild	All	Solomon Islands	b
<i>Euphyllia cristata</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
<i>Euphyllia divisa</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
<i>Euphyllia fimbriata</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
<i>Plerogyra</i> spp.	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
<i>Plerogyra simplex</i>	Wild	All	Fiji	b
<i>Plerogyra sinuosa</i>	Wild	All	Tonga	b
Faviidae				
<i>Favites halicora</i>	Wild	All	Tonga	b
<i>Platygyra sinensis</i>	Wild	All	Tonga	b
Merulinidae				
<i>Hydnophora microconos</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
<i>Hydnophora rigida</i>	Wild	All	Fiji	b
Mussidae				
<i>Acanthastrea</i> spp.	Wild	All	Tonga	b
<i>Blastomussa</i> spp.	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
<i>Blastomussa wellsi</i>	Wild	All	Fiji	b
<i>Cynarina lacrymalis</i>	Wild	All	Tonga	b
	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
<i>Scolymia vitiensis</i>	Wild	All	Tonga	b
<i>Scolymia vitiensis</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
Pocilloporidae				
<i>Seriatopora stellata</i>	Wild	All	Indonesia	b
Trachyphilliidae				
<i>Trachyphyllia geoffroyi</i>	Wild	All	Fiji	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Trachyphyllia geoffroyi</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	b
FLORA				
Amaryllidaceae				
<i>Galanthus nivalis</i>	Wild	All	Bosnia and Herzegovina, Switzerland, Ukraine	b
Apocynaceae				
<i>Pachypodium inopinatum</i>	Wild	All	Madagascar	b
<i>Pachypodium rosulatum</i>	Wild	All	Madagascar	b
<i>Pachypodium rutenbergianum</i> ssp. <i>sofiense</i>	Wild	All	Madagascar	b
Cycadaceae				
<i>Cycadaceae</i> spp.	Wild	All	Madagascar, Mozambique, Vietnam	b
Euphorbiaceae				
<i>Euphorbia ankarensis</i>	Wild	All	Madagascar	b
<i>Euphorbia banae</i>	Wild	All	Madagascar	b
<i>Euphorbia berorohae</i>	Wild	All	Madagascar	b
<i>Euphorbia bongolavensis</i>	Wild	All	Madagascar	b
<i>Euphorbia bulbispina</i>	Wild	All	Madagascar	b
<i>Euphorbia duranii</i>	Wild	All	Madagascar	b
<i>Euphorbia fiananantsoae</i>	Wild	All	Madagascar	b
<i>Euphorbia guillauminiana</i>	Wild	All	Madagascar	b
<i>Euphorbia iharanae</i>	Wild	All	Madagascar	b
<i>Euphorbia kondoi</i>	Wild	All	Madagascar	b
<i>Euphorbia labatii</i>	Wild	All	Madagascar	b
<i>Euphorbia lophogona</i>	Wild	All	Madagascar	b
<i>Euphorbia millotii</i>	Wild	All	Madagascar	b
<i>Euphorbia neohumbertii</i>	Wild	All	Madagascar	b
<i>Euphorbia pachypodoides</i>	Wild	All	Madagascar	b
<i>Euphorbia razafindratsirae</i>	Wild	All	Madagascar	b
<i>Euphorbia suzannae-manieri</i>	Wild	All	Madagascar	b
<i>Euphorbia waringiae</i>	Wild	All	Madagascar	b
Orchidaceae				
<i>Anacamptis pyramidalis</i>	Wild	All	Switzerland, Turkey	b
<i>Barlia robertiana</i>	Wild	All	Turkey	b
<i>Cephalanthera rubra</i>	Wild	All	Norway	b
<i>Cypripedium japonicum</i>	Wild	All	China, North Korea, Japan, South Korea	b
<i>Cypripedium macranthos</i>	Wild	All	South Korea, Russia	b
<i>Cypripedium margaritaceum</i>	Wild	All	China	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Cypripedium micranthum</i>	Wild	All	China	b
<i>Dactylorhiza latifolia</i>	Wild	All	Norway	b
<i>Dactylorhiza romana</i>	Wild	All	Turkey	b
<i>Dactylorhiza russowii</i>	Wild	All	Norway	b
<i>Dactylorhiza traunsteineri</i>	Wild	All	Liechtenstein	b
<i>Dendrobium bellatulum</i>	Wild	All	Vietnam	b
<i>Dendrobium wardianum</i>	Wild	All	Vietnam	b
<i>Himantoglossum hircinum</i>	Wild	All	Switzerland	b
<i>Nigritella nigra</i>	Wild	All	Norway	b
<i>Ophrys holoserica</i>	Wild	All	Turkey	b
<i>Ophrys insectifera</i>	Wild	All	Liechtenstein, Norway	b
<i>Ophrys pallida</i>	Wild	All	Algeria	b
<i>Ophrys sphegodes</i>	Wild	All	Switzerland	b
<i>Ophrys tenthredinifera</i>	Wild	All	Turkey	b
<i>Ophrys umbilicata</i>	Wild	All	Turkey	b
<i>Orchis coriophora</i>	Wild	All	Russia, Switzerland	b
<i>Orchis italica</i>	Wild	All	Turkey	b
<i>Orchis laxiflora</i>	Wild	All	Switzerland	b
<i>Orchis mascula</i>	Wild/Ranched	All	Albania	b
<i>Orchis morio</i>	Wild	All	Turkey	b
<i>Orchis pallens</i>	Wild	All	Russia	b
<i>Orchis provincialis</i>	Wild	All	Switzerland	b
<i>Orchis punctulata</i>	Wild	All	Turkey	b
<i>Orchis purpurea</i>	Wild	All	Switzerland, Turkey	b
<i>Orchis simia</i>	Wild	All	Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Switzerland, Turkey	b
<i>Orchis tridentata</i>	Wild	All	Turkey	b
<i>Orchis ustulata</i>	Wild	All	Russia	b
<i>Phalaenopsis parishii</i>	Wild	All	Vietnam	b
<i>Serapias cordigera</i>	Wild	All	Turkey	b
<i>Serapias parviflora</i>	Wild	All	Turkey	b
<i>Serapias vomeracea</i>	Wild	All	Switzerland, Turkey	b
<i>Spiranthes spiralis</i>	Wild	All	Liechtenstein, Switzerland	b
Primulaceae				
<i>Cyclamen intaminatum</i>	Wild	All	Turkey	b
<i>Cyclamen mirabile</i>	Wild	All	Turkey	b
<i>Cyclamen pseudibericum</i>	Wild	All	Turkey	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), point:
<i>Cyclamen trochopteranthum</i>	Wild	All	Turkey	b
Stangeriaceae				
<i>Stangeriaceae</i> spp.	Wild	All	Madagascar, Mozambique, Vietnam	b
Zamiaceae				
<i>Zamiaceae</i> spp.	Wild	All	Madagascar, Mozambique, Vietnam	b

(¹) Animals born in captivity but for which the criteria of Chapter XIII of Regulation (EC) No 865/2006 are not met, as well as parts and derivatives thereof.

DIRECTIVES

COUNCIL DIRECTIVE 2008/73/EC

of 15 July 2008

simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

procedures, namely registration, listing, updating, transmission and publication of the lists.

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

- (4) In addition, since it is for the Member States to control the conditions that must be fulfilled by the different animal health establishments in order to be listed, the responsibility for the drawing up of the lists should lie with the Member States and not the Commission.

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

- (5) Member States should therefore draw up and keep up-to-date lists of the animal health establishments concerned and make them available to the other Member States and to the public. In order to harmonise the model forms of those lists and the way to achieve simple access to up-to-date lists for the Community, common criteria need to be established under a comitology procedure.

Having regard to the Opinion of the European Economic and Social Committee,

Whereas:

- (1) Community legislation in the veterinary field provides that assembly centres for bovine, porcine, caprine and ovine animals, equine marshalling centres, dealers of those animals, poultry establishments, semen collection or storage centres and embryo collection or production teams and certain bodies, institutes and centres ('animal health establishments') are to comply with certain conditions and must be officially approved by Member States for intra-Community trade in certain live animals and their products, and in particular animal genetic materials, such as semen, ova and embryos.
- (2) Community legislation provides for different procedures with regard to the registration, listing, updating, transmission and publication of those animal health establishments. However, differences in the procedures make the listing and the updating complicated and the practical use of those lists for the competent control services and the concerned operators very difficult.
- (3) Therefore those procedures should be harmonised and provide for more systematic, coherent and uniform rules with regard to the five key elements of such

- (6) In the interests of clarity and consistency of Community rules, this new procedure should also apply in the zootechnical field, in particular to breeding associations approved for maintaining or establishing herd books in Member States and to information to be provided by Member States regarding equine competitions in accordance with Council Directive 90/428/EEC of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein ⁽¹⁾.
- (7) Similarly to the rules applied to intra-Community trade, imports of semen, ova and embryos are regulated in such a way that the animal health establishments of origin in third countries are to fulfil certain conditions in order to minimise animal health risks. Accordingly, imports into the Community of such genetic materials should only be authorised from semen collection or storage centres and embryo collection or production teams officially approved for export to the Community by the competent authorities of the third country concerned in accordance with Community requirements and following Community veterinary inspections, where appropriate.

⁽¹⁾ OJ L 224, 18.8.1990, p. 60.

- (8) Depending on the type of genetic materials and on the species concerned, the current procedures for listing animal health establishments and updating the relevant lists are different, ranging from decisions adopted under a comitology procedure in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾ to a simple consultation with Member States.
- (9) The co-existence of different procedures can lead to confusion and uncertainty amongst administrative officials in third countries, the farming industry and trade operators. Since it is for the third countries to check on the conditions that must be fulfilled by the different animal health establishments in order to be listed as approved for export to the Community in accordance with Community requirements, the current legal framework for the authorisation of those establishments should be harmonised and simplified, so that the responsibility for drawing up and updating the lists lies with the third countries and not the Commission. It is important to ensure that the level of animal health guarantees given by the third country concerned is not affected. The simplification measures are without prejudice to the right of the Commission to take safeguard measures if necessary.
- (10) The different existing procedures should therefore be replaced by a procedure under which imports into the Community should only be permitted from third countries in which competent authorities draw up and keep up to date the lists and communicate them to the Commission. The Commission should inform the Member States about those lists and make them available to the public for information purposes. In the case of concerns with regard to the lists communicated by the third countries, safeguard measures are to be adopted in accordance with Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾.
- (11) For reasons of clarity and consistency of Community legislation, that procedure should also apply to authorities in third countries approved for the purpose of keeping herd books, flock books or stud books in accordance with Community zootechnical legislation.
- (12) Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries ⁽³⁾ provides that in the case where animals imported from third countries are placed in a quarantine centre within Community territory, this quarantine centre must be approved and the list of quarantine centres published in the *Official Journal of the European Union*. In the interests of clarity and consistency of Community rules, a simplified procedure should also apply to the updating of the list of quarantine centres in the Member States.
- (13) In the veterinary field, the Commission is responsible for setting up and updating the lists of approved national reference laboratories and other approved laboratories on the basis of information provided by the Member States.
- (14) In accordance with Community legislation, amendments to those lists are made, following a request from a Member State and a decision adopted under a comitology procedure in accordance with Decision 1999/468/EC, or by the Council on a proposal from the Commission.
- (15) However, amendments to such lists are often of a purely formal nature, such as changes in the contact details of the national reference laboratories or the other approved laboratories in question.
- (16) The current practice has been to make only periodic updates of the lists of those laboratories to reduce the number of Commission decisions to be taken. However, that practice does not guarantee a rapid update of those lists. This could compromise the legal status of national reference laboratories and other approved laboratories.
- (17) Since the Member States designate the national reference laboratories and provide all the necessary details and updates, the responsibility for the drawing up of the lists of such laboratories should lie with the Member States and not the Commission. Similarly, the responsibility for drawing up lists of other approved laboratories should lie with the Member States.
- (18) Member States should therefore draw up and keep up to date the lists of the national reference laboratories and other approved laboratories concerned and make them available to the other Member States and the public. In order to harmonise the model of those lists and the way to achieve simple access to up-to-date lists for the Community, common criteria should be established under the comitology procedure.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23. Decision as last amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

⁽²⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁽³⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by Directive 2006/104/EC.

- (19) However, where the lists concern approved laboratories situated in third countries, the Commission should continue to be responsible for drawing up and publishing the lists of such laboratories.
- (20) In order to avoid any disruption concerning applications for approval of laboratories submitted by Member States pursuant to Council Decision 2000/258/EC of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines ⁽¹⁾, transitional measures should be provided for in this Directive.
- (21) Article 6(2)(a) of Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽²⁾ provides that bovine animals for breeding and production intended for intra-Community trade must come from an officially tuberculosis-free herd and, if more than six weeks old, have reacted negatively to an intradermal tuberculin test carried out during the 30 days prior to leaving the herd of origin. Due to traditional farming and trade practices, some Member States have encountered difficulties to comply with this pre-movement testing. It is therefore necessary to provide for the possibility of carrying out the intradermal tuberculin test at a place other than the holding of origin to be established under the comitology procedure.
- (22) Moreover, certain Annexes to Directive 64/432/EEC, which are of purely technical nature such as those relating to animal health tests, the list of compulsory notifiable diseases or the animal health certificates, should be amended by means of the comitology procedure to be able to rapidly take account of new scientific developments. However, the amendment of Annexes laying down detailed conditions with regard to the disease-free status, which may have an impact on intra-Community trade, should be reserved for the Council.
- (23) Technological and scientific developments have taken place since the beginning of the 1990s in the collection and the production of genetic materials. 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⁾ has not been updated to take account of this evolution and of the new OIE standards. It is therefore appropriate to amend the said Directive and to bring into its scope, provisions in respect of trade in and imports of genetic material derived from animals other than those of the ovine, caprine, equine and porcine species. Further, pending the establishment of detailed harmonised rules in this field, Member States should be allowed to apply national rules. Similarly, pending the establishment of detailed harmonised rules in respect of imports of animals covered by that Directive, Member States should be allowed to apply national rules.
- (24) The Council, in accordance with point 34 of the Inter-institutional Agreement on better law-making ⁽⁴⁾, should encourage the Member States to draw up, for themselves and in the interest of the Community their own tables, which will, as far as possible, illustrate the correlation between the Directive and the transposition measures and to make them public.
- (25) Council Directives 64/432/EEC, 77/504/EEC ⁽⁵⁾, 88/407/EEC ⁽⁶⁾, 88/661/EEC ⁽⁷⁾, 89/361/EEC ⁽⁸⁾, 89/556/EEC ⁽⁹⁾, 90/426/EEC ⁽¹⁰⁾, 90/427/EEC ⁽¹¹⁾, 90/428/EEC, 90/429/EEC ⁽¹²⁾, 90/539/EEC ⁽¹³⁾, 91/68/EEC ⁽¹⁴⁾, 91/496/EEC, 92/35/EEC ⁽¹⁵⁾, 92/65/EEC, 92/66/EEC ⁽¹⁶⁾, 92/119/EEC ⁽¹⁷⁾, 94/28/EC ⁽¹⁸⁾, 2000/75/EC ⁽¹⁹⁾, Decision 2000/258/EC, Council Directives 2001/89/EC ⁽²⁰⁾, 2002/60/EC ⁽²¹⁾, and 2005/94/EC ⁽²²⁾ should therefore be amended accordingly,
- ⁽¹⁾ OJ L 79, 30.3.2000, p. 40. Decision as last amended by Commission Decision 2003/60/EC (OJ L 23, 28.1.2003, p. 30).
- ⁽²⁾ OJ L 121, 29.7.1964, p. 1977/64. Directive as last amended by Commission Decision 2007/729/EC (OJ L 294, 13.11.2007, p. 26).
- ⁽³⁾ OJ L 268, 14.9.1992, p. 54. Directive as last amended by Commission Decision 2007/265/EC (OJ L 114, 1.5.2007, p. 17).
- ⁽⁴⁾ OJ C 321, 31.12.2003, p. 1. Corrected by OJ C 4, 8.1.2004, p. 7.
- ⁽⁵⁾ OJ L 206, 12.8.1977, p. 8. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).
- ⁽⁶⁾ OJ L 194, 22.7.1988, p. 10. Directive as last amended by Commission Decision 2008/120/EC (OJ L 42, 16.2.2008, p. 63).
- ⁽⁷⁾ OJ L 382, 31.12.1988, p. 36. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).
- ⁽⁸⁾ OJ L 153, 6.6.1989, p. 30.
- ⁽⁹⁾ OJ L 302, 19.10.1989, p. 1. Directive as last amended by Commission Decision 2006/60/EC (OJ L 31, 3.2.2006, p. 24).
- ⁽¹⁰⁾ OJ L 224, 18.8.1990, p. 42. Directive as last amended by Directive 2006/104/EC.
- ⁽¹¹⁾ OJ L 224, 18.8.1990, p. 55.
- ⁽¹²⁾ OJ L 224, 18.8.1990, p. 62. Directive as last amended by Regulation (EC) No 806/2003.
- ⁽¹³⁾ OJ L 303, 31.10.1990, p. 6. Directive as last amended by Commission Decision 2007/729/EC (OJ L 294, 13.11.2007, p. 26).
- ⁽¹⁴⁾ OJ L 46, 19.2.1991, p. 19. Directive as last amended by Directive 2006/104/EC.
- ⁽¹⁵⁾ OJ L 157, 10.6.1992, p. 19. Directive as last amended by Commission Decision 2007/729/EC.
- ⁽¹⁶⁾ OJ L 260, 5.9.1992, p. 1. Directive as last amended by Directive 2006/104/EC.
- ⁽¹⁷⁾ OJ L 62, 15.3.1993, p. 69. Directive as last amended by Commission Directive 2007/10/EC (OJ L 63, 1.3.2007, p. 24).
- ⁽¹⁸⁾ OJ L 178, 12.7.1994, p. 66.
- ⁽¹⁹⁾ OJ L 327, 22.12.2000, p. 74. Directive as last amended by Commission Decision 2007/729/EC.
- ⁽²⁰⁾ OJ L 316, 1.12.2001, p. 5. Directive as last amended by Commission Decision 2007/729/EC.
- ⁽²¹⁾ OJ L 192, 20.7.2002, p. 27. Directive as last amended by Commission Decision 2007/729/EC.
- ⁽²²⁾ OJ L 10, 14.1.2006, p. 16.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Amendments to Directive 64/432/EEC

Directive 64/432/EEC is hereby amended as follows:

1. in Article 6, the first subparagraph of paragraph 2(a) shall be replaced by:

‘come from an officially tuberculosis-free bovine herd, and in the case of animals more than six weeks old, have reacted negatively to an intradermal tuberculin test carried out in accordance with the provisions of point 2.2 of Annex B either during the 30 days prior to leaving the herd of origin or in a place and under conditions to be defined in accordance with the procedure referred to in Article 17.’;

2. the following Article shall be inserted:

‘Article 6a

Member States shall designate State institutes, national reference laboratories or official institutes responsible for coordinating the standards and methods of diagnosis referred to in Annexes A to D. They shall maintain up-to-date lists thereof and make them available to the other Member States and to the public.

The tasks and responsibilities of those State institutes, national reference laboratories and official institutes are set out in Annexes B and C and Chapter II of Annex D.

Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 17(2).’;

3. in Article 11, paragraph 3 shall be replaced by the following:

‘3. The competent authority shall issue an approval number to each approved assembly centre. Approvals of assembly centres may be limited to a particular species or to animals for breeding and production or to animals for slaughter.

The competent authority shall draw up and keep up to date a list of approved assembly centres and their approval numbers and make it available to the other Member States and to the public.’;

4. in Article 13, the following paragraphs shall be added:

‘5. Member States shall draw up and keep up to date a list of approved dealers and registered premises used by dealers in connection with their business and their approval numbers and make that list available to the other Member States and to the public.

6. Detailed rules for the uniform application of paragraph 5 may be adopted in accordance with the procedure referred to in Article 17(2).’;

5. Article 16 shall be replaced by the following:

‘Article 16

Annexes A and D (Chapter I) shall be amended by the Council, acting by a qualified majority on a Commission proposal, in particular with regard to their adaptation to technological and scientific developments.

Annexes B, C, D (Chapter II), E and F shall be amended by the Commission in accordance with the procedure referred to in Article 17.’;

6. Annex B shall be amended as follows:

- (a) point 4.1 shall be replaced by the following:

‘4.1. Tasks and responsibilities

The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a shall be responsible for the official testing of tuberculins or reagents referred to in paragraphs 2 and 3 respectively in their respective Member States to ensure that each of these tuberculins or reagents is adequate in relation to the standards referred to in point 2.1 and paragraph 3 respectively.’;

- (b) point 4.2 shall be deleted;

7. Annex C shall be amended as follows:

- (a) in point 4.1, the introductory sentence shall be replaced by the following:

‘National reference laboratories designated in accordance with Article 6a shall be responsible for.’;

- (b) point 4.2 shall be deleted;

8. in Annex D, Chapter II.A, points 2 and 3 shall be replaced by the following:

‘2. The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a for coordinating standards and methods of diagnosis of the tests for enzootic bovine leucosis must be made responsible for calibrating the standard working antigen of the laboratory against the official EC standard serum (EI serum) provided by the National Veterinary Institute, Technical University of Denmark.

3. The standard antigens used in the laboratory must be submitted at least once a year to the State institutes, national reference laboratories or official institutes designated in accordance with Article 6a, for testing against the official EC standard serum. Apart from such standardisation, the antigen in use may be calibrated in accordance with the method described in B'.

Article 2

Amendments to Directive 77/504/EEC

The following Article shall be inserted in Directive 77/504/EEC:

'Article 4a

1. Member States shall draw up and keep up to date a list of bodies as referred to in Article 1(b), first indent, which are officially recognised for the purpose of maintaining or establishing herd books and make it available to the other Member States and to the public.

2. Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 8(2).'

Article 3

Amendments to Directive 88/407/EEC

Directive 88/407/EEC is hereby amended as follows:

1. in Article 5, paragraph 2 shall be replaced by the following:

'2. All semen collection or storage centres shall be registered, each centre being given a veterinary registration number. Each Member State shall draw up and keep up to date a list of semen collection or storage centres and their veterinary registration numbers and make it available to the other Member States and to the public.

3. Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 18(2).'

2. Article 9 shall be replaced by the following:

'Article 9

1. Member States shall only authorise imports of semen dispatched from a semen collection or storage centre situated in one of the third countries appearing on the list referred to in Article 8 and for which the competent authority of the third country concerned is able to give the guarantees that the following conditions are met:

- (a) it meets the conditions:

- (i) for approval of semen collection centres or storage centres set out in Chapter I of Annex A;

- (ii) relating to the supervision of such centres set out in Chapter II thereof;

- (b) it has been officially approved by the competent authority of the third country for exports to the Community;

- (c) it is placed under the supervision of a centre veterinarian;

- (d) it is subject to inspections by an official veterinarian of the third country at least twice a year.

2. The list of semen collection or storages centres that the competent authority of the third country appearing on the list referred to in Article 8 has approved in accordance with the conditions set out in paragraph 1 of this Article and from which semen may be dispatched to the Community shall be communicated to the Commission.

The approval of a semen collection or storage centre must be immediately suspended or withdrawn by the competent authority of the third country where it no longer complies with the conditions set out in paragraph 1 and the Commission must be immediately informed thereof.

The Commission shall provide the Member States with any new and updated lists that it receives from the competent authority of the third country in accordance with this paragraph and shall make them available to the public for information purposes.

3. Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 18(2).'

3. Article 12 shall be replaced by the following:

'Article 12

The rules laid down in Directive 97/78/EC shall apply, in particular to the organisation of, and follow-up to the checks to be carried out by the Member States and the safeguard measures to be applied in accordance with the procedure referred to in Article 22 of that Directive.'

Article 4

Amendments to Directive 88/661/EEC

Directive 88/661/EEC is hereby amended as follows:

1. the following Article shall be inserted:

'Article 4a

Member States shall draw up and keep up to date a list of bodies as referred to in Article 1(c), first indent, and make it available to the other Member States and to the public.

Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 11(2).';

2. the following Article shall be inserted:

'Article 7a

Member States shall draw up and keep up to date a list of bodies as referred to in Article 1(d), first indent, and make it available to the other Member States and to the public.

Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 11(2).'

Article 5

Amendments to Directive 89/361/EEC

Article 5 of Directive 89/361/EEC shall be replaced by the following:

'Article 5

Member States shall draw up and keep up to date a list of bodies as referred to in Article 2(b), first indent, which are officially approved for the purpose of maintaining or establishing flock books and which meet the criteria determined in accordance with the first indent of Article 4 and make it available to the other Member States and to the public.

Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 8.'

Article 6

Amendments to Directive 89/556/EEC

Directive 89/556/EEC is hereby amended as follows:

1. in Article 5(2), the first subparagraph shall be replaced by the following:

'2. The competent authority of each Member State concerned shall register embryo collection teams and give a veterinary registration number to each team.

Each Member State shall draw up and keep up to date a list of embryo collection teams and their veterinary registration numbers and make it available to the other Member States and to the public.';

2. Article 8 shall be replaced by the following:

'Article 8

1. Member States shall only authorise imports of embryos dispatched from an embryo collection or production team situated in one of the third countries appearing on the list referred to in Article 7 and for which the competent authority of the third country concerned is able to give the guarantees that the following conditions are met:

(a) it meets the conditions:

(i) for the approval of embryo collection and embryo production teams set out in Chapter I of Annex A;

(ii) relating to the collection, processing, storage and transport of embryos by such teams set out in Chapter II of that Annex;

(b) it has been officially approved by the competent authority of the third country for exports to the Community;

(c) it is subject to inspections by an official veterinarian of the third country at least twice a year.

2. The list of embryo collection or production teams that the competent authority of the third country appearing on the list referred to in Article 7 has approved in accordance with the conditions set out in paragraph 1 of this Article and from which embryos may be dispatched to the Community shall be communicated to the Commission.

The approval of an embryo collection or production team must be immediately suspended or withdrawn by the competent authority of the third country where it no longer complies with the conditions set out in paragraph 1 and the Commission must be immediately informed thereof.

The Commission shall provide the Member States with any new and updated lists that it receives from the competent authority of the third country concerned in accordance with this paragraph and shall make them available to the public for information purposes.

3. Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 18(2).';

3. Article 11 shall be replaced by the following:

'Article 11

The rules laid down in Directive 97/78/EC shall apply, in particular to the organisation of, and follow-up to the checks to be carried out by the Member States and the safeguard measures to be applied in accordance with the procedure referred to in Article 22 of that Directive.'

Article 7

Amendments to Directive 90/426/EEC

In Article 7 of Directive 90/426/EEC, paragraph 1 shall be replaced by the following:

'1. The equidae must be transported, as soon as possible, from the holding of origin either directly or via an approved market or marshalling centre as defined as "assembly centre" in Article 2(2)(o) of Directive 64/432/EEC to the place of destination in vehicles or containers which have been regularly cleansed and disinfected with a disinfectant at intervals to be fixed by the Member State of dispatch. The vehicles must be designed in such a way that equidae droppings, litter or fodder cannot escape from the vehicle during transportation. Transportation must be effected in such a way that the health and well-being of the equidae can be protected effectively.'

Article 8

Amendments to Directive 90/427/EEC

Article 5 of Directive 90/427/EEC shall be replaced by the following:

'Article 5

Member States shall draw up and keep up to date the list of bodies maintaining or establishing studbooks as referred to in Article 2(c), first indent, which are approved or recognised on the basis of the criteria determined in accordance with Article 4(2)(a) and make it available to the other Member States and to the public.

Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 10.'

Article 9

Amendments to Directive 90/428/EEC

In Article 4 of Directive 90/428/EEC, paragraph 2 shall be replaced by the following:

'2. However,

— the obligations referred to in Article 3 shall not affect the organisation of:

(a) competitions reserved for equidae registered in a specific stud book for the purpose of permitting the improvement of the breed;

(b) regional competitions with a view to selecting equidae;

(c) historic or traditional events.

Member States intending to avail themselves of these possibilities shall make this intention and the justifications thereof available to the other Member States and to the public beforehand;

— for each competition or type of competition Member States shall be authorised to reserve, through the bodies officially approved or recognised for that purpose, a certain percentage of the prize money or profits referred to in paragraph 1(c) for the safeguard, development and improvement of breeding.

The percentage may not exceed 20 % from 1993.

The criteria for the distribution of these funds in the Member State concerned shall be made available to the other Member States and to the public.'

Article 10

Amendments to Directive 90/429/EEC

Directive 90/429/EEC is hereby amended as follows:

1. in Article 5, paragraph 2 shall be replaced by the following:

'2. All semen collection centres shall be registered, each centre being given a veterinary registration number.

Each Member State shall draw up and keep up to date a list of semen collection centres and their veterinary registration numbers and make it available to the other Member States and to the public';

2. Article 8 shall be replaced by the following:

'Article 8

1. Member States shall only authorise imports of semen dispatched from a semen collection centre situated in one of the third countries appearing on the list referred to in Article 7 and for which the competent authority of the third country concerned is able to give the guarantees that the following conditions are met:

(a) it meets the conditions:

- (i) for the approval of semen collection centres set out in Chapter I of Annex A;
- (ii) relating to the supervision of such centres set out in Chapter II thereof;

(b) it has been officially approved by the competent authority of the third country for exports to the Community;

(c) it is placed under the supervision of a centre veterinarian;

(d) it is subject to inspections by an official veterinarian of the third country concerned at least twice a year.

2. The list of semen collection centres that the competent authority of the third country appearing on the list referred to in Article 7 has approved in accordance with the conditions set out in paragraph 1 of this Article and from which semen may be dispatched to the Community shall be communicated to the Commission.

The approval of a semen collection centre must be immediately suspended or withdrawn by the competent authority of the third country where it no longer complies with the conditions set out in paragraph 1 and the Commission must be immediately informed thereof.

The Commission shall provide the Member States with any new and updated lists that it receives from the competent authority of the third country concerned in accordance with this paragraph and shall make them available to the public for information purposes.

3. Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 18(2).;

3. in Article 15, paragraph 2 shall be replaced by the following:

‘2. The rules laid down in Directive 97/78/EC shall apply, in particular to the organisation of, and follow-up to the checks to be carried out by the Member States and the safeguard measures to be applied in accordance with the procedure referred to in Article 22 of that Directive.’

Article 11

Amendments to Directive 90/539/EEC

Directive 90/539/EEC is hereby amended as follows:

1. Article 4 shall be replaced by the following:

‘Article 4

Each Member State shall designate a national reference laboratory to be responsible for coordinating the diagnostic methods provided for in this Directive and their use by the approved laboratories located in its territory.

Each Member State shall make the details of its national reference laboratory, and any subsequent changes, available to the other Member States and to the public.

Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 32(2).;

2. the following Article shall be inserted:

‘Article 6a

Each Member State shall draw up and keep up to date a list of establishments approved in accordance with point 1(a) of Article 6 and their distinguishing numbers, and shall make it available to the other Member States and to the public.

Detailed rules for the uniform application of this article may be adopted in accordance with the procedure referred to in Article 32.;

3. Annex I shall be amended as follows:

(i) point 1 shall be deleted;

(ii) point 2 shall be replaced by the following:

‘2. The national reference laboratories for avian diseases designated in accordance with Article 4 shall be responsible in each Member State for coordinating the diagnostic methods provided for in this Directive. To this end:

(a) they may supply approved laboratories with the reagents needed for diagnostic testing;

(b) they shall monitor the quality of reagents used by the laboratories approved for the purpose of carrying out the diagnostic tests provided for in this Directive;

(c) they shall organise periodic comparative tests.’

*Article 12***Amendments to Directive 91/68/EEC**

Directive 91/68/EEC is hereby amended as follows:

1. in Article 8a, paragraph 3 shall be replaced by the following:

‘3. The competent authority shall issue an approval number to each approved assembly centre. Approvals may be limited to one or more species covered by this Directive or to animals for breeding or fattening, or to animals for slaughter.

The competent authority shall draw up and keep up to date a list of approved assembly centres and their unique approval numbers and make it available to the other Member States and to the public.’;

2. in Article 8b, the following paragraph shall be added:

‘5. Member States shall draw up and keep up to date a list of approved dealers and registered premises used by dealers in connection with their business and their approval numbers and shall make it available to the other Member States and to the public.

Detailed rules for the uniform application of this paragraph may be adopted in accordance with the procedure referred to in Article 15(2).’.

*Article 13***Amendments to Directive 91/496/EEC**

In Article 10 of Directive 91/496/EEC, paragraph 4 shall be replaced by the following:

- ‘4. (a) The procedure laid down in Article 22 must be followed for the approval and subsequent updating of the list of quarantine centres referred to in the first indent of paragraph 1. The Commission shall publish the list of these quarantine centres and any subsequent updates in the *Official Journal of the European Union*.
- (b) Quarantine centres referred to in the second indent of paragraph 1 and the first indent of paragraph 2 that fulfil the conditions laid down in Annex B shall be approved by the Member States, each centre being given an approval number. Each Member State shall draw up and keep up to date a list of approved quarantine centres and their approval numbers and make it available to the other Member States and to the public. Quarantine centres shall be subject to the inspection provided for in Article 19.

Detailed rules for the uniform application of this subparagraph may be adopted in accordance with the procedure referred to in Article 22.’.

*Article 14***Amendments to Directive 92/35/EEC**

Directive 92/35/EEC is hereby amended as follows:

1. Article 14 shall be replaced by the following:

‘Article 14

1. Member States shall designate a national laboratory to carry out the laboratory examinations provided for in this Directive, and shall make the details of that laboratory, and any subsequent changes, available to the other Member States and to the public.

Detailed rules for the uniform application of this paragraph may be adopted in accordance with the procedure referred to in Article 19.

2. The functions and duties of the national laboratories designated in accordance with paragraph 1 are set out in Annex I.

3. The national laboratories designated in accordance with paragraph 1 shall liaise with the Community reference laboratory referred to in Article 15.’;

2. in Annex I, Section A shall be deleted.

*Article 15***Amendments to Directive 92/65/EEC**

Directive 92/65/EEC is hereby amended as follows:

1. Article 11 shall be replaced by the following:

‘Article 11

1. The Member States shall ensure that, without prejudice to the decisions to be taken in implementation of Articles 21 and 23, only semen, ova and embryos meeting the conditions laid down in paragraphs 2, 3, 4 and 5 are the subject of trade.

2. Semen of the ovine, caprine and equine species must, without prejudice to any criteria to be complied with for the entry of equids in stud books for certain specific breeds:

- have been collected, processed and stored with a view to artificial insemination in a centre approved from the health point of view in accordance with Annex D(I), or, in the case of ovine and caprine animals by way of derogation from the above, in a holding satisfying the requirements of Directive 91/68/EEC,
- have been collected from animals meeting the conditions laid down in Annex D(II),
- have been collected, processed, preserved, stored and transported in accordance with Annex D(III),
- have been accompanied during transport to another Member State by a health certificate corresponding to a specimen to be determined in accordance with the procedure referred to in Article 26.

3. Ova and embryos of the ovine, caprine, equine and porcine species must:

- have been removed from donor females meeting the conditions laid down in Annex D(IV) by a collection team or have been produced by a production team approved by the competent authority of the Member State and satisfying the conditions to be established in Annex D(I) in accordance with the procedure referred to in Article 26,
- have been collected, processed and preserved in an appropriate laboratory, stored and transported in accordance with Annex D(III),
- be accompanied during transport to another Member State by a health certificate corresponding to a specimen to be determined in accordance with the procedure referred to in Article 26.

Semen used for the insemination of donor females must comply with the provisions of paragraph 2 in the case of sheep, goats and equids and with the provisions of Directive 90/429/EEC for swine.

Any additional guarantees may be determined in accordance with the procedure referred to in Article 26.

4. The approved centres referred to in the first indent of paragraph 2 and the approved teams referred to in the first indent of paragraph 3 shall be registered by the competent authority of the Member State concerned, each centre and team being given a veterinary registration number.

Each Member State shall draw up and keep up to date a list of those approved centres and teams and their veterinary registration numbers and shall make it available to the other Member States and to the public.

Detailed rules for the uniform application of this paragraph may be adopted in accordance with the procedure referred to in Article 26.

5. The animal health requirements and the specimen health certificates applicable to semen, ova and embryos of species not mentioned in paragraphs 2 and 3 shall be established in accordance with the procedure referred to in Article 26.

Pending the establishment of animal health requirements and specimen health certificates for trade in such semen, ova and embryos, national rules shall continue to apply.;

2. in Article 13(2), point (d) shall be replaced by the following:

‘(d) All approved bodies, institutes and centres shall be registered and issued with an approval number by the competent authority.

Each Member State shall draw up and keep up to date a list of approved bodies, institutes and centres and their approval numbers and shall make it available to the other Member States and to the public.

Detailed rules for the uniform application of this point may be adopted in accordance with the procedure referred to in Article 26.;

3. in Article 17, paragraph 2 and 3 shall be replaced by the following:

‘2. Only animals, semen, ova and embryos referred to in Article 1 which satisfy the following requirements may be imported into the Community:

- (a) they must come from a third country on a list to be drawn up in accordance with paragraph 3(a);
- (b) they must be accompanied by the health certificate corresponding to a specimen to be drawn up in accordance with the procedure referred to in Article 26, signed by the competent authority of the exporting country and certifying that,

(i) the animals

— meet the additional conditions or offer the equivalent guarantees referred to in paragraph 4, and

— come from approved centres, bodies, institutes offering guarantees at least equivalent to those in Annex C;

- (ii) semen, ova and embryos come from approved collection and storage centres or collection and production teams offering guarantees at least equivalent to those to be established in Annex D(I) in accordance with the procedure referred to in Article 26.

Pending the establishment of lists of third countries, approved establishments listed in point (b), animal health requirements and specimen health certificates as referred to in paragraphs (a) and (b), national rules shall continue to apply provided they are not more favourable than those laid down in Chapter II.

3. The following shall be established:

- (a) in accordance with the procedure referred to in Article 26, a list of third countries or parts of third countries able to provide Member States and the Commission with guarantees equivalent to those provided for in Chapter II in relation to animals, semen, ova and embryos;
- (b) in accordance with this point, a list of approved centres or teams as referred to in the first indent of paragraph 2 of Article 11 and the first indent of paragraph 3 of that article situated in one of the third countries appearing on the list referred to in point (a) of this paragraph and for which the competent authority is able to give the guarantees provided for in Article 11(2) and (3).

The list of approved centres and teams referred to in the first subparagraph and their veterinary registration numbers shall be communicated to the Commission.

The approval of centres or teams must be immediately suspended or withdrawn by the competent authority of the third country where it no longer complies with the conditions referred to in Article 11(2) and (3) and the Commission must be immediately informed thereof.

The Commission shall provide the Member States with any new and updated lists that it receives from the competent authority of the third country in accordance with the second and third subparagraphs and shall make them available to the public for information purposes.

Detailed rules for the uniform application of this point may be adopted in accordance with the procedure referred to in Article 26;

- (c) in accordance with the procedure referred to in Article 26, the specific animal health requirements, in particular for the protection of the Community from certain exotic diseases, or guarantees equivalent to those provided for in this Directive.

The specific requirements and equivalent guarantees established for third countries may not be more favourable than those provided for in Chapter II.;

4. in Article 20, the first paragraph shall be replaced by the following:

‘The rules laid down in Directive 97/78/EC shall apply in particular to the organisation of, and follow-up to the checks to be carried out by the Member States and the safeguard measures to be applied in accordance with the procedure referred to in Article 22 of that Directive.’.

Article 16

Amendments to Directive 92/66/EEC

Directive 92/66/EEC is hereby amended as follows:

1. Article 14 shall be amended as follows:

- (a) paragraph 2 shall be replaced by the following:

‘2. The national laboratories referred to in paragraph 1 shall be responsible for coordinating standards and methods of diagnosis, use of reagents and testing of vaccines.’;

- (b) in paragraph 3, the introductory phrase shall be replaced by the following:

‘3. The national laboratories referred to in paragraph 1 shall be responsible for coordinating the standards and diagnostic methods laid down in each Newcastle-disease diagnostic laboratory within the Member State. To this end:’;

- (c) paragraph 4 shall be replaced by the following:

‘4. The national laboratories referred to in paragraph 1 shall liaise with the Community reference laboratory referred to in Article 15.

5. Member States shall maintain up-to-date lists of the national laboratories or institutes referred to in paragraph 1 and make them available to the other Member States and to the public.

Detailed rules for the uniform application of this paragraph may be adopted in accordance with the procedure referred to in Article 25(2).’;

2. Annex IV shall be deleted.

*Article 17***Amendments to Directive 92/119/EEC**

Directive 92/119/EEC is hereby amended as follows:

1. in Article 17, paragraph 5 shall be replaced by the following:

‘5. Member States shall maintain up-to-date lists of the national laboratories referred to in paragraph 1 and make them available to the other Member States and to the public.’;

2. in Annex II, point 5 shall be deleted.

*Article 18***Amendments to Directive 94/28/EC**

Directive 94/28/EC is hereby amended as follows:

1. Article 3 shall be amended as follows:

- (a) paragraph 1 shall be replaced by the following:

‘1. A list of bodies in respect of the species and/or races concerned that the competent authority of the third country has approved for the purpose of this Directive shall be communicated to the Commission.

The approval of a body must be immediately suspended or withdrawn by the competent authority of the third country where it no longer complies with the conditions referred to in Article 3(2)(b) and the Commission must be immediately informed thereof.

The Commission shall provide the Member States with any new and updated lists that it receives from the competent authority of the third country concerned in accordance with the second subparagraph and shall make them available to the public for information purposes.’;

- (b) in paragraph 2, point (a) shall be deleted;

- (c) paragraph 3 shall be deleted;

2. in Article 10, the following paragraph shall be added:

‘Where any serious infringement to the provisions in Article 3(2)(b) so warrants, in particular in the light of findings in relation to on-the-spot checks referred to in the first paragraph of this Article, measures may be adopted to suspend the import of animals, semen, ova and embryos referred to in Article 1(1) in accordance with the procedure referred to in Article 12.’.

*Article 19***Amendments to Directive 2000/75/EC**

Directive 2000/75/EC is hereby amended as follows:

1. Article 15 shall be replaced by the following:

‘Article 15

1. Member States shall designate a national laboratory responsible for carrying out the laboratory tests provided for by this Directive, and shall make the details of that laboratory, and any subsequent changes, available to the other Member States and to the public.

Detailed rules for the uniform application of this paragraph may be adopted in accordance with the procedure referred to in Article 20(2).

2. The tasks of the national laboratories designated in accordance with paragraph 1 are listed in Annex I.

3. The national laboratories designated in accordance with paragraph 1 of this Article shall liaise with the Community reference laboratory referred to in Article 16.’;

2. in Annex I, Section A shall be deleted.

*Article 20***Amendments to Decision 2000/258/EC**

Decision 2000/258/EC is hereby amended as follows:

1. Article 3 shall be replaced by the following:

‘Article 3

1. On the basis of a favourable result of the appraisal of an applicant laboratory in a Member State, documented by AFSSA, Nancy, the competent authority of the Member State may authorise the applicant laboratory to carry out the serological tests to monitor the effectiveness of rabies vaccines.

Member States shall draw up and keep up to date a list of those laboratories that they have authorised and shall make it available to the other Member States and to the public.

2. On the basis of a favourable result of the appraisal of an applicant laboratory in a third country documented by AFSSA, Nancy, and following an application for approval from the competent authority of the third country of origin of the applicant laboratory, such laboratory shall be authorised in accordance with the procedure referred to in Article 5(2) to carry out serological tests to monitor the effectiveness of rabies vaccines.

3. Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 5(2).;

2. the following Article shall be inserted:

'Article 5a

Applications for approval of laboratories submitted by the Member States prior to 1 January 2010, in accordance with Article 3 and Annex II, shall continue to be governed by this Decision, in its version before 3 September 2008.;

3. Annexes I and II shall be replaced by the text in the Annex to this Directive.

Article 21

Amendments to Directive 2001/89/EC

Directive 2001/89/EC is hereby amended as follows:

1. in Article 17(1), point (b) shall be replaced by the following:

'(b) a national laboratory is responsible for coordinating standards and methods of diagnosis in each Member State in accordance with the provisions of Annex III.

Member States shall make the details of their national laboratory, and any subsequent changes, available to the other Member States and to the public in a manner that may be specified in accordance with the procedure referred to in Article 26(2).;

2. Annex III shall be amended as follows:

(a) the title shall be replaced by the following:

'Duties of national laboratories for classical swine fever';

(b) point 1 shall be deleted.

Article 22

Amendments to Directive 2002/60/EC

Directive 2002/60/EC is hereby amended as follows:

1. in Article 18(1), point (b) shall be replaced by the following:

'(b) a national laboratory is responsible for coordinating standards and diagnostic methods in each Member State in accordance with Annex IV.

Member States shall make the details of their national laboratory, and any subsequent changes, available to the other Member States and to the public in a manner that may be specified in accordance with the procedure referred to in Article 23(2).;

2. Annex IV shall be amended as follows:

(a) the title shall be replaced by the following:

'Duties of national laboratories for African swine fever';

(b) point 1 shall be deleted.

Article 23

Amendments to Directive 2005/94/EC

In Article 51 of Directive 2005/94/EC, paragraph 2 shall be replaced by the following:

'2. Member States shall designate a national reference laboratory and shall make the details thereof, and any subsequent changes, available to the other Member State and to the public in a manner that may be specified in accordance with the procedure referred to in Article 64(2).'

Article 24

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 2010 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

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

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

*Article 25***Entry into force**

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

*Article 26***Addressees**

This Directive is addressed to the Member States.

Done at Brussels, 15 July 2008.

For the Council

The President

M. BARNIER

ANNEX

'ANNEX I

AFSSA, Nancy
Laboratoire d'études sur la rage et la pathologie des animaux sauvages
Technopôle agricole et vétérinaire
BP 40 009
54220 Malzéville Cedex
France

ANNEX II

The specific institute responsible for establishing the criteria necessary for standardising the serological test to monitor the action of rabies vaccines shall:

- coordinate the establishment, improvement and standardisation of methods of serological titration on carnivores vaccinated against rabies,
- appraise those laboratories in Member States which have submitted an application to perform the serological titrations referred to in the first indent; the result of this appraisal must be sent to the applicant laboratory and to the competent authorities of the Member State where the result is favourable for the purposes of approval,
- appraise those laboratories in third countries which have submitted an application to perform the serological titrations referred to in the first indent; the result of this appraisal must be sent to the applicant laboratory and to the Commission where the result is favourable for the purpose of approval,
- provide any useful information on analysis methods and comparative trials to those laboratories and organise training sessions and further training courses for their staff,
- organise inter-laboratory aptitude tests (proficiency tests),
- provide scientific and technical assistance to the Commission and the competent authorities concerned on the matters referred to in this Annex, in particular in cases of disagreement on results of serological titrations.'

COMMISSION DIRECTIVE 2008/83/EC**of 13 August 2008****amending Directive 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/55/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of vegetable species****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Having regard to the Treaty establishing the European Community,

Annexes I and II to Directive 2003/91/EC are replaced by the text in the Annex to this Directive.

Article 2

Having regard to Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed ⁽¹⁾, and in particular Article 7(2)(a) and (b) thereof,

For examinations started before 1 November 2008 Member States may apply Directive 2003/91/EC in the version applying before its amendment by this Directive.

Article 3

Whereas:

Member States shall adopt and publish, by 31 October 2008 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 November 2008.

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

Article 4

(2) The CPVO and UPOV have since issued further guidelines for a number of other species, and have updated existing ones.

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

Article 5

(3) Directive 2003/91/EC should therefore be amended accordingly.

This Directive is addressed to the Member States.

Done at Brussels, 13 August 2008.

(4) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

For the Commission
Androulla VASSILIOU
Member of the Commission

⁽¹⁾ OJ L 193, 20.7.2002, p. 33. Directive as last amended by Commission Directive 2006/124/EC (OJ L 339, 6.12.2006, p. 12).

⁽²⁾ OJ L 254, 8.10.2003, p. 11. Directive as last amended by Directive 2007/49/EC (OJ L 195, 27.7.2007, p. 33).

ANNEX

'ANNEX I

List of species referred to in Article 1(2)(a) which are to comply with CPVO test protocols

Scientific name	Common name	CPVO protocol
<i>Allium cepa</i> L. (Cepa group)	Onion and Echalion	TP 46/1 of 14.6.2005
<i>Allium cepa</i> L. (Aggregatum group)	Shallot	TP 46/1 of 14.6.2005
<i>Allium porrum</i> L.	Leek	TP 85/1 of 15.11.2001
<i>Allium sativum</i> L.	Garlic	TP 162/1 of 25.3.2004
<i>Apium graveolens</i> L.	Celery	TP 82/1 of 13.3.2008
<i>Apium graveolens</i> L.	Celeriac	TP 74/1 of 13.3.2008
<i>Asparagus officinalis</i> L.	Asparagus	TP 130/1 of 27.3.2002
<i>Brassica oleracea</i> L.	Cauliflower	TP 45/1 of 15.11.2001
<i>Brassica oleracea</i> L.	Sprouting Broccoli or Calabrese	TP 151/2 of 21.3.2007
<i>Brassica oleracea</i> L.	Brussels sprouts	TP 54/2 of 1.12.2005
<i>Brassica oleracea</i> L.	Kohlrabi	TP 65/1 of 25.3.2004
<i>Brassica oleracea</i> L.	Savoy cabbage, White cabbage and Red cabbage	TP 48/2 of 1.12.2005
<i>Brassica rapa</i> L.	Chinese cabbage	TP 105/1 of 13.3.2008
<i>Capsicum annuum</i> L.	Chilli or Pepper	TP 76/2 of 21.3.2007
<i>Cichorium endivia</i> L.	Curled-leaved endive and Plain-leaved endive	TP 118/2 of 1.12.2005
<i>Cichorium intybus</i> L.	Industrial chicory	TP 172/2 of 1.12.2005
<i>Cichorium intybus</i> L.	Witloof chicory	TP 173/1 of 25.3.2004
<i>Citrullus lanatus</i> (Thunb.) Matsum. & Nakai	Watermelon	TP 142/1 of 21.3.2007
<i>Cucumis melo</i> L.	Melon	TP 104/2 of 21.3.2007
<i>Cucumis sativus</i> L.	Cucumber and Gherkin	TP 61/2 of 13.3.2008
<i>Cucurbita pepo</i> L.	Marrow or Courgette	TP 119/1 of 25.3.2004
<i>Cynara cardunculus</i> L.	Globe artichoke and Cardoon	TP 184/1 of 25.3.2004
<i>Daucus carota</i> L.	Carrot and Fodder carrot	TP 49/3 of 13.3.2008
<i>Foeniculum vulgare</i> Mill.	Fennel	TP 183/1 of 25.3.2004
<i>Lactuca sativa</i> L.	Lettuce	TP 13/3 of 21.3.2007
<i>Lycopersicon esculentum</i> Mill.	Tomato	TP 44/3 of 21.3.2007
<i>Petroselinum crispum</i> (Mill.) Nyman ex A. W. Hill	Parsley	TP 136/1 of 21.3.2007
<i>Phaseolus coccineus</i> L.	Runner bean	TP 9/1 of 21.3.2007
<i>Phaseolus vulgaris</i> L.	Dwarf French bean and Climbing French bean	TP 12/2 of 1.12.2005
<i>Pisum sativum</i> L. (partim)	Wrinkled pea, Round pea and Sugar pea	TP 7/1 of 6.11.2003

Scientific name	Common name	CPVO protocol
<i>Raphanus sativus</i> L.	Radish	TP 64/1 of 27.3.2002
<i>Solanum melongena</i> L.	Aubergine or Egg plant	TP 117/1 of 13.3.2008
<i>Spinacia oleracea</i> L.	Spinach	TP 55/2 of 13.3.2008
<i>Valerianella locusta</i> (L.) Laterr.	Corn salad or Lamb's lettuce	TP 75/2 of 21.3.2007
<i>Vicia faba</i> L. (partim)	Broad bean	TP Broadbean/1 of 25.3.2004
<i>Zea mays</i> L. (partim)	Sweet corn and Pop corn	TP 2/2 of 15.11.2001

The text of these protocols can be found on the CPVO website (www.cpvo.europa.eu).

ANNEX II

List of species referred to in Article 1(2)(b) which are to comply with UPOV test guidelines

Scientific name	Common name	UPOV guideline
<i>Allium fistulosum</i> L.	Japanese bunching onion or Welsh onion	TG/161/3 of 1.4.1998
<i>Allium schoenoprasum</i> L.	Chives	TG/198/1 of 9.4.2003
<i>Beta vulgaris</i> L.	Spinach beet or Chard	TG/106/4 of 31.3.2004
<i>Beta vulgaris</i> L.	Beetroot including Cheltenham beet	TG/60/7 of 9.4.2008
<i>Brassica oleracea</i> L.	Curly kale	TG/90/6 of 31.3.2004
<i>Brassica rapa</i> L.	Turnip	TG/37/10 of 4.4.2001
<i>Cichorium intybus</i> L.	Large-leaved chicory or Italian chicory	TG/154/3 of 18.10.1996
<i>Cucurbita maxima</i> Duchesne	Gourd	TG/155/4 of 28.3.2007
<i>Raphanus sativus</i> L.	Black radish	TG/63/6 of 24.3.1999
<i>Rheum rhubarbarum</i> L.	Rhubarb	TG/62/6 of 24.3.1999
<i>Scorzonera hispanica</i> L.	Scorzonera or Black salsify	TG/116/3 of 21.10.1988

The text of these guidelines can be found on the UPOV web site (www.upov.int).

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 7 April 2008

concerning the conclusion of the Agreement between the European Space Agency and the European Union on the security and exchange of classified information

(2008/667/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty on European Union, and in particular Article 24 thereof,

The Agreement between the European Space Agency and the European Union on the security and exchange of classified information is hereby approved on behalf of the European Union.

Having regard to the recommendation from the Presidency,

The text of the Agreement is attached to this Decision.

Article 2

Whereas:

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the European Union.

Article 3

- (1) At its meeting on 14 May 2007, the Council decided to authorise the Presidency, assisted by the Secretary-General/High Representative (SG/HR) and fully associating the Commission, to open negotiations in accordance with Article 24 of the Treaty on European Union with the European Space Agency, in order for the European Union to conclude a fully fledged Security Agreement with the Agency.

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

Article 4

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

- (2) Following this authorisation to open negotiations, the Presidency, assisted by the SG/HR, negotiated an Agreement with the European Space Agency on the security and exchange of classified information.

Done at Luxembourg, 7 April 2008.

- (3) The Agreement should be approved,

For the Council
The President
R. ŽERJAV

AGREEMENT**between the European Space Agency and the European Union on the security and exchange of classified information**

THE EUROPEAN SPACE AGENCY,

hereinafter referred to as 'ESA', represented by its Director-General,

and

THE EUROPEAN UNION,

hereinafter referred to as 'the EU', represented by the Presidency of the Council of the European Union,

Hereinafter referred to as 'the Parties',

HAVING REGARD to the Treaty on European Union,

HAVING REGARD to the Convention for the Establishment of a European Space Agency, which was signed in Paris on 30 May 1975 and entered into force on 30 October 1980,

HAVING REGARD to the Agreement between the States Parties to the Convention for the Establishment of a European Space Agency and the European Space Agency concerning the protection and exchange of classified information, which was signed in Paris on 19 August 2002 and entered into force on 20 June 2003,

CONSIDERING that ESA and the EU share the objectives to strengthen their own security in all ways,

CONSIDERING that ESA and the EU agree that cooperation should be developed between them on questions of common interest relating to security and that a resolution on European Space Policy was approved by both the Council of the European Union and the Council of ESA on 22 May 2007 which emphasises, inter alia, the need to improve synergies in the domain of security,

CONSIDERING that, in this context, a permanent need therefore exists to exchange classified information between ESA and the EU,

RECOGNISING that full and effective consultation and cooperation may require access to ESA and EU classified information, as well as the exchange of classified information between ESA and the EU,

CONSCIOUS of the fact that such access to and exchange of classified information requires appropriate security measures,

HAVE AGREED AS FOLLOWS:

Article 1

In order to fulfil the objectives of strengthening the security of each of the Parties in all ways, the Agreement between the European Space Agency and the European Union on the security and exchange of classified information (hereinafter the Agreement) shall apply to classified information as defined in Article 2 provided or exchanged between the Parties.

communicated in whatever form) or material, including documents, determined by either Party to require protection against unauthorised disclosure and which has been so designated by a security classification (hereinafter classified information).

Article 2

For the purposes of this Agreement, 'classified information' shall mean any information (namely knowledge which may be

Article 3

For the purposes of this Agreement,

(a) 'ESA' shall mean the European Space Agency;

- (b) 'EU' shall mean the Council of the European Union (hereinafter the Council), the Secretary-General/High Representative and the General Secretariat of the Council, and the Commission of the European Communities (hereinafter the European Commission).

Article 4

Each Party shall:

- (a) protect and safeguard classified information subject to this Agreement provided by one Party to the other or exchanged between them;
- (b) ensure that classified information provided or exchanged under this Agreement keeps the security classification given to it by the providing Party. The receiving Party shall protect and safeguard such classified information according to the provisions set out in its own security regulations for classified information holding an equivalent security classification, as specified in the security arrangements to be established pursuant to Article 11;
- (c) not use such classified information subject to this Agreement for purposes other than those established by the providing Party;
- (d) not disclose such classified information subject to this Agreement to third parties, or to any EU institution or entity not mentioned in Article 3, without the prior consent of the providing Party;
- (e) not allow access to such classified information to individuals unless they have a need to know and, where needed, have been security-cleared to the necessary level.

Article 5

1. Classified information may be disclosed or released, in accordance with the principle of originator control, by one Party (the providing Party), to the other Party (the receiving Party).
2. Release or disclosure of classified information to recipients other than those referred to in Article 3 shall require a decision by the receiving Party after obtaining the written consent of the providing Party, in accordance with the principle of originator control as defined in its security regulations.
3. In implementing paragraphs 1 and 2, no generic release shall be possible unless procedures are established and agreed between the Parties regarding certain categories of information, relevant to their operational requirements.

Article 6

Each of the Parties, and entities thereof as defined in Article 3 of this Agreement, shall ensure that it has a security system and security measures in place, based on the basic principles and minimum standards of security laid down in its respective rules or regulations, and reflected in the arrangements to be established pursuant to Article 11, in order to ensure that an equivalent level of protection is applied to classified information subject to this Agreement.

Article 7

1. The Parties shall ensure that all persons who in the conduct of their official duties require access, or whose duties or functions may afford access, to classified information provided or exchanged under this Agreement are appropriately security-cleared, where required, before granting them access to such classified information.

2. The security clearance procedures shall be designed to determine whether an individual may, taking into account his or her loyalty, trustworthiness and reliability, have access to classified information.

Article 8

The Parties shall provide mutual assistance with regard to the security of classified information subject to this Agreement and matters of common security interest. Reciprocal security consultations and inspections shall be conducted by the authorities referred to in Article 11 to assess the effectiveness of the security arrangements within their respective responsibility to be established pursuant to that Article.

Article 9

1. For the purpose of this Agreement

- (a) As regards the EU:

all correspondence shall be sent to the Council at the following address:

Council of the European Union
Chief Registry Officer
Rue de la Loi/Wetstraat, 175
B-1048 Brussels.

All correspondence shall be forwarded by the Chief Registry Officer of the Council to the Member States and to the European Commission subject to paragraph 2.

(b) As regards ESA,

all correspondence shall be sent to the following address:

ESA Security Office
Via Galileo Galilei
I-00044 Frascati.

2. Exceptionally, correspondence from one Party which is accessible to only specific competent officials, organs or services of that Party may, for operational reasons, be addressed and be accessible to only specific competent officials, organs or services of the other Party specifically designated as recipients, taking into account their competencies and according to the need-to-know principle. As far as the EU is concerned, this correspondence shall be transmitted through the Chief Registry Officer of the Council, or the Chief Registry Officer of the European Commission Security Directorate when such information is addressed to the European Commission. As far as ESA is concerned, such correspondence shall be transmitted through the ESA Security Office.

Article 10

The Director-General of ESA, and the Secretary-General of the Council and the Member of the European Commission responsible for security matters shall oversee the implementation of this Agreement.

Article 11

1. In order to implement this Agreement, security arrangements shall be established between the three authorities designated in paragraphs 2, 3 and 4 in order to lay down the standards for the reciprocal security protection and safeguarding of classified information provided or exchanged under this Agreement.

2. The ESA Security Office, under the authority of the Director-General of ESA, shall develop the security arrangements for the protection and safeguarding of classified information provided to or exchanged with ESA under this Agreement.

3. The Security Office of the General Secretariat of the Council, under the direction and on behalf of the Secretary-General of the Council, acting in the name of the Council and under its authority shall develop the security arrangements for the protection and safeguarding of classified information provided to or exchanged with the European Union under this Agreement.

4. The European Commission Security Directorate, acting under the authority of the Member of the Commission responsible for security matters, shall develop the security arrangements for the protection and safeguarding of classified

information provided or exchanged under this Agreement within the European Commission and its premises.

5. For ESA, the security arrangements referred to in paragraph 1 shall be subject to approval by its Council.

6. For the EU, the security arrangements referred to in paragraph 1 shall be subject to approval by the Council Security Committee.

Article 12

The authorities referred to in Article 11 shall establish procedures to be followed in the event of proven or suspected compromise of classified information subject to this Agreement, including notification to the other Party of the circumstances and action taken.

Article 13

Each Party shall be responsible for bearing its own costs incurred in implementing this Agreement.

Article 14

Prior to providing or exchanging classified information subject to this Agreement between the Parties, the responsible security authorities referred to in Article 11 shall agree that the receiving Party is able to protect and safeguard the information subject to this Agreement in a way consistent with the arrangements to be established pursuant to that Article.

Article 15

This Agreement shall not prevent the Parties from concluding other Agreements relating to the provision or exchange of classified information subject to this Agreement provided that they do not conflict with the provisions of this Agreement.

Article 16

Any differences between ESA and the EU arising out of the interpretation or application of this Agreement shall be addressed by negotiation between the Parties.

Article 17

1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other of the completion of the internal procedures necessary for this purpose.

2. Each Party shall notify the other Party of any changes in its rules and regulations that could affect the protection of classified information referred to in this Agreement.

3. This Agreement may be reviewed for consideration of possible amendments at the request of either Party.
4. Any amendment to this Agreement shall be made in writing only and by common agreement of the Parties. It shall enter into force upon mutual notification as provided under paragraph 1.

Article 18

This Agreement may be denounced by one Party by giving written notice of denunciation to the other Party. Such denunciation shall take effect six months after receipt of notification by the other Party, but shall not affect obligations already contracted under the provisions of this Agreement. In particular, all classified information provided or exchanged pursuant to this Agreement shall continue to be protected in accordance with the provisions set forth herein.

In witness whereof the undersigned, respectively duly authorised, have signed this Agreement.

Done at Brussels, this 18th day of July 2008 in two copies each in the English language.

For the European Union
Secretary-General
J. SOLANA MADARIAGA




For the European Space Agency
Director-General
J.-J. DORDAIN



CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

of 23 July 2008

appointing a judge to the Court of First Instance of the European Communities

(2008/668/EC, Euratom)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 224 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 140 thereof,

Whereas:

Pursuant to Articles 5 and 7, in conjunction with Article 47, of the Protocol on the Statute of the Court of Justice and following the resignation of Mr John D. Cooke, a judge should be appointed to the Court of First Instance of the European Communities for the remainder of the term of office of Mr John D. Cooke, which runs until 31 August 2013,

HAVE DECIDED AS FOLLOWS:

Article 1

Mr Kevin O'Higgins is hereby appointed judge to the Court of First Instance of the European Communities for the period from 1 September 2008 to 31 August 2013.

Article 2

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

Done at Brussels, 23 July 2008.

The President

P. SELLAL

AGREEMENTS

COUNCIL

Information on the date of entry into force of the Fisheries Partnership Agreement between the European Community and the Republic of Seychelles

On 28 February 2007 and 24 July 2008 respectively, the European Community and the Government of the Republic of Seychelles notified each other of the completion of the procedures necessary for entry into force of the Agreement ⁽¹⁾.

The Agreement accordingly entered into force on 24 July 2008, in accordance with Article 16 thereof.

⁽¹⁾ OJ L 290, 20.10.2006, p. 1.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL DECISION 2008/669/CFSP

of 16 June 2008

concerning the conclusion of the Agreement between the European Union and the Republic of Guinea-Bissau on the Status of the European Union Mission in Support of Security Sector Reform in the Republic of Guinea-Bissau

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union, and in particular Article 24 thereof,

Having regard to the recommendation from the Presidency,

Whereas:

(1) On 19 November 2007, the Council considered that a European Security and Defence Policy (ESDP) action in the field of security sector reform (SSR) in Guinea-Bissau would be appropriate, consistent with, and complementary to, European Development Fund and other Community activity.

(2) Following a second EU fact-finding mission deployed in October 2007, on 10 December 2007, the Council approved the General Concept for potential ESDP action in support of Guinea-Bissau SSR.

(3) On 12 February 2008, the Council adopted Joint Action 2008/112/CFSP on the European Union mission in support of security sector reform in the Republic of Guinea-Bissau (EU SSR GUINEA-BISSAU) ⁽¹⁾.

(4) An agreement on the status of the European Union mission in support of security sector reform in the Republic of Guinea-Bissau has been negotiated between the European Union and the Republic of Guinea-Bissau.

(5) The Agreement should be approved,

Article 1

The Agreement between the European Union and the Republic of Guinea-Bissau on the Status of the European Union Mission in Support of Security Sector Reform in the Republic of Guinea-Bissau is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision ⁽²⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Union ⁽³⁾.

Article 3

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

Article 4

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

Done at Brussels, 16 June 2008.

For the Council

The President

D. RUPEL

⁽¹⁾ OJ L 40, 14.2.2008, p. 11.

⁽²⁾ See page 66 of this Official Journal.

⁽³⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

TRANSLATION

AGREEMENT

between the European Union and the Republic of Guinea-Bissau on the Status of the European Union Mission in Support of Security Sector Reform in the Republic of Guinea-Bissau

THE EUROPEAN UNION, hereinafter referred to as 'EU',

of the one part, and

THE REPUBLIC OF GUINEA-BISSAU, hereinafter referred to as 'the Host State',

of the other part,

Together hereinafter referred to as the 'Parties',

TAKING INTO ACCOUNT:

- the Exchange of Letters between the Secretary-General/High Representative for the Common Foreign and Security Policy, Javier Solana, and His Excellency the President of the Republic of Guinea-Bissau, João Bernardo Vieira, concerning a possible European Union mission in support of security sector reform in the Republic of Guinea-Bissau,
- the Council Joint Action 2008/112/CFSP of 12 February 2008 on the European Union mission in support of security sector reform in the Republic of Guinea-Bissau (EU SSR Guinea-Bissau) ⁽¹⁾,
- that this Agreement will not affect the Parties' rights and obligations under international agreements and other instruments establishing international courts and tribunals, including the Statute of the International Criminal Court,

HAVE AGREED AS FOLLOWS:

*Article 1***Scope and definitions**

1. This Agreement shall apply to the European Union mission and its personnel.

2. This Agreement shall apply only within the territory of the Host State.

3. For the purpose of this Agreement:

(a) 'EU SSR Guinea-Bissau' shall mean the EU mission in the Host State established by Joint Action 2008/112/CFSP, including its components, forces, units, headquarters and personnel deployed in the territory of the Host State and assigned to EU SSR Guinea-Bissau;

(b) 'Head of Mission' shall mean the Head of Mission of EU SSR Guinea-Bissau, appointed by the Council of the European Union;

(c) 'EU SSR personnel' shall mean the Head of Mission, personnel seconded by EU Member States and EU institutions and non-EU States invited by the EU to participate in EU SSR Guinea-Bissau, international staff recruited on a contractual basis by EU SSR Guinea-Bissau deployed for the preparation, support and implementation of the mission, and personnel on mission for a Sending State or an EU institution in the framework of the mission. It shall not include commercial contractors or personnel employed locally;

(d) 'headquarters' shall mean the EU SSR Guinea-Bissau main headquarters in Bissau;

(e) 'Sending State' shall mean any EU Member State or non-EU State that has seconded personnel to EU SSR Guinea-Bissau;

⁽¹⁾ OJ L 40, 14.2.2008, p. 11.

- (f) 'facilities' shall mean all buildings, premises and land required for the conduct of the activities of EU SSR Guinea-Bissau, as well as for the accommodation of EU SSR Guinea-Bissau personnel;
- (g) 'personnel employed locally' shall mean personnel who are nationals of or permanently resident in the Host State.

Article 2

General provisions

1. EU SSR Guinea-Bissau and EU SSR Guinea-Bissau personnel shall respect the laws and regulations of the Host State and shall refrain from any action or activity incompatible with the objectives of the mission.
2. EU SSR Guinea-Bissau shall be autonomous with regard to the execution of its functions under the present Agreement. The Host State shall respect the unitary and international nature of EU SSR Guinea-Bissau.
3. The Head of Mission shall regularly inform the Government of the Host State of the number of EU SSR Guinea-Bissau personnel stationed within the Host State's territory.

Article 3

Identification

1. EU SSR Guinea-Bissau personnel shall be provided with and identified by an EU SSR Guinea-Bissau identification card, which they shall be obliged to carry with them at all times. The relevant authorities of the Host State shall be provided with a specimen of an EU SSR Guinea-Bissau identification card.
2. Vehicles and other means of transport of EU SSR Guinea-Bissau shall bear distinctive EU SSR Guinea-Bissau identification markings and/or registration plates, which shall be communicated to the relevant authorities of the Host State.
3. EU SSR Guinea-Bissau shall have the right to display the flag of the EU at its main headquarters and elsewhere, alone or together with the flag of the Host State, as decided by the Head of Mission. National flags or insignia of the constituent national elements of EU SSR Guinea-Bissau may be displayed on EU SSR Guinea-Bissau premises, vehicles and uniforms, as decided by the Head of Mission.

Article 4

Border crossing and movement within the Host State's territory

1. EU SSR Guinea-Bissau personnel, assets and means of transport shall cross the border of the Host Party at official border crossings, sea ports and via international air corridors.

2. The Host Party shall facilitate the entry into and the departure from the territory of the Host State for EU SSR Guinea-Bissau and EU SSR Guinea-Bissau personnel. Except for passport control on entry into and departure from the territory of the Host State, EU SSR Guinea-Bissau personnel, with proof of membership of the mission, shall be exempt from passport, customs control, visa and immigration regulations and any form of immigration inspection within the Host State's territory.

3. EU SSR Guinea-Bissau personnel shall be exempt from the regulations of the Host State governing the registration and control of aliens, but shall not acquire any right to permanent residence or domicile within the Host State's territory.

4. EU SSR Guinea-Bissau assets and means of transport entering, transiting or exiting the Host State's territory in support of that mission shall be exempt from any requirement to produce inventories or other customs documentation and from any inspection.

5. Vehicles and aircraft used in support of the mission shall not be subject to local licensing or registration requirements. Relevant international standards and regulations shall continue to apply. If required, supplementary arrangements as referred to in Article 19 shall be concluded.

6. EU SSR Guinea-Bissau personnel may drive motor vehicles, navigate vessels and operate aircraft within the territory of the Host State provided they have valid national or international driving licences, ship's master's certificates or pilot licences, as appropriate. The Host State shall accept as valid, without tax or fee, driving licences or permits carried by EU SSR Guinea-Bissau personnel.

7. EU SSR Guinea-Bissau and EU SSR Guinea-Bissau personnel together with their vehicles, aircraft or any other means of transport, equipment and supplies shall enjoy free and unrestricted movement throughout the territory of the Host State, including its territorial sea and airspace. If necessary, supplementary arrangements may be concluded in accordance with Article 19.

8. For the purposes of the mission, EU SSR Guinea-Bissau personnel, and local personnel employed by EU SSR Guinea-Bissau when travelling on official duties, may use roads, bridges, ferries, airports and ports without payment of duties, fees, tolls, taxes or other charges. EU SSR Guinea-Bissau shall not be exempt from reasonable charges for services requested and received under the conditions that apply to those provided to the Host State's personnel.

*Article 5***Privileges and immunities of EU SSR Guinea-Bissau granted by the Host State**

1. EU SSR Guinea-Bissau's premises shall be inviolable. The Host State's agents shall not enter them without the consent of the Head of Mission.
2. EU SSR Guinea-Bissau's premises, their furnishings and other assets therein as well as their means of transport shall be immune from search, requisition, attachment or execution.
3. EU SSR Guinea-Bissau, its property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process.
4. EU SSR Guinea-Bissau's archives and documents shall be inviolable at any time, wherever they may be.
5. The official correspondence of EU SSR Guinea-Bissau shall be inviolable. Official correspondence means all correspondence relating to the mission and its functions.
6. In respect of purchased and imported goods, services provided and premises used by EU SSR Guinea-Bissau for the purposes of the mission, EU SSR Guinea-Bissau shall be exempt from all national, regional and communal dues, taxes and charges of a similar nature. EU SSR Guinea-Bissau shall not be exempt from dues, taxes or charges that represent payment for services rendered.
7. The Host State shall permit the entry of articles for the mission and grant them exemption from all customs duties, fees, tolls, taxes and similar charges other than charges for storage, cartage and other services rendered.

*Article 6***Privileges and immunities of EU SSR Guinea-Bissau personnel granted by the Host State**

1. EU SSR Guinea-Bissau personnel shall not be liable to any form of arrest or detention.
2. Papers, correspondence and property of EU SSR Guinea-Bissau personnel shall enjoy inviolability, except in case of measures of execution which are permitted pursuant to paragraph 6.
3. EU SSR Guinea-Bissau personnel shall enjoy immunity from the criminal jurisdiction of the Host State under all circumstances. The immunity from criminal jurisdiction of EU

SSR Guinea-Bissau personnel may be waived by the Sending State or EU institution concerned, as the case may be. Such waiver must always be express.

4. EU SSR Guinea-Bissau personnel shall enjoy immunity from the civil and administrative jurisdiction of the Host State in respect of spoken or written utterances and all acts performed by them in the exercise of their official functions. If any civil proceeding is instituted against EU SSR Guinea-Bissau personnel before any Host State court, the Head of Mission and the competent authority of the Sending State or EU institution shall be notified immediately. Prior to initiation of the proceeding before the court, the Head of Mission and the competent authority of the Sending State or EU institution shall certify to the court whether the act in question was committed by EU SSR Guinea-Bissau personnel in the exercise of their official functions. If the act was committed in the exercise of official functions, the proceeding shall not be initiated and the provisions of Article 16 shall apply. If the act was not committed in the exercise of official functions, the proceeding may continue. The certification by the Head of Mission and the competent authority of the Sending State or EU institution shall be binding upon the jurisdiction of the Host State, which may not contest it.

The initiation of proceedings by EU SSR Guinea-Bissau personnel shall preclude them from invoking immunity from jurisdiction in respect of any claim/appeal directly connected with the principal complaint.

5. EU SSR Guinea-Bissau personnel are not obliged to give evidence as witnesses.
6. No measures of execution may be taken in respect of EU SSR Guinea-Bissau personnel, except in the case where a civil proceeding not related to their official functions is instituted against them. Property of EU SSR Guinea-Bissau personnel, certified by the Head of Mission to be necessary for the fulfilment of their official functions, shall be free from seizure for the satisfaction of a judgment, decision or order. In civil proceedings EU SSR Guinea-Bissau personnel shall not be subject to any restrictions on their personal liberty or to any other measures of constraint.
7. The immunity of EU SSR Guinea-Bissau personnel from the jurisdiction of the Host State does not exempt them from the jurisdictions of the respective Sending States.
8. EU SSR Guinea-Bissau personnel shall, with respect to services rendered for EU SSR Guinea-Bissau, be exempt from social security provisions which may be in force in the Host State.

9. EU SSR Guinea-Bissau personnel shall be exempt from any form of taxation in the Host State on the salary and emoluments paid to them by EU SSR Guinea-Bissau or the Sending States, as well as on any income received from outside the Host State.

10. The Host State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, transport and similar services, on articles for the personal use of EU SSR Guinea-Bissau personnel. The Host State shall also allow the export of such articles. For goods and services purchased on the domestic market, EU SSR Guinea-Bissau personnel shall be exempt from value added tax and taxes according to the laws of the Host State.

11. The personal baggage of EU SSR Guinea-Bissau personnel shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles that are not for the personal use of EU SSR Guinea-Bissau personnel, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the Host State. Such inspection shall be conducted only in the presence of the EU SSR Guinea-Bissau personnel concerned or of an authorised representative of EU SSR Guinea-Bissau.

Article 7

Personnel employed locally

Personnel employed locally shall enjoy privileges and immunities only to the extent admitted by the Host State. However, the Host State shall exercise its jurisdiction over that personnel in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 8

Criminal jurisdiction

The competent authorities of a Sending State shall have the right to exercise within the territory of the Host State all the criminal jurisdiction and disciplinary powers conferred on them by the law of the Sending State with regard to all EU SSR Guinea-Bissau personnel subject to the relevant law of the Sending State.

Article 9

Security

1. The Host State, through its own capabilities, shall assume full responsibility for the security of EU SSR Guinea-Bissau personnel.

2. To that end, the Host State shall take all necessary measures for the protection, safety and security of EU SSR Guinea-Bissau and EU SSR Guinea-Bissau personnel. Any

specific provisions proposed by the Host State shall be agreed with the Head of Mission before implementation. The Host State shall permit and support free of any charge activities relating to the medical evacuation of EU SSR Guinea-Bissau personnel. If required, supplementary arrangements as referred to in Article 19 shall be concluded.

Article 10

Uniform

1. EU SSR Guinea-Bissau personnel shall wear national uniform or civilian dress with EU SSR Guinea-Bissau identification.

2. The wearing of uniform shall be subject to rules issued by the Head of Mission.

Article 11

Cooperation and access to information

1. The Host State shall provide full cooperation and support to EU SSR Guinea-Bissau and EU SSR Guinea-Bissau personnel.

2. If requested and necessary for the accomplishment of the EU SSR Guinea-Bissau mission, the Host State shall provide EU SSR Guinea-Bissau personnel with effective access to:

- (a) buildings, premises, locations and official vehicles within the control of the Host State;
- (b) documents, materials and information within its control relevant to the mandate of EU SSR Guinea-Bissau.

If required, supplementary arrangements as referred to in Article 19 shall be concluded.

3. The Head of Mission and the Host State shall consult regularly and take appropriate measures to ensure close and reciprocal liaison at every appropriate level. The Host State may appoint a liaison officer to EU SSR Guinea-Bissau.

Article 12

Host State support and contracting

1. The Host State agrees, if requested, to assist EU SSR Guinea-Bissau in finding suitable premises.

2. The Host State shall provide free of charge, if required and available, premises owned by the Host State and premises owned by private legal entities, in so far as such premises are necessary for the conduct of administrative and operational activities of EU SSR Guinea-Bissau.

3. Within its means and capabilities, the Host State shall assist in the preparation, establishment and execution of and support for the mission, including co-location premises and equipment for EU SSR Guinea-Bissau experts.

4. The Host State's assistance and support of the mission shall be provided under the same conditions as the assistance and support given to the Host State's personnel.

5. The law applicable to contracts concluded by EU SSR Guinea-Bissau in the Host State shall be determined by the respective contracts.

6. The contract may stipulate that the dispute settlement procedure referred to in Article 16(3) and (4) shall be applicable to disputes arising from the application of the contract.

Article 13

Change to premises

EU SSR Guinea-Bissau shall be authorised to construct, alter or otherwise modify premises as necessary for its operational requirements.

No compensation shall be requested from EU SSR Guinea-Bissau by the Host State for those constructions, alterations or modifications.

Article 14

Deceased EU SSR Guinea-Bissau personnel

1. The Head of Mission shall have the right to take charge of and make suitable arrangements for the repatriation of any deceased EU SSR Guinea-Bissau personnel, as well of their personal property.

2. No autopsy shall be performed on any deceased members of EU SSR Guinea-Bissau without the agreement of the Sending State, and the presence of a representative of EU SSR Guinea-Bissau and/or the State concerned.

3. The Host State and EU SSR Guinea-Bissau shall cooperate to the fullest extent possible with a view to early repatriation of deceased EU SSR Guinea-Bissau personnel.

Article 15

Communications

1. EU SSR Guinea-Bissau may install and operate radio sending and receiving stations, as well as satellite systems. It shall cooperate with the Host State's competent authorities with a view to avoiding conflicts in the use of appropriate

frequencies. The Host State shall grant access to the frequency spectrum free of charge.

2. EU SSR Guinea-Bissau shall enjoy the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, telegraph, facsimile and other means, as well as the right to install the equipment necessary for the maintenance of such communications within and between EU SSR Guinea-Bissau premises, including the laying of cables and land lines for the purpose of the operation.

3. Within its own premises EU SSR Guinea-Bissau may make the arrangements necessary for the conveyance of mail addressed to and from EU SSR Guinea-Bissau and/or EU SSR Guinea-Bissau personnel.

Article 16

Claims for death, injury, damage and loss

1. EU SSR Guinea-Bissau and EU SSR Guinea-Bissau personnel shall not be liable for any damage to or loss of civilian or government property which are related to operational necessities or caused by activities in connection with civil disturbances or protection of EU SSR Guinea-Bissau.

2. With a view to reaching an amicable settlement, claims for damage to or loss of civilian or government property not covered by paragraph 1, as well as claims for death of or injury to persons and for damage to or loss of EU SSR Guinea-Bissau property, shall be forwarded to EU SSR Guinea-Bissau via the competent authorities of the Host State, as far as claims brought by legal or natural persons from the Host State are concerned, or to the competent authorities of the Host State, as far as claims brought by EU SSR Guinea-Bissau are concerned.

3. Where no amicable settlement can be found, the claim shall be submitted to a claims commission composed on an equal basis of representatives of EU SSR Guinea-Bissau and representatives of the Host State. Settlement of claims shall be reached by common agreement.

4. Where no settlement can be reached within the claims commission, the dispute shall:

(a) for claims up to and including EUR 40 000, be settled by diplomatic means between the Host State and EU representatives;

(b) for claims above the amount referred to in point (a), be submitted to an arbitration tribunal, the decisions of which shall be binding.

5. The arbitration tribunal shall be composed of three arbitrators, one arbitrator being appointed by the Host State, one arbitrator being appointed by EU SSR Guinea-Bissau and the third one being appointed jointly by the Host State and EU SSR Guinea-Bissau. Where one of the parties does not appoint an arbitrator within two months or where no agreement can be found between the Host State and EU SSR Guinea-Bissau on the appointment of the third arbitrator, the arbitrator in question shall be appointed by the President of the Court of Justice of the European Communities.

6. An administrative arrangement shall be concluded between EU SSR Guinea-Bissau and the administrative authorities of the Host State in order to determine the terms of reference of the claims commission and the tribunal, the procedure applicable within these bodies and the conditions under which claims are to be lodged.

Article 17

Liaison and disputes

1. All issues arising in connection with the application of this Agreement shall be examined jointly by representatives of EU SSR Guinea-Bissau and the Host State's competent authorities.

2. Failing any prior settlement, disputes concerning the interpretation or application of this Agreement shall be settled exclusively by diplomatic means between the Host State and EU representatives.

Article 18

Other provisions

1. Whenever this Agreement refers to the privileges, immunities and rights of EU SSR Guinea-Bissau and of EU SSR Guinea-Bissau personnel, the Government of the Host State shall be responsible for their implementation and for

compliance with them on the part of the appropriate Host State local authorities.

2. Nothing in this Agreement is intended or may be construed to derogate from any rights that may attach to an EU Member State or to any other State contributing to EU SSR Guinea-Bissau under other agreements.

Article 19

Implementing arrangements

For the purposes of the application of this Agreement, operational, administrative and technical matters may be the subject of separate arrangements to be concluded between the Head of Mission and the Host State's administrative authorities.

Article 20

Entry into force and termination

1. This Agreement shall enter into force on the day on which it is signed and shall remain in force until the date of departure of the last EU SSR Guinea-Bissau personnel, as notified by EU SSR Guinea-Bissau.

2. Notwithstanding paragraph 1, the provisions contained in Articles 4(8), 5(1) to (3), 5(6), 5(7), 6(1), 6(3), 6(4), 6(6), 6(8) to (10), 13 and 16 shall be deemed to have applied from the date on which the first EU SSR Guinea-Bissau personnel were deployed if that date was earlier than the date of entry into force of this Agreement.

3. This Agreement may be amended by written agreement between the Parties.

4. Termination of this Agreement shall not affect any rights or obligations arising out of the execution of this Agreement before such termination.

Done at Bissau, on 11 July 2008, in two original versions in the Portuguese language.

For the European Union

J.-F. PAROT

For the Republic of Guinea-Bissau

M.-C. NOBRE CABRAL

CORRIGENDA

Corrigendum to Council Regulation (EC) No 72/2008 of 20 December 2007 setting up the ENIAC Joint Undertaking*(Official Journal of the European Union L 30 of 4 February 2008)*

On page 35, Annex, 'Statutes of the ENIAC Joint Undertaking', Article 19(3):

for: '3. The annual implementation plan shall specify the plan for the execution of all the activities of the ENIAC Joint Undertaking for a particular year, including planned calls for proposals and actions needing to be implemented through calls for proposals. ...',

read: '3. The annual implementation plan shall specify the plan for the execution of all the activities of the ENIAC Joint Undertaking for a particular year, including planned calls for proposals and actions needing to be implemented through calls for tenders. ...';

on page 37, Annex, 'Statutes of the ENIAC Joint Undertaking', Article 23, point 3.4.2:

for: '3.4.2. Subject to its obligations concerning confidentiality, where a project participant is required to pass on its obligations to provide access rights, it shall give at least 45 days' prior notice to the other participants of the envisaged transfer, ...',

read: '3.4.2. Subject to its obligations concerning confidentiality, where a project participant is required to pass on its obligations to provide access rights, it shall give at least 45 days' prior notice to the other participants of the envisaged transfer, ⁽¹⁾ ...

⁽¹⁾ The participants may, by written agreement, agree on a different time limit or waive their right to prior notice in the case of transfers of ownership from one participant to a specifically identified third party.'

Corrigendum to Council Regulation (EC) No 74/2008 of 20 December 2007 on the establishment of the ARTEMIS Joint Undertaking to implement a Joint Technology Initiative in Embedded Computing Systems

(Official Journal of the European Union L 30 of 4 February 2008)

On page 66, in the Annex — Statutes of the ARTEMIS Joint Undertaking, Article 19(3)

for: '3. The Annual Implementation Plan shall specify the plan for the execution of all the activities of the ARTEMIS Joint Undertaking for a particular year, including planned calls for proposals and actions needing to be implemented through calls for proposals. (...)',

read: '3. The Annual Implementation Plan shall specify the plan for the execution of all the activities of the ARTEMIS Joint Undertaking for a particular year, including planned calls for proposals and actions needing to be implemented through calls for tenders. (...)'.

Corrigendum to Agreement between the European Union and the Republic of Albania on the participation of the Republic of Albania in the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA)

(Official Journal of the European Union L 217 of 13 August 2008)

The text of the Agreement should read as follows:

‘AGREEMENT

between the European Union and the Republic of Albania on the participation of the Republic of Albania in the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA)

THE EUROPEAN UNION (EU),

of the one part, and

THE REPUBLIC OF ALBANIA,

of the other part,

hereinafter referred to as the ‘Parties’,

TAKING INTO ACCOUNT:

- the adoption by the Council of the European Union of Joint Action 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA),
- the invitation to the Republic of Albania to participate in the EU-led operation,
- the successful completion of the Force Generation Process and the recommendation by the EU Operation Commander and the EU Military Committee to agree on the participation of the Republic of Albania’s forces in the EU-led operation,
- the Political and Security Committee Decision CHAD/1/2008 of 13 February 2008 on the acceptance of third States’ contributions to the European Union military operation in the Republic of Chad and in the Central African Republic ⁽¹⁾,
- the Political and Security Committee Decision CHAD/2/2008 of 18 March 2008 on the setting up of the Committee of contributors for the European Union military operation in the Republic of Chad and in the Central African Republic ⁽²⁾,

HAVE AGREED AS FOLLOWS:

Article 1

Participation in the operation

1. The Republic of Albania shall associate itself with Joint Action 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA) and with any Joint Action or Decision by which the Council of the European Union decides to extend the EU military crisis management operation, in accordance with the provisions of this Agreement and any required implementing arrangements.

2. The contribution by the Republic of Albania to the EU military crisis management operation shall be without prejudice to the decision-making autonomy of the European Union.

3. The Republic of Albania shall ensure that its forces and personnel participating in the EU military crisis management operation undertake their mission in accordance with:

- Joint Action 2007/677/CFSP and possible subsequent amendments,
- the Operation Plan,
- any implementing measures.

⁽¹⁾ OJ L 56, 29.2.2008, p. 64. Decision as amended by Decision CHAD/3/2008 (OJ L 144, 4.6.2008, p. 82).

⁽²⁾ OJ L 107, 17.4.2008, p. 60. Decision as amended by Decision CHAD/3/2008.

4. Forces and personnel seconded to the operation by the Republic of Albania shall carry out their duties and conduct themselves solely with the interest of the EU military crisis management operation in mind.

5. The Republic of Albania shall inform the EU Operation Commander in due time of any change in its participation in the operation.

Article 2

Status of forces

1. The status of the forces and personnel contributed to the EU military crisis management operation by the Republic of Albania shall be governed by the provisions on the status of forces, if available, agreed between the European Union and the States concerned.

2. The status of the forces and personnel contributed to headquarters or command elements located outside the Republic of Chad and the Central African Republic shall be governed by arrangements between the headquarters and command elements concerned and the Republic of Albania.

3. Without prejudice to the provisions on the status of forces referred to in paragraph 1, the Republic of Albania shall exercise jurisdiction over its forces and personnel participating in the EU military crisis management operation.

4. The Republic of Albania shall be responsible for answering any claims linked to participation in the EU military crisis management operation, from or concerning any of its forces and personnel. The Republic of Albania shall be responsible for bringing any action, in particular legal or disciplinary, against any of its forces and personnel, in accordance with its laws and regulations.

5. The Republic of Albania undertakes to make a declaration regarding the waiver of claims against any State participating in the EU military crisis management operation, and to do so when signing this Agreement.

6. The European Union undertakes to ensure that Member States make a declaration regarding the waiver of claims, for the participation of the Republic of Albania in the EU military crisis management operation, and to do so when signing this Agreement.

Article 3

Classified information

1. The Republic of Albania shall take appropriate measures to ensure that EU classified information is protected in

accordance with the security regulations of the Council of the European Union, as set out in the Annex to Council Decision 2001/264/EC of 19 March 2001 ⁽¹⁾, and in accordance with further guidance issued by competent authorities, including the EU Operation Commander.

2. Where the European Union and the Republic of Albania have concluded an agreement on security procedures for the exchange of classified information, the provisions of that agreement shall apply in the context of the EU military crisis management operation.

Article 4

Chain of command

1. All forces and personnel participating in the EU military crisis management operation shall remain under the full command of their national authorities.

2. National authorities shall transfer the Operational and Tactical command and/or control of their forces and personnel to the EU Operation Commander. The EU Operation Commander shall be entitled to delegate his authority.

3. The Republic of Albania shall have the same rights and obligations in terms of the day-to-day management of the operation as participating EU Member States.

4. The EU Operation Commander may at any time, following consultations with the Republic of Albania, request the withdrawal of the Republic of Albania's contribution.

5. A Senior Military Representative (hereinafter referred to as SMR) shall be appointed by the Republic of Albania to represent its national contingent in the EU military crisis management operation. The SMR shall consult with the EU Force Commander on all matters affecting the operation and shall be responsible for day-to-day contingent discipline.

Article 5

Financial aspects

1. The Republic of Albania shall assume all the costs associated with its participation in the operation unless the costs are subject to common funding as provided for in the legal instruments referred to in Article 1(1) of this Agreement and in Council Decision 2007/384/CFSP of 14 May 2007 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena) ⁽²⁾.

⁽¹⁾ OJ L 101, 11.4.2001, p. 1. Decision as last amended by Decision 2007/438/EC (OJ L 164, 26.6.2007, p. 24).

⁽²⁾ OJ L 152, 13.6.2007, p. 14.

2. In the event of death, injury, loss or damage to natural or legal persons from the State(s) in which the operation is conducted, the Republic of Albania shall, when its liability has been established, pay compensation under the conditions laid down in the provisions on the status of forces, if available, as referred to in Article 2(1) of this Agreement.

Article 6

Arrangements to implement the Agreement

Any necessary technical and administrative arrangements in pursuance of the implementation of this Agreement shall be concluded between the Secretary-General of the Council of the European Union/High Representative for the Common Foreign and Security Policy and the appropriate authorities of the Republic of Albania.

Article 7

Non-compliance

Should one of the Parties fail to comply with its obligations as laid down in Articles 1 to 6, the other Party shall have the right to terminate this Agreement by serving a notice of one month.

Article 8

Dispute settlement

Disputes concerning the interpretation or application of this Agreement shall be settled by diplomatic means between the Parties.

Article 9

Entry into force

1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other of the completion of the internal procedures necessary for this purpose.

2. This Agreement shall be applied provisionally from the date of signature.

3. This Agreement shall remain in force for the duration of the Republic of Albania's contribution to the operation.

Done at Paris, on 13 July 2008 in the English language in four copies.

For the European Union

For the Republic of Albania

The image shows two handwritten signatures. The signature on the left is for the European Union, and the signature on the right is for the Republic of Albania. Both signatures are written in dark ink and are stylized.

Corrigendum to Agreement between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO

(Official Journal of the European Union L 217 of 13 August 2008)

The text of the Agreement should read as follows:

‘AGREEMENT

between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO

THE EUROPEAN UNION (EU),

of the one part, and

THE SWISS CONFEDERATION,

of the other part,

hereinafter referred to as the ‘Parties’,

TAKING INTO ACCOUNT:

- the adoption by the Council of the European Union of Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO,
- the invitation to the Swiss Confederation to participate in the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO,
- the successful completion of the Force Generation process and the recommendation by the EU Civilian Operation Commander and the Committee for Civilian Aspects of Crisis Management to agree on the participation of the Swiss Confederation in the EU-led operation,
- the Political and Security Committee Decision EULEX/2/2008 of 22 April 2008 on the acceptance of the Swiss Confederation’s contribution to the EU Rule of Law Mission in Kosovo, EULEX KOSOVO,

HAVE AGREED AS FOLLOWS:

Article 1

Participation in the operation

1. The Swiss Confederation shall associate itself with the Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO (hereinafter ‘EULEX KOSOVO’), and with any Joint Action or Decision by which the Council of the European Union decides to extend EULEX KOSOVO, in accordance with the provisions of this Agreement and any required implementing arrangements.

2. The contribution of the Swiss Confederation to EULEX KOSOVO is without prejudice to the decision-making autonomy of the European Union.

3. The Swiss Confederation shall ensure that its personnel participating in the EULEX KOSOVO undertake their mission in conformity with:

— the Joint Action 2008/124/CFSP on European Union Rule of Law Mission in Kosovo, EULEX KOSOVO and possible subsequent amendments,

— the Operation Plan,

— implementing measures.

4. Personnel seconded to EULEX KOSOVO by the Swiss Confederation shall carry out their duties and conduct themselves solely with the interest of EULEX KOSOVO in mind.

5. The Swiss Confederation shall inform in due time the Civilian Operation Commander and the Head of Mission of EULEX KOSOVO (hereinafter ‘Head of Mission’) of any change to its contribution to EULEX KOSOVO.

6. Personnel seconded to EULEX KOSOVO shall undergo a medical examination, vaccination and be certified medically fit for duty by a competent authority from the Swiss Confederation. Personnel seconded to EULEX KOSOVO shall produce a copy of this certification.

*Article 2***Status of personnel**

1. The status of the personnel contributed to EULEX KOSOVO by the Swiss Confederation shall be governed by the provisions on the status of mission, as provided by Article 10(1) of the Joint Action 2008/124/CFSP of 4 February on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO.

2. The status of personnel contributed to headquarters or command elements located outside Kosovo, shall be governed by arrangements between the headquarters and command elements concerned and the Swiss Confederation.

3. Without prejudice to the agreement on the status of mission referred to in paragraph 1 of this Article, if available, the Swiss Confederation shall exercise jurisdiction over its personnel participating in EULEX KOSOVO.

4. The Swiss Confederation shall be responsible for answering any claims, from or concerning any of its personnel, linked to the participation in EULEX KOSOVO. The Swiss Confederation shall be responsible for bringing any action, in particular legal or disciplinary, against any of its personnel, in accordance with its laws and regulations.

5. The Swiss Confederation undertakes to make a declaration as regards the waiver of claims against any State participating in EULEX KOSOVO, and to do so when signing this Agreement. A model for such a declaration is annexed to this Agreement.

6. The European Union Member States undertake to make a declaration as regards the waiver of claims, for the participation of the Swiss Confederation in EULEX KOSOVO, and to do so when signing this Agreement. A model for such a declaration is annexed to this Agreement.

*Article 3***Classified information**

1. The Swiss Confederation shall take appropriate measures to ensure that EU classified information is protected in accordance with the European Union Council's security regulations, contained in Council Decision 2001/264/EC of 19 March 2001, and in accordance with further guidance issued by competent authorities, including the Head of Mission.

2. Where the EU and the Swiss Confederation have concluded an agreement on security procedures for the exchange of classified information, the provisions of such an agreement shall apply in the context of EULEX KOSOVO.

*Article 4***Chain of command**

1. All personnel participating in EULEX KOSOVO shall remain under the full command of their national authorities.

2. National authorities shall transfer operational control to the Civilian Operations Commander, who shall exercise command and control at the strategic level.

3. The Head of Mission shall assume responsibility and exercise command and control of EULEX KOSOVO at theatre level.

4. The Head of Mission shall exercise command and control over personnel, teams and units from contributing States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility including over assets, resources and information placed at the disposal of EULEX KOSOVO.

5. The Swiss Confederation shall have the same rights and obligations in terms of the day-to-day management of the operation as participating European Union Member States taking part in the operation, in accordance with the legal instruments referred to in Article 1, paragraph 1, of this Agreement.

6. The Head of Mission shall be responsible for disciplinary control over the personnel of EULEX KOSOVO. Where required, disciplinary action shall be taken by the national authority concerned.

7. A National Contingent Leader (NCL) shall be appointed by the Swiss Confederation to represent its national contingent in EULEX KOSOVO. The NCL shall report to the Head of Mission on national matters and shall be responsible for day-to-day contingent discipline.

8. The decision to end the operation shall be taken by the European Union, following consultation with the Swiss Confederation, provided that the Swiss Confederation is still contributing to EULEX KOSOVO at the date of termination of the operation.

*Article 5***Financial aspects**

1. The Swiss Confederation shall assume all the costs associated with its participation in the operation apart from the costs which are subject to common funding, as set out in the operational budget of the operation.

2. In case of death, injury, loss or damage to natural or legal persons from the territory where the operation is conducted, the Swiss Confederation shall, when its liability has been established, pay compensation under the conditions foreseen in the agreement on the status of mission, if available, as referred to in Article 2(1) of this Agreement.

*Article 6***Arrangements to implement the Agreement**

Any necessary technical and administrative arrangements in pursuance of the implementation of this Agreement shall be concluded between the Secretary-General of the Council of the European Union/High Representative for the Common Foreign and Security Policy, and the appropriate authorities of the Swiss Confederation.

*Article 7***Non-compliance**

Should one of the Parties fail to comply with its obligations laid down in the previous Articles, the other Party shall have the right to terminate this Agreement by serving a notice of one month.

*Article 8***Dispute settlement**

Disputes concerning the interpretation or application of this Agreement shall be settled by diplomatic means between the Parties.

*Article 9***Entry into force**

1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other of the completion of the internal procedures necessary for this purpose.

2. This Agreement shall be provisionally applied from the date of signature.

3. This Agreement shall remain in force for the duration of the Swiss Confederation's contribution to the operation.

Done at Brussels, 29 July 2008.

For the European Union

For the Swiss Confederation

