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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 53/2011

of 21 January 2011

amending Regulation (EC) No 606/2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) [1], in particular the third and fourth paragraphs of Article 121 thereof,

Whereas:

(1) According to Article 3 of Commission Regulation (EC) No 606/2009 [2], the authorised oenological practices are laid down in Annex I to that Regulation. The International Organisation of Vine and Wine (OIV) has adopted new oenological practices. In order to meet the international standards in this field and to provide EU producers with the new possibilities available to third country producers, these new oenological practices should be authorised in the EU under the conditions of use defined by the OIV.

(2) Regulation (EC) No 606/2009 authorises clarification by means of pectolytic enzymes and enzymatic preparations of beta-glucanase. These enzymes and other enzymatic preparations are also used for maceration, clarification, stabilisation, filtration and for revealing the aromatic precursors of grapes present in the must and the wine. These oenological practices have been adopted by the OIV and they should be authorised under the conditions of use defined by the OIV.

(3) Wines entitled to the protected designations of origin 'Malta' and 'Gozo' have a sugar content greater than 45 g/l and are produced in small quantities. Likewise, certain French white wines with a protected geographical indication may have a total alcoholic strength by volume greater than 15 % vol. and a sugar content greater than 45 g/l. In order to ensure the preservation of these wines, the Member States concerned, i.e., Malta and France, respectively, requested a derogation to the maximum sulphur dioxide contents given in Annex I B to Regulation (EC) No 606/2009. These wines should be mentioned in the list of wines having a maximum sulphur dioxide content of 300 milligrams per litre.

(4) Wines entitled to the traditional expression 'Késői szüretelésű bor' have a very high sugar content and are produced in small quantities. In order to ensure the preservation of these wines, Hungary requested a derogation to the maximum sulphur dioxide content. A maximum sulphur dioxide content of 350 milligrams per litre should be authorised for these wines.

(5) Wines entitled to the protected designation of origin 'Douro' followed by the statement 'colheita tardia' derogate from the maximum sulphur dioxide content. Wines entitled to the protected designation of origin 'Duriense' have the same characteristics as these wines. On the basis of this, Portugal requested a derogation from the maximum sulphur dioxide content. A maximum sulphur dioxide content of 400 milligrams per litre should be authorised for these wines.

(6) In order to render the names of vine varieties clearer, the names of the varieties should be given in the different languages of the countries where these varieties are used.

(7) Certain provisions concerning certain liqueur wines differ from the requirements laid down in the specifications for these wines. These provisions should be amended in accordance with the requirements in question.

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 193, 24.7.2009, p. 1.

(8) Regulation (EC) No 606/2009 should be amended accordingly.

(9) The making of wine from grapes harvested during the 2010 wine-growing year has already begun. In order not to distort competition between wine producers, the new oenological practices should be authorised for all these producers starting at the beginning of the 2010 wine-growing year. This regulation should apply retroactively from 1 August 2010, which marks the start of the 2010 wine-growing year.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee established by Article 195(3) of Regulation (EC) No 1234/2007,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 606/2009 shall be amended as follows:

(a) Annex I A is amended in accordance with Annex I to this Regulation;

(b) Annex I B is amended in accordance with Annex II to this Regulation;

(c) Annex II is amended in accordance with Annex III to this Regulation;

(d) Annex III is amended in accordance with Annex IV to this Regulation.

Article 2

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

It shall apply from 1 August 2010.

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

Done at Brussels, 21 January 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Annex I A to Regulation (EC) No 606/2009 shall be amended as follows:

(1) The table shall be amended as follows:

(a) line 10 shall be replaced by the following:

'10	clarification by means of one or more of the following substances for oenological use: — edible gelatine, — plant proteins from wheat or peas, — isinglass, — casein and potassium caseinates, — egg albumin, — bentonite, — silicon dioxide as a gel or colloidal solution, — kaolin, — tannin, — chitosan of fungoid origin, — chitin-glucan of fungoid origin		The use of chitosan in the treatment of wines is limited to 100 g/hl. The use of chitin-glucan in the treatment of wines is limited to 100 g/hl'

(b) the following entries shall be added:

'44	Treatment using chitosan of fungoid origin	Under the conditions set out in Appendix 13	
45	Treatment using chitin-glucan of fungoid origin	Under the conditions set out in Appendix 13	
46	Acidification by means of electro-membranary treatment	Conditions and limits laid down in points C and D of Annex XVa to Regulation (EC) No 1234/2007 and Articles 11 and 13 of this Regulation Under the conditions set out in Appendix 14	
47	Use of enzymatic preparations for oneological purposes in maceration, clarification, stabilisation, filtration and to reveal the aromatic precursors of grapes present in the must and the wine	Without prejudice to the provisions of Article 9(2) of this Regulation, enzymatic preparations and the enzyme activities of these preparations (i.e., pectolyase, pectin methylesterase, polygalacturonase, hemicellulase, cellulase, betaglucanase and glycosidase) must comply with the corresponding purity and identification specifications of the International Oenological Codex published by the OIV'	

(2) Appendix 1 shall be deleted.

(3) The following Appendices 13 and 14 shall be added:

'Appendix 13

Requirements for the treatment of wines with chitosan of fungoid origin and for the treatment of wines with chitin-glucan of fungoid origin

Areas of application:

(a) reduction in the heavy metal content, particularly iron, lead, cadmium and copper;

(b) prevention of ferric casse and copper casse;

(c) reduction of possible contaminants, especially ochratoxin A;

(d) reduction in the populations of undesirable micro-organisms, in particular *Brettanomyces*, solely by means of treatment with chitosan.

Requirements:

— The dose levels to be used are determined after a qualification test. The maximum dose level used may not exceed:

  — 100 g/hl for applications (a) and (b),

  — 500 g/hl for application (c),

  — 10 g/hl for application (d),

— sediments are removed using physical processes.

Appendix 14

Requirements for acidification by means of electro-membranary treatment

— The cationic membranes must be constituted in such a way as to enable only the extraction of cations, in particular cation K^+.

— The bipolar membranes are impermeable to the anions and cations of must and wine.

— The treatment is to be carried out under the responsibility of an oenologist or qualified technician.

— The membranes used must comply with the requirements of Regulation (EC) No 1935/2004 and of Directive 2002/72/EC and with the national provisions adopted for the implementation of the Directive. The membranes must also comply with the requirements of the monograph "Electrodialysis Membranes" of the International Oenological Codex published by the OIV.'

ANNEX II

Part A, point 2, of Annex I B to Regulation (EC) No 606/2009 shall be amended as follows:

(1) point (c) shall be amended as follows:

(a) in the 13th indent, the following sub-indents shall be added:

'— Vin de pays de l'Agenais,

— Vin de pays des terroirs landais,

— Vin de pays des Landes,

— Vin de pays d'Allobrogie,

— Vin de pays du Var;'

(b) the following indent shall be added:

'— wines originating in Malta with a total alcoholic strength by volume greater than or equal to 13,5 % vol. and a sugar content greater than or equal to 45 g/l and entitled to the protected designation of origin "Malta" and "Gozo";'

(2) in point (d), the following indent shall be added:

'— wines entitled to the traditional expression "Késői szüretelésű bor".'

(3) in point (e), the ninth indent shall be replaced by the following:

'— white wines entitled to the protected designation of origin "Douro" or to the protected geographical indication "Duriense" followed by the statement "colheita tardia";'

ANNEX III

In Appendix 1 to Annex II to Regulation (EC) No 606/2009, the names of the following vine varieties shall be inserted in the list in the appropriate alphabetical order:

' "Albariño", "Macabeo B", "Toutes les Malvasías" and "Tous les Moscateles".'

ANNEX IV

Annex III to Regulation (EC) No 606/2009 shall be amended as follows:

(a) the second indent of Part A, point 4(a) shall be replaced by the following:

'— concentrated grape must, rectified concentrated grape must or must from raisined grapes to which neutral alcohol of vine origin has been added to prevent fermentation, for Spanish wine described by the traditional expression "vino generoso de licor" and provided that the increase in the total alcoholic strength by volume of the wine in question is not greater than 8 % vol.,';

(b) Part B shall be amended as follows:

(i) in point 3, the second paragraph shall be replaced by the following:

'However, as concerns liqueur wines with the protected designation of origin "Málaga" and "Jerez-Xérès-Sherry", the must of raisined grapes to which neutral alcohol of vine origin has been added to prevent fermentation, obtained from the Pedro Ximénez vine variety, may come from the "Montilla-Moriles" region.';

(ii) in point 10, the first indent shall be replaced by the following:

'— obtained from "vino generoso", as referred to in point 8, or from wine under flor capable of producing such a "vino generoso", to which has been added either must of raisined grapes to which neutral alcohol of vine origin has been added to prevent fermentation, or rectified concentrated grape must or "vino dulce natural",';

(c) Appendix 1 shall be amended as follows:

(i) in point A in the list for Spain, the following rows shall be inserted in the appropriate alphabetical order:

'Condado de Huelva	Pedro Ximénez Moscatel Mistela
Empordà	Mistela Moscatel'

(ii) in point B.5 in the list for Spain, the following row shall be inserted in the appropriate alphabetical order:

'Empordà	Garnacha/Garnatxa'

(d) Appendix 2 shall be amended as follows:

(i) in point A 2, liqueur wine with the protected designation of origin 'Trentino' shall be removed from the list for Italy;

(ii) in point A 3, the following list shall be added:

'**ITALY**

Trentino';

(e) in Appendix 3, the names of the following vine varieties shall be added:

'Moscateles — Garnacha'

COMMISSION REGULATION (EU) No 54/2011

of 21 January 2011

amending Regulation (EU) No 447/2010 opening the sale of skimmed milk powder by a tendering procedure, as regards the date of entry into storage of intervention skimmed milk powder

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) [1], and in particular Article 43(f) and (j), in conjunction of Article 4 thereof,

Whereas:

(1) Article 1 of Commission Regulation (EU) No 447/2010 of 21 May 2010 [2] lays down that intervention skimmed milk powder placed on sale should have entered into storage before 1 May 2009.

(2) Given the current situation on the skimmed milk powder market in terms of demand and prices and the level of intervention stocks, it is appropriate that skimmed milk powder entered into storage before 1 November 2009 is made available for sale.

(3) Regulation (EU) No 447/2010 should therefore be amended accordingly.

(4) In order to make the skimmed milk powder available for sale without delay, this regulation should enter into force immediately after its publication in the *Official Journal of the European Union*.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EU) No 447/2010 is replaced by the following:

'*Article 1*

Scope

Sales by a tendering procedure of skimmed milk powder entered into storage before 1 November 2009 are open, under the conditions provided for in Title III of Regulation (EU) No 1272/2009.'

Article 2

This Regulation shall enter into force on the 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, 21 January 2011.

For the Commission,
On behalf of the President,
Štefan FÜLE
Member of the Commission

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 126, 22.5.2010, p. 19.

COMMISSION REGULATION (EU) No 55/2011

of 21 January 2011

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

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission 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 22 January 2011.

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

Done at Brussels, 21 January 2011.

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

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[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	MA	61,3
	TN	120,5
	TR	96,2
	ZZ	92,7
0707 00 05	EG	158,2
	JO	87,5
	TR	96,8
	ZZ	114,2
0709 90 70	MA	37,4
	TR	122,4
	ZZ	79,9
0709 90 80	EG	66,7
	ZZ	66,7
0805 10 20	AR	41,5
	BR	41,5
	EG	57,7
	MA	54,7
	TR	68,3
	ZA	41,5
	ZZ	50,9
0805 20 10	MA	74,8
	TR	79,6
	ZZ	77,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	69,6
	IL	67,2
	JM	101,1
	MA	109,6
	PK	69,0
	TR	73,7
	ZZ	81,7
0805 50 10	AR	45,3
	TR	52,6
	UY	45,3
	ZZ	47,7
0808 10 80	AR	78,5
	CA	96,7
	CL	82,0
	CN	97,4
	MK	54,3
	US	140,6
	ZZ	91,6
0808 20 50	CN	58,3
	NZ	97,8
	US	127,9
	ZA	101,0
	ZZ	96,3

(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 (EU) No 56/2011

of 21 January 2011

fixing the allocation coefficient to be applied to applications for import licences for olive oil lodged from 17 to 18 January 2011 under the Tunisian tariff quota and suspending the issue of import licences for the month of January 2011

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

(1) Article 3(1) and (2) of Protocol No 1 ([3]) to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part ([4]), opens a tariff quota at a zero rate of duty for imports of untreated olive oil falling within CN codes 1509 10 10 and 1509 10 90, wholly obtained in Tunisia and transported direct from that country to the European Union, up to the limit laid down for each year.

(2) Article 2(2) of Commission Regulation (EC) No 1918/2006 of 20 December 2006 opening and providing for the administration of tariff quota for olive oil originating in Tunisia ([5]) lays down monthly quantitative limits for the issue of import licences.

(3) Import licence applications have been submitted to the competent authorities under Article 3(1) of Regulation (EC) No 1918/2006 in respect of a total quantity exceeding the limit laid down for the month of January in Article 2(2) of that Regulation.

(4) In these circumstances, the Commission must set an allocation coefficient allowing import licences to be issued in proportion to the quantity available.

(5) Since the limit for the month of January has been reached, no more import licences can be issued for that month,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications were lodged for 17 and 18 January 2011 under Article 3(1) of Regulation (EC) No 1918/2006 shall be multiplied by an allocation coefficient of 21,673003 %.

The issue of import licences in respect of amounts applied for as from 24 January 2011 shall be suspended for January 2011.

Article 2

This Regulation shall enter into force on 22 January 2011.

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

Done at Brussels, 21 January 2011.

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

([1]) OJ L 299, 16.11.2007, p. 1.
([2]) OJ L 238, 1.9.2006, p. 13.
([3]) OJ L 97, 30.3.1998, p. 57.
([4]) OJ L 97, 30.3.1998, p. 2.
([5]) OJ L 365, 21.12.2006, p. 84.

DECISIONS

COUNCIL IMPLEMENTING DECISION

of 18 January 2011

amending Decision 2007/884/EC authorising the United Kingdom to continue to apply a measure derogating from Articles 26(1)(a), 168 and 169 of Directive 2006/112/EC on the common system of value added tax

(2011/37/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax [1], and in particular Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) In a letter registered by the Commission's Secretariat-General on 22 July 2010, the United Kingdom requested authorisation to extend a derogating measure in order to continue to restrict the right of deduction of VAT by the hirer or lessee on charges for the hire or lease of a passenger car where the car is not used entirely for business purposes.

(2) The Commission informed the other Member States of the request made by the United Kingdom by letter dated 12 October 2010. By letter dated 15 October 2010, the Commission notified the United Kingdom that it had all the information necessary to consider the request.

(3) Council Decision 2007/884/EC of 20 December 2007 authorising the United Kingdom to continue to apply a measure derogating from Articles 26(1)(a), 168 and 169 of Directive 2006/112/EC on the common system of value added tax [2], authorised the United Kingdom to restrict to 50 % the right of the hirer or lessee to deduct input VAT on charges for the hire or lease of a passenger car where the car is not used entirely for business purposes. The United Kingdom was also allowed not to treat as supplies of services for consideration the private use of a car hired or leased by a taxable person for his business purposes. This simplification measure removed the need for the hirer or the lessee to keep records of private mileage travelled in business cars and to account for tax on the actual private mileage of each car.

(4) According to the information provided by the United Kingdom, the restriction to 50 % still corresponds to the actual circumstances as regards the business and the non-business use by the hirer or lessee of the vehicles concerned. It is therefore appropriate that the United Kingdom be authorised to apply the measure for a further limited period, until 31 December 2013.

(5) Where the United Kingdom considers a further extension beyond 2013 is necessary, a report which includes a review of the percentage applied should be submitted to the Commission together with the extension request no later than 1 April 2013.

(6) On 29 October 2004, the Commission adopted a proposal for a Council Directive amending Directive 77/388/EEC, now Directive 2006/112/EC, that includes the harmonisation of the categories of expenses for which exclusions of the right of deduction may apply. Under this proposal, exclusions on the right to deduct may be applied to motorised road vehicles. The derogating measures provided for in this Decision should expire on the date of the entry into force of such amending Directive, if that date is earlier than the date of expiry provided for in this Decision.

(7) The derogation has no impact on the Union's own resources accruing from value added tax.

(8) Decision 2007/884/EC should therefore be amended accordingly,

[1] OJ L 347, 11.12.2006, p. 1.
[2] OJ L 346, 29.12.2007, p. 21.

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Decision 2007/884/EC is replaced by the following:

'*Article 3*

This Decision shall expire on the date of entry into force of Union rules determining the expenditure relating to motorised road vehicles that is not eligible for full deduction of VAT, or on 31 December 2013, whichever is the earlier.

Any request for the extension of the measures provided for in this Decision shall be submitted to the Commission by 1 April 2013.

Any request for extension of those measures shall be accompanied by a report which includes a review of the percentage restriction applied on the right to deduct VAT on the hire or lease of cars not entirely used for business purposes.'.

Article 2

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

This Decision shall apply as from 1 January 2011.

Article 3

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 18 January 2011.

For the Council
The President
Gy. MATOLCSY

COUNCIL IMPLEMENTING DECISION

of 18 January 2011

authorising France to apply differentiated levels of taxation to motor fuels in accordance with Article 19 of Directive 2003/96/EC

(2011/38/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity [1], and in particular Article 19 thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Council Decision 2005/767/EC [2] authorises France to apply, for a period of 3 years, differentiated levels of taxation to gas oil and unleaded petrol. France had requested the authorisation in the context of an administrative reform involving the decentralisation of certain specific powers previously exercised by central government. Decision 2005/767/EC expired on 31 December 2009.

(2) By letter dated 12 August 2009, France requested authorisation to continue to apply differentiated rates of taxation under the same conditions for a further 6 years after 31 December 2009.

(3) Decision 2005/767/EC was adopted on the basis that the measure requested by France met the requirements set out in Article 19 of Directive 2003/96/EC. In particular, it was considered that that measure would not hinder the proper functioning of the internal market. It was also considered that it was in conformity with the relevant Community policies.

(4) The national measure is part of a policy designed to increase administrative effectiveness by improving the quality and reducing the cost of public services, as well as a policy of subsidiarity. It offers regions an additional incentive to improve the quality of their administration in a transparent fashion. In this respect, Decision 2005/767/EC requires that the reductions be linked to the socioeconomic circumstances of the regions in which they are applied. Overall, the national measure is based on specific policy considerations.

(5) The tight limits set for the differentiation of rates on a regional basis as well as the exclusion of gas oil used for commercial purposes from the measure imply that the risk of competitive distortions in the internal market is very low. Moreover, the application of the measure so far has shown a strong tendency on behalf of regions to levy the maximum rate allowable, which has further decreased any potential for competitive distortions.

(6) No obstacles to the proper functioning of the internal market have been reported as regards, more particularly, the circulation of the products in question in their capacity as products subject to excise duty.

(7) When originally requested, the national measure had been preceded by a tax increase equal to the margin for regional reductions. Against this background and in light of the conditions of the authorisation as well as experience gathered, the national measure does not, at this stage, appear to be in conflict with Union energy and climate policies.

(8) It follows from Article 19(2) of Directive 2003/96/EC that each authorisation granted under that Article must be strictly limited in time. Due to the possible future developments of the Union framework on energy taxation, this authorisation should be limited to a period of 3 years. It is furthermore appropriate to avoid any time gap with respect to the application of the authorisation,

HAS ADOPTED THIS DECISION:

Article 1

1. France is hereby authorised to apply reduced rates of taxation to unleaded petrol and gas oil used as fuel. Gas oil for commercial use within the meaning of Article 7(2) of Directive 2003/96/EC shall not be eligible for any such reductions.

2. Administrative regions may be permitted to apply differentiated reductions provided the following conditions are fulfilled:

(a) the reductions are no greater than EUR 35,4 per 1 000 litres of unleaded petrol or EUR 23,0 per 1 000 litres of gas oil;

[1] OJ L 283, 31.10.2003, p. 51.
[2] OJ L 290, 4.11.2005, p. 25.

(b) the reductions are no greater than the difference between the levels of taxation of gas oil for non-commercial use and gas oil for commercial use;

(c) the reductions are linked to the objective socio-economic conditions of the regions in which they are applied;

(d) the application of regional reductions does not have the effect of granting a region a competitive advantage in intra-Union trade.

3. The reduced rates must comply with the requirements of Directive 2003/96/EC, and in particular the minimum rates laid down in Article 7.

Article 2

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

It shall apply from 1 January 2010.

It shall expire on 31 December 2012.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 18 January 2011.

For the Council
The President
Gy. MATOLCSY

COUNCIL DECISION

of 18 January 2011

appointing one Austrian member and two Austrian alternate members of the Committee of the Regions

(2011/39/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal from the Austrian Government,

Whereas:

(1) On 22 December 2009 and 18 January 2010, the Council adopted Decisions 2009/1014/EU and 2010/29/EU appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015 [1].

(2) A member's seat on the Committee of the Regions has become vacant following the end of the term of office of Mr Franz VOVES.

(3) Two alternate members' seats have become vacant following the end of the term of office of Mr Hermann SCHÜTZENHÖFER and Mr Walter PRIOR,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

(a) as a member:

— Herr Landesrat Dr Christian BUCHMANN, *Landesrat in der Steiermärkischen Landesregierung*;

and

(b) as alternate members:

— Frau Landesrätin Mag. Elisabeth GROSSMANN, *Landesrätin in der Steiermärkischen Landesregierung*,

— Herr Klubobmann Christian ILLEDITS, *Abgeordneter zum Burgenländischen Landtag; Klubobmann der SPÖ-Fraktion*.

Article 2

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

Done at Brussels, 18 January 2011.

For the Council
The President
Gy. MATOLCSY

[1] OJ L 348, 29.12.2009, p. 22, and OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION

of 18 January 2011

appointing a Slovak alternate member of the Committee of the Regions

(2011/40/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Slovak Government,

Whereas:

(1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU and 2010/29/EU appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015 [1].

(2) An alternate member's seat on the Committee of the Regions has become vacant following the end of the term of office of Mr Pavol FREŠO,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed to the Committee of the Regions as an alternate member for the remainder of the current term of office, which runs until 25 January 2015:

— Mr Juraj BLANÁR

predseda Žilinského samosprávneho kraja.

Article 2

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

Done at Brussels, 18 January 2011.

For the Council
The President
Gy. MATOLCSY

[1] OJ L 348, 29.12.2009, p. 22 and OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION

of 18 January 2011

appointing three Dutch members and six Dutch alternate members of the Committee of the Regions

(2011/41/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal from the Dutch Government,

Whereas:

(1) On 22 December 2009 and 18 January 2010, the Council adopted Decisions 2009/1014/EU and 2010/29/EU appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015 [1].

(2) Three members' seats on the Committee of the Regions have become vacant following the end of the term of office of Ms Annemarie JORRITSMA-LEBBINK, Ms Luzette WAGENAAR-KROON and Mr Rob BATS.

(3) Four alternate members' seats have become vacant following the end of the term of office of Ms Ellie FRANSSEN, Mr Job COHEN, Ms Rinda DEN BESTEN and Mr Hendrikus DE LANGE.

(4) Two alternate members' seats will become vacant following the appointment of Mr Hans KOK and Mr Henk KOOL as members of the Committee of the Regions,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

(a) as members:

— Mr H.A.J. (Hans) KOK, Burgemeester (Mayor of 't Hof van Twente),

— Mr H.P.M (Henk) KOOL, Wethouder (alderman of The Hague),

— Mr S.B. (Sipke) SWIERSTRA, Gedeputeerde (member of the Executive Council) of the Province of Drenthe;

and

(b) as alternate members:

— Mr H.A.J. (Henk) AALDERINK, Burgemeester (Mayor of Bronckhorst),

— Mr J.P. (Jean Paul) GEBBEN, Burgemeester (Mayor of Renkum),

— Mr J.P.W. (Jan Willem) GROOT, Wethouder (alderman of Amstelveen),

— Ms L.W.C.M. (Loes) van der MEIJS, Wethouder (alderman of Doetinchem),

— Mr N.A. (André) van de NADORT, Burgemeester (Mayor of Ten Boer),

— Mr F. (Frank) de VRIES, Wethouder (alderman of Groningen).

Article 2

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

Done at Brussels, 18 January 2011.

For the Council
The President
Gy. MATOLCSY

[1] OJ L 348, 29.12.2009, p. 22, and OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION

of 18 January 2011

appointing one Polish member and one Polish alternate member of the Committee of the Regions

(2011/42/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal from the Polish Government,

Whereas:

(1) On 22 December 2009 and 18 January 2010, the Council adopted Decisions 2009/1014/EU and 2010/29/EU appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015 [1].

(2) A member's seat on the Committee of the Regions has become vacant following the end of the term of office of Mr Jerzy KROPIWNICKI.

(3) An alternate member's seat will become vacant following the appointment of Mr Tadeusz TRUSKOLASKI as a member of the Committee of the Regions,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

(a) as a member:

— Tadeusz TRUSKOLASKI, *Prezydent Miasta Białegostoku;*

and

(b) as alternate member:

— Pawel ADAMOWICZ, *Prezydent Miasta Gdańska.*

Article 2

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

Done at Brussels, 18 January 2011.

For the Council
The President
Gy. MATOLCSY

[1] OJ L 348, 29.12.2009, p. 22, and OJ L 12, 19.1.2010, p. 11.

COMMISSION DECISION

of 21 January 2011

amending Decision 2010/468/EU providing for the temporary marketing of varieties of *Avena strigosa* Schreb. not included in the common catalogue of varieties of agricultural plant species or in the national catalogues of varieties of the Member States

(notified under document C(2011) 156)

(Text with EEA relevance)

(2011/43/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed [1], and in particular Article 17(1) thereof,

Whereas:

(1) Commission Decision 2010/468/EU [2] authorises, until 31 December 2010, the marketing in the Union of seed of varieties of *Avena strigosa* Schreb. (hereinafter '*A. strigosa*') not included in the common catalogues of varieties of agricultural plant species or in the national catalogues of varieties of the Member States.

(2) The temporary difficulties in the general supply of *A. strigosa* which were the reason for the adoption of Decision 2010/468/EU, continue. It is therefore necessary to extend the period of application of the authorisation provided for in that Decision.

(3) It appears from the information provided to the Commission by the Member States that, for 2011, an additional total quantity of 5 130 tonnes is necessary to resolve these supply difficulties, as Belgium has indicated to the Commission that it needs for that period a quantity of 300 tonnes, France a quantity of 3 700 tonnes, Germany a quantity of 300 tonnes, Italy a quantity of 280 tonnes, Spain a quantity of 300 tonnes and Portugal a quantity of 250 tonnes.

(4) Decision 2010/468/EU should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/468/EU is amended as follows:

1. Article 1 is amended as follows:

   (a) in paragraph 1, the words '31 December 2010' are replaced by '31 December 2011';

   (b) paragraph 2 is replaced by the following:

   '2. The total quantity of seed authorised for marketing in the Union pursuant to this Decision shall not exceed 4 970 tonnes in 2010. The total quantity of seed authorised for marketing in the Union pursuant to this Decision shall not exceed 5 130 tonnes in 2011.';

2. in the second paragraph of Article 3 the words '31 December 2010' are replaced by '31 December 2011'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 January 2011.

For the Commission

John DALLI

Member of the Commission

[1] OJ 125, 11.7.1966, p. 2309/66.
[2] OJ L 226, 28.8.2010, p. 46.

COMMISSION DECISION

of 19 January 2011

concerning certain protection measures against foot-and-mouth disease in Bulgaria

(notified under document C(2011) 179)

(Text with EEA relevance)

(2011/44/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ([1]), and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ([2]), and in particular Article 10(4) thereof,

Whereas:

(1) On 5 January 2011 Bulgaria reported a case of foot-and-mouth disease in a wild boar shot in Burgas region in the South-East of Bulgaria within a zone of reinforced surveillance along the border with Turkey. The Commission therefore adopted Decision 2011/8/EU of 6 January 2011 concerning certain interim protection measures against foot-and-mouth disease in Bulgaria ([3]).

(2) On 9 January 2011 Bulgaria reported outbreaks of foot-and-mouth disease in livestock in the same area. The new epidemiological situation requires to review the measures previously adopted, also in the light of the information provided by Bulgaria and the discussions with Member States at the meeting of the Standing Committee on the Food Chain and Animal Health of 12 January 2011.

(3) The foot-and-mouth disease situation in Bulgaria is liable to endanger the herds of other Member States in view of trade in live biungulate animals and the placing on the market of certain of their products.

(4) Bulgaria has taken measures in the framework of Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease ([4]), in particular the measures provided for in Section 3 of Chapter II and in Article 85(4) thereof.

(5) The whole territory of Bulgaria is subject to the restrictions of Articles 2, 4, 5, 6, 8b and 11 of Commission Decision 2008/855/EC of 3 November 2008 concerning animal health control measures relating to classical swine fever in certain Member States ([5]). However, being listed in Part II of the Annex to that Decision allows Bulgaria to dispatch under certain health conditions fresh pig meat and meat preparations and products produced from such meat.

(6) The disease situation in Bulgaria makes it necessary to reinforce the control measures for foot-and-mouth disease taken by the competent authorities in Bulgaria.

(7) It is appropriate to define as a permanent measure the high and low risk areas in the affected Member State and to provide for a prohibition on the dispatch of susceptible animals from the high and low risk areas and on the dispatch of products derived from susceptible animals from the high risk area. The Decision should also provide for the rules applicable to the dispatch from those areas of safe products that either had been produced before the restrictions, from raw material sourced from outside the restricted areas or that had undergone a treatment proven effective in inactivating possible foot-and-mouth disease virus.

(8) The size of the defined risk areas is a direct function of the outcome of tracing of possible contacts to the infected holding and takes into account the possibility to implement sufficient controls on the movement of animals and products. At this point of time and based on information provided by Bulgaria, the whole of Burgas region should currently remain a high risk area.

(9) The prohibition of dispatch should only cover products derived from animals of susceptible species coming from or obtained from animals originating in the high risk areas listed in Annex I and should not affect transit through these areas of such products coming from or obtained from animals originating in other areas.

(10) Council Directive 64/432/EEC ([6]) concerns animal health problems affecting intra-Community trade in bovine animals and swine.

(11) Council Directive 91/68/EEC ([7]) concerns animal health conditions governing intra-Community trade in ovine and caprine animals.

([1]) OJ L 395, 30.12.1989, p. 13.
([2]) OJ L 224, 18.8.1990, p. 29.
([3]) OJ L 6, 11.1.2011, p. 15.
([4]) OJ L 306, 22.11.2003, p. 1.
([5]) OJ L 302, 13.11.2008, p. 19.
([6]) OJ 121, 29.7.1964, p. 1977/64.
([7]) OJ L 46, 19.2.1991, p. 19.

(12) Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC [1] concerns, amongst others, trade in other biungulates and in semen, ova and embryos of sheep and goats, and in embryos of porcine animals.

(13) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin [2] concerns, amongst others, the health conditions for the production and marketing of fresh meat, minced meat, mechanically separated meat, meat preparations, farmed game meat, meat products, including treated stomachs, bladders and intestines, and dairy products.

(14) Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption [3] concerns, amongst others, the health marking of food of animal origin.

(15) Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption [4] provides for specific treatment of meat products that ensure inactivation of the foot-and-mouth disease virus in products of animal origin.

(16) Commission Decision 2001/304/EC of 11 April 2001 on marking and use of certain animal products in relation to Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom [5] concerns a specific health mark to be applied to certain products of animal origin that shall be restricted to the national market. It is appropriate to lay down in a separate Annex a similar marking in the case of foot-and-mouth disease in Bulgaria.

(17) Council Directive 92/118/EEC [6] lays down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC.

(18) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption [7] provides for a range of treatments of animal by-products suitable to inactivate the foot-and-mouth disease virus.

(19) Council Directive 88/407/EEC [8] lays down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species.

(20) Council Directive 89/556/EEC [9] concerns the animal health conditions governing intra-Community trade in and imports from third countries of embryos of domestic animals of the bovine species.

(21) Council Directive 90/429/EEC [10] lays down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species.

(22) The model health certificates for trade within the Union in semen, ova and embryos of animals of the ovine and caprine species and in ova and embryos of animals of the porcine species are laid down in Commission Decision 2010/470/EU of 26 August 2010 laying down model health certificates for trade within the Union in semen, ova and embryos of animals of the equine, ovine and caprine species and in ova and embryos of animals of the porcine species [11].

(23) In so far as medicinal products defined in Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products [12], Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use [13], and Directive 2001/20/EC of the European Parliament and of the Council of 4 April 2001 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the implementation of good clinical practice in the conduct of clinical trials on medicinal products for human use [14] no longer fall under the scope of Regulation (EC) No 1774/2002 they should be excluded from animal health related restrictions set up by this Decision.

[1] OJ L 268, 14.9.1992, p. 54.
[2] OJ L 139, 30.4.2004, p. 55.
[3] OJ L 139, 30.4.2004, p. 206.
[4] OJ L 18, 23.1.2003, p. 11.
[5] OJ L 104, 13.4.2001, p. 6.
[6] OJ L 62, 15.3.1993, p. 49.
[7] OJ L 273, 10.10.2002, p. 1.
[8] OJ L 194, 22.7.1988, p. 10.
[9] OJ L 302, 19.10.1989, p. 1.
[10] OJ L 224, 18.8.1990, p. 62.
[11] OJ L 228, 31.8.2010, p. 15.
[12] OJ L 311, 28.11.2001, p. 1.
[13] OJ L 311, 28.11.2001, p. 67.
[14] OJ L 121, 1.5.2001, p. 34.

(24) Article 6 of Commission Decision 2007/275/EC of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC [1] provides for a derogation from the veterinary checks for certain products containing animal products. It is appropriate to allow dispatch from the high risk areas of such products under a simplified certification regime.

(25) The possible risk of spread of foot-and-mouth disease within the European Union through the movements of consignments of products of animal origin of a non-commercial character should be considered in view of the foot-and-mouth disease situation in Bulgaria. Therefore such movements should be prevented in order to avoid further spread of the disease. Bulgaria should ensure that compliance with the restrictions imposed by this Decision on certain products derived from animals of species susceptible to foot-and-mouth disease is also ensured as regards the non-commercial movement of these products. Member States should cooperate in monitoring personal luggage of passengers travelling in particular from the high risk areas and in information campaigns carried out to prevent introduction of products of animal origin into the territory of Member States other than Bulgaria.

(26) Member States other than Bulgaria should support the disease control measures carried out in the affected areas by ensuring that live susceptible animals are not dispatched to those areas.

(27) Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field [2] provides for a mechanism to compensate affected holdings for losses incurred as a result of disease control measures.

(28) The foot-and-mouth disease situation has been reviewed at the meeting of the Standing Committee on the Food Chain and Animal Health of 12 January 2011 and the measures provided for in Decision 2011/8/EU were adapted in the light of the information received from Bulgaria on the development of the epidemiological situation. Decision 2011/8/EU should therefore be repealed and replaced by this Decision.

(29) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Live animals

1. Bulgaria shall ensure that the conditions set out in paragraphs 2 to 7 of this Article are met, without prejudice to the measures taken by that Member State within the framework of:

(a) Directive 2003/85/EC; and

(b) Decision 2008/855/EC.

2. No live animals of the bovine, ovine, caprine and porcine species and other biungulates shall move between the areas listed in Annex I and Annex II.

3. No live animals of the bovine, ovine, caprine and porcine species and other biungulates shall be dispatched from or moved through the areas listed in Annex I and Annex II.

4. By way of derogation from paragraph 3, the competent authorities of Bulgaria may authorise the direct and uninterrupted transit of biungulate animals through the areas listed in Annex I and Annex II on main roads and railway lines.

5. The health certificates, as provided for in Directive 64/432/EEC for live bovine animals and, without prejudice to Article 8b and 9 of Decision 2008/855/EC, for porcine animals and in Directive 91/68/EEC for live ovine and caprine animals, accompanying animals consigned from parts of the territory of Bulgaria not listed in Annex I and Annex II to other Member States shall bear the following words:

'Animals conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

(*) OJ L 19, 22.1.2011, p. 20.'

6. The health certificates accompanying biungulates other than those covered by the certificates referred to in paragraph 5, consigned from parts of the territory of Bulgaria not listed in Annex I and Annex II to other Member States shall bear the following words:

'Live biungulates conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

(*) OJ L 19, 22.1.2011, p. 20.'

7. Animals accompanied by an animal health certificate as referred to in paragraphs 5 and 6 may be moved to other Member States only if the local veterinary authority in Bulgaria has, 3 days before the move, notified the central and local veterinary authorities in the Member State of destination.

8. By way of derogation from paragraph 2 the competent authorities of Bulgaria may authorise the transport of animals of species susceptible to foot-and-mouth disease from holding situated in areas listed in Annex II to a slaughterhouse situated in the areas listed in Annex I.

9. By way of derogation from paragraph 2, the competent authority of Bulgaria may authorise the transport of pigs from holdings outside the surveillance zone established in accordance with Article 21 of Directive 2003/85/EC for immediate slaughter at designated slaughterhouses situated in the areas listed in Annex II under the following conditions:

[1] OJ L 116, 4.5.2007, p. 9.
[2] OJ L 155, 18.6.2009, p. 30.

(a) the pigs originate from holdings in the area listed in Annex I from which consignments of fresh pigmeat and meat preparations and meat products consisting of, or containing meat of those pigs may be dispatched in accordance with Article 6 of Decision 2008/855/EC.

The central veterinary authority of Bulgaria shall communicate to the other Member States and to the Commission the list of holdings which they have approved for the purpose of application of this paragraph;

(b) during the 21 days prior to the date of transport to the slaughterhouse, the animals have remained under the supervision of the competent veterinary authority on a single holding which is situated in the centre of a circle around the holding of at least 10 km radius, where there has been no outbreak of foot-and-mouth disease during at least 30 days prior to the date of loading;

(c) no animals of species susceptible to foot-and-mouth disease have been introduced into the holding referred to in the introductory sentence of this paragraph during the 21 days prior to the date of loading, except in the case of pigs coming from a supplying holding which complies with the conditions laid down in point (b), in which case the period of 21 days may be reduced to 7 days;

(d) the transport of pigs is only authorised after the satisfactory completion of the measures provided for in Article 22(2) of Directive 2003/85/EC.

Article 2

Meats

1. For the purposes of this Article, 'meats' means 'fresh meat', 'minced meat', 'mechanically separated meat' and 'meat preparations' as defined in points 1.10, 1.13, 1.14 and 1.15 of Annex I to Regulation (EC) No 853/2004.

2. Bulgaria shall not dispatch meats of the bovine, ovine, caprine and porcine species and other biungulates coming from or obtained from animals originating in the areas listed in Annex I.

3. Meats not eligible for dispatch from Bulgaria in accordance with this Decision shall be marked in accordance with the second subparagraph of Article 4(1) of Directive 2002/99/EC or in accordance with Annex IV.

4. Without prejudice to Articles 6 and 8b of Decision 2008/855/EC, the prohibition set out in paragraph 2 shall not apply to meats bearing the health mark in accordance with Chapter III of Section I of Annex I to Regulation (EC) No 854/2004, provided that:

(a) the meat is clearly identified, and has been transported and stored since the date of production separately from meat which is not eligible, in accordance with this Decision, for dispatch outside the areas listed in Annex I;

(b) the meat complies with one of the following conditions:

(i) it was obtained before 9 December 2010; or

(ii) it is derived from animals that have been reared for at least 90 days, or since birth if less than 90 days of age, prior to the date of slaughter and which have been slaughtered, or in the case of meat obtained from wild game of species susceptible to foot-and-mouth disease killed, outside the areas listed in Annexes I and II; or

(iii) it complies with the conditions set out in points (c), (d) and (e);

(c) the meat was obtained from domestic ungulates or from farmed game of species susceptible to foot-and-mouth disease, as specified for the respective category of meat in one of the appropriate columns 4 to 7 in Annex III, and complies with the following conditions:

(i) the animals have been reared for at least 90 days prior to the date of slaughter, or since birth if less than 90 days of age, on holdings situated within the areas specified in columns 1, 2 and 3 of Annex III, where there has been no outbreak of foot-and-mouth disease during at least 90 days prior to the date of slaughter;

(ii) during the 21 days prior to the date of transport to the slaughterhouse, or in the case of farmed game of species susceptible to foot-and-mouth disease prior to the date of on-farm slaughtering, the animals have remained under the supervision of the competent veterinary authorities on a single holding which is situated in the centre of a circle around the holding of at least 10 km radius, where there has been no outbreak of foot-and-mouth disease during at least 30 days prior to the date of loading;

(iii) no animals of species susceptible to foot-and-mouth disease have been introduced into the holding referred to in point (ii) during the 21 days prior to the date of loading, or in the case of farmed game of species susceptible to foot-and-mouth disease prior to the date of on-farm slaughtering, except in the case of pigs coming from a supplying holding which complies with the conditions laid down in point (ii), in which case the period of 21 days may be reduced to 7 days.

However, the competent authority may authorise the introduction into the holding referred to in point (ii) of animals of species susceptible to foot-and-mouth disease which comply with the conditions set out in points (i) and (ii) and which:

— come from a holding where no animals of species susceptible to foot-and-mouth disease have been introduced during the 21 days prior to the date of transport to the holding referred to in point (ii), except in the case of pigs coming from a supplying holding in which case the period of 21 days may be reduced to 7 days; or

— were subjected with negative results to a test for antibodies against the foot-and-mouth disease virus carried out on a blood sample taken within 10 days prior to the date of transport to the holding referred to in point (ii); or

— come from a holding that was subjected with negative results to a serological survey pursuant to a sampling protocol suitable to detect 5 % prevalence of foot-and-mouth disease with at least a 95 % level of confidence;

(iv) the animals or, in the case of farmed game of species susceptible to foot-and-mouth disease slaughtered on the farm, the carcasses have been transported under official control in means of transport that have been cleansed and disinfected before loading from the holding referred to in point (ii) to the designated slaughterhouse;

(v) the animals have been slaughtered less than 24 hours following the time of arrival at the slaughterhouse and separately from animals the meat of which is not eligible for dispatch from the area listed in Annex I;

(d) the meat, if positively marked in column 8 of Annex III, was obtained from wild game of species susceptible to foot-and-mouth disease, that was killed in areas where there has been no outbreak of foot-and-mouth disease for at least a period of 90 days before the date of killing and at a distance of at least 20 km from areas not specified in columns 1, 2 and 3 of Annex III;

(e) meat referred to in points (c) and (d) must in addition comply with the following conditions:

(i) the dispatch of such meat is only to be authorised by the competent veterinary authority of Bulgaria, if

— the animals referred to in point (c)(iv) have been transported to the establishment without contact to holdings situated in areas not specified in columns 1, 2 and 3 of Annex III, and

— the establishment is not situated in a protection zone;

(ii) the meat is at all times clearly identified, handled, stored and transported separately from meat which is not eligible for dispatch from the area listed in Annex I;

(iii) during post-mortem inspection by the official veterinarian in the establishment of dispatch, or in the case of on-farm slaughtering of farmed game of species susceptible to foot-and-mouth disease on the holding referred to in point (c)(ii), or in the case of wild game of species susceptible to foot-and-mouth disease at the game-handling establishment, no clinical signs or post-mortem evidence of foot-and-mouth disease were established;

(iv) the meat has remained in the establishments or holdings referred to in point (e)(iii) for at least 24 hours following the post-mortem inspection of the animals referred to in points (c) and (d);

(v) any further preparation of meat for dispatch outside the area listed in Annex I shall be suspended:

— in the case where foot-and-mouth disease has been diagnosed in the establishments or holdings referred to in point (e)(iii), until the slaughter of all animals present and the removal of all meat and dead animals has been completed, and at least 24 hours have elapsed since the completion of the total cleansing and disinfection of those establishments and holdings under the control of an official veterinarian, and

— in the case of slaughter in the same establishment of animals susceptible to foot-and-mouth disease coming from holdings situated in areas listed in Annex I that do not comply with the conditions set out in point 4(c) or (d), until the slaughter of all such animals and the cleansing and disinfection of those establishments have been completed under the control of an official veterinarian;

(vi) the central veterinary authorities shall communicate to the other Member States and the Commission a list of those establishments and holdings which they have approved for the purposes of application of points (c), (d) and (e).

5. Compliance with the conditions set out in paragraphs 3 and 4 shall be checked by the competent veterinary authority under the supervision of the central veterinary authorities.

6. Without prejudice to Articles 6 and 8b of Decision 2008/855/EC, the prohibition set out in paragraph 2 of this Article shall not apply to fresh meat obtained from animals reared outside the areas listed in Annex I and Annex II and transported, by way of derogation from Article 1(2) and (3), directly and under official control without contact to holdings situated in areas listed in Annex I to a slaughterhouse situated in the areas listed in Annex I outside the protection zone for immediate slaughter, provided that such fresh meat is only placed on the market in the areas listed in Annex I and Annex II and complies with the following conditions:

(a) all such fresh meat is marked in accordance with the second subparagraph of Article 4(1) of Directive 2002/99/EC or in accordance with Annex IV to this Decision;

(b) the slaughterhouse:

(i) is operated under strict veterinary control;

(ii) suspends any further preparation of meat for dispatch outside the areas listed in Annex I in the case of slaughter in the same slaughterhouse of animals susceptible to foot-and-mouth disease coming from holdings situated in areas listed in Annex I until the slaughter of all such animals and the cleansing and disinfection of the slaughterhouse have been completed under the control of an official veterinarian;

(c) the fresh meat is clearly identified, and transported and stored separately from meat which is eligible for dispatch outside Bulgaria.

Compliance with the conditions set out in the first subparagraph shall be checked by the competent veterinary authority under the supervision of the central veterinary authorities.

The central veterinary authority of Bulgaria shall communicate to the Commission and to the other Member States the list of the establishments which they have approved for the purposes of application of this paragraph.

7. Without prejudice to Article 6 of Decision 2008/855/EC, the prohibition set out in paragraph 2 shall not apply to fresh meat obtained from cutting plants situated in the areas listed in Annex I under the following conditions:

(a) only fresh meat as described in paragraph 4(b) is processed in that cutting plant, on the same day.

Cleansing and disinfection shall be carried out after processing of any meat not meeting this requirement;

(b) all meat bears the health mark in accordance with Chapter III of Section I of Annex I to Regulation (EC) No 854/2004;

(c) the cutting plant is operated under strict veterinary control;

(d) the fresh meat is clearly identified, and transported and stored separately from meat which is not eligible for dispatch outside the areas listed in Annex I.

Compliance with the conditions set out in the first subparagraph shall be checked by the competent veterinary authority under the supervision of the central veterinary authorities.

The central veterinary authority of Bulgaria shall communicate to the other Member States and the Commission the list of the establishments which they have approved for the purpose of application of this paragraph.

8. Meat dispatched from Bulgaria to other Member States shall be accompanied by an official certificate, which shall bear the following words:

'Meat conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

(*) OJ L 19, 22.1.2011, p. 20.'

9. Without prejudice to Articles 6 and 8b of Decision 2008/855/EC, the prohibition set out in paragraph 2 of this Article shall not apply to fresh meat obtained from pigs reared in the areas listed in Annex I and transported in accordance with Article 1(9) to a slaughterhouse situated in the areas listed in Annex II for immediate slaughter, provided that such fresh meat complies with the following conditions:

(a) the fresh meat is marked in accordance with the second subparagraph of Article 4(1) of Directive 2002/99/EC or in accordance with Annex IV to this Decision and is placed on the market only in the areas listed in Annex I and Annex II;

(b) the slaughterhouse:

(i) is operated under veterinary control;

(ii) suspends any further preparation of meat for dispatch outside the areas listed in Annex I in the case of slaughter in the same slaughterhouse of animals susceptible to foot-and-mouth disease coming from other holdings situated in areas listed in Annex I until the slaughter of all such animals and the cleansing and disinfection of the slaughterhouse have been completed under the control of an official veterinarian;

(c) the fresh meat is clearly identified and is transported and stored separately from meat which is eligible for dispatch outside Bulgaria.

Compliance with the conditions set out in paragraph 1 shall be checked by the competent veterinary authority under the supervision of the central veterinary authorities.

The central veterinary authority of Bulgaria shall communicate to the other Member States and to the Commission the list of the establishments which they have approved for the purpose of application of this paragraph.

Article 3

Meat products

1. Bulgaria shall not dispatch meat products, including treated stomachs, bladders and intestines, of animals of the bovine, ovine, caprine and porcine species and other biungulates ('meat products') coming from the areas listed in Annex I or prepared using meat obtained from animals originating in those areas.

2. Without prejudice to Articles 6 and 8b of Decision 2008/855/EC, the prohibition set out in paragraph 1 shall not apply to meat products, including treated stomachs, bladders and intestines, bearing the health mark in accordance with Chapter III of Section I of Annex I to Regulation (EC) No 854/2004, provided that the meat products:

(a) are clearly identified and have been transported and stored since the date of production separately from meat products not eligible, in accordance with this Decision, for dispatch outside the areas listed in Annex I;

(b) comply with one of the following conditions:

(i) they are made from meats described in Article 2(4)(b); or

(ii) they have undergone at least one of the relevant treatments laid down for foot-and-mouth disease in Part 1 of Annex III to Directive 2002/99/EC.

Compliance with the conditions set out in the first subparagraph shall be checked by the competent veterinary authority under the supervision of the central veterinary authorities.

The central veterinary authorities shall communicate to the other Member States and the Commission a list of the establishments which they have approved for the purpose of application of this paragraph.

3. Meat products dispatched from Bulgaria to other Member States shall be accompanied by an official certificate, which shall bear the following words:

'Meat products, including treated stomachs, bladders and intestines, conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

(*) OJ L 19, 22.1.2011, p. 20.'

4. By way of derogation from paragraph 3 it shall be sufficient, in the case of meat products which comply with the requirements of paragraph 2 and have been processed in an establishment operating Hazard Analysis and Critical Control Points (HACCP) and an auditable standard operating procedure which ensures that standards for treatment are met and recorded, that compliance with the conditions required for the treatment laid down in point (b)(ii) of the first subparagraph of paragraph 2 is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

5. By way of derogation from paragraph 3 it shall be sufficient, in the case of meat products heat treated in accordance with point (b)(ii) of the first subparagraph of paragraph 2 in hermetically sealed containers so as to ensure that they are shelf stable, to be accompanied by a commercial document stating the heat treatment applied.

Article 4

Colostrums and milk

1. Bulgaria shall not dispatch colostrums and milk from animals of species susceptible to foot-and-mouth disease intended or not intended for human consumption from the areas listed in Annex I.

2. The prohibition set out in paragraph 1 shall not apply to milk produced from bovine, ovine and caprine animals kept in areas listed in Annex I which has been subjected to a treatment in accordance with:

(a) Part A of Annex IX to Directive 2003/85/EC, if the milk is intended for human consumption; or

(b) Part B of Annex IX to Directive 2003/85/EC, if the milk is not intended for human consumption or is intended for feeding to animals of species susceptible to foot-and-mouth disease.

3. The prohibition set out in paragraph 1 shall not apply to milk from bovine, ovine and caprine animals prepared in establishments situated in the areas listed in Annex I under the following conditions:

(a) all milk used in the establishment must either conform to the conditions set out in paragraph 2 or be obtained from animals reared and milked outside the areas listed in Annex I;

(b) the establishment is operated under strict veterinary control;

(c) the milk must be clearly identified, and transported and stored separately from milk and dairy products which are not eligible for dispatch outside the areas listed in Annex I;

(d) transport of raw milk from holdings situated outside the areas listed in Annex I to the establishments situated in the areas listed in Annex I is carried out in vehicles which were cleansed and disinfected prior to operation and had no subsequent contact with holdings in the areas listed in Annex I keeping animals of species susceptible to foot-and-mouth disease.

Compliance with the conditions set out in the first subparagraph shall be checked by the competent veterinary authority under the supervision of the central veterinary authorities.

The central veterinary authorities shall communicate to the other Member States and the Commission a list of the establishments which they have approved for the purpose of application of this paragraph.

4. Milk dispatched from Bulgaria to other Member States shall be accompanied by an official certificate, which shall bear the following words:

'Milk conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

(*) OJ L 19, 22.1.2011, p. 20.'

5. By way of derogation from paragraph 4 it shall be sufficient, in the case of milk which complies with the requirements of paragraph 2 and has been processed in an establishment operating HACCP and an auditable standard operating procedure which ensures that standards for treatment are met and recorded, that compliance with those requirements is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

6. By way of derogation from paragraph 4 it shall be sufficient, in the case of milk which complies with the requirements in paragraph 2(a) or (b) and which has been heat treated in hermetically sealed containers so as to ensure that it is shelf stable, to be accompanied by a commercial document stating the heat treatment applied.

Article 5

Dairy products

1. Bulgaria shall not dispatch dairy products produced from colostrums and milk from animals of species susceptible to foot-and-mouth disease intended or not intended for human consumption from the areas listed in Annex I.

2. The prohibition set out in paragraph 1 shall not apply to dairy products:

(a) produced before 9 December 2010; or

(b) prepared from milk complying with the provisions in Article 4(2) or (3); or

(c) for export to a third country where import conditions permit such products to be subject to treatment other than those laid down in Article 4(2) which ensures the inactivation of the foot-and-mouth disease virus.

3. Without prejudice to Chapter II of Section IX of Annex III to Regulation (EC) No 853/2004, the prohibition set out in paragraph 1 of this Article shall not apply to the following dairy products intended for human consumption:

(a) dairy products produced from milk of a controlled pH less than 7 and subject to a heat treatment at a temperature of at least 72 °C for at least 15 seconds, on the understanding that such treatment was not necessary for finished products, the ingredients of which comply with the respective animal health conditions laid down in Articles 2, 3 and 4 of this Decision;

(b) dairy products produced from raw milk of bovine, ovine or caprine animals which have been resident for at least 30 days on a holding situated, within an area listed in Annex I, in the centre of a circle of at least 10 km radius in which no outbreak of foot-and-mouth disease has occurred during 30 days prior to the date of production of the raw milk, and subject to a maturation or ripening process of at least 90 days during which the pH is lowered below 6.0 throughout the substance, and the rind of which has been treated with 0,2 % citric acid immediately prior to wrapping or packaging.

4. The prohibition set out in paragraph 1 shall not apply to dairy products prepared in establishments situated in the areas listed in Annex I under the following conditions:

(a) all milk used in the establishment either complies with the conditions laid down in Article 4(2) or is obtained from animals outside the areas listed in Annex I;

(b) all dairy products used in the final products either comply with the conditions set out in paragraph 2(a) and (b) or paragraph 3 or are made from milk obtained from animals outside the areas listed in Annex I;

(c) the establishment is operated under strict veterinary control;

(d) the dairy products are clearly identified and transported and stored separately from milk and dairy products which are not eligible for dispatch outside the areas listed in Annex I.

Compliance with the conditions set out in the first subparagraph shall be checked by the competent authority under the responsibility of the central veterinary authorities.

The central veterinary authorities shall communicate to the other Member States and the Commission a list of the establishments which they have approved for the purposes of application of this paragraph.

5. The prohibition set out in paragraph 1 shall not apply to dairy products prepared in establishment situated outside the areas listed in Annex I using milk obtained before 9 December 2010, provided that the dairy products are clearly identified and transported and stored separately from dairy products which are not eligible for dispatch outside those areas.

6. Dairy products dispatched from Bulgaria to other Member States shall be accompanied by an official certificate, which shall bear the following words:

'Dairy products conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

(*) OJ L 19, 22.1.2011, p. 20.'

7. By way of derogation from paragraph 6 it shall be sufficient, in the case of dairy products which comply with the requirements of paragraph 2(a) and (b) and paragraphs 3 and 4 and have been processed in an establishment operating HACCP and an auditable standard operating procedure which ensures that standards for treatment are met and recorded, that compliance with those requirements is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

8. By way of derogation from paragraph 6 it shall be sufficient, in the case of dairy products which comply with the requirements of paragraph 2(a) and (b) and paragraphs 3 and 4 and which have been heat treated in hermetically sealed containers so as to ensure that they are shelf stable, to be accompanied by a commercial document stating the heat treatment applied.

Article 6

Semen, ova and embryos

1. Bulgaria shall not dispatch semen, ova and embryos of the bovine, ovine, caprine and porcine species and other biungulates ('semen, ova and embryos') from the areas listed in Annex I and Annex II.

2. Without prejudice to Article 5 of Decision 2008/855/EC, the prohibitions set out in paragraph 1 shall not apply to:

(a) semen, ova and embryos produced before 9 December 2010;

(b) frozen bovine semen and in-vivo derived embryos, frozen porcine semen, and frozen ovine and caprine semen and embryos imported into Bulgaria in accordance with the conditions laid down in Directives 88/407/EEC, 89/556/EEC, 90/429/EEC or 92/65/EEC respectively, and which since their introduction into Bulgaria have been stored and transported separately from semen, ova and embryos not eligible for dispatch in accordance with paragraph 1;

(c) frozen semen and embryos obtained from bovine, porcine, ovine and caprine animals kept for at least 90 days prior to the date of and during collection outside the areas listed in Annex I and Annex II and which:

(i) have been be stored in approved conditions for a minimum period of 30 days prior to the date of dispatch; and

(ii) have been collected from donor animals standing in centres or on holdings which have been free from foot-and-mouth disease for at least 3 months prior to the date of collection of the semen or embryos and 30 days after the date of collection and which are situated in the centre of an area of 10 kilometres radius in which there has been no case of foot-and-mouth disease for at least 30 days prior to the date of collection.

(d) Before the dispatch of the semen or embryos referred to in points (a), (b) and (c) the central veterinary authorities shall communicate to the other Member States and the Commission a list of centres and teams approved for the purpose of application of this paragraph.

3. The health certificate provided for in Directive 88/407/EEC and accompanying frozen bovine semen dispatched from Bulgaria to other Member States shall bear the following words:

'Frozen bovine semen conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

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(*) OJ L 19, 22.1.2011, p. 20.'

4. Without prejudice to Article 9(b) of Decision 2008/855/EC, the health certificate provided for in Directive 90/429/EEC and accompanying frozen porcine semen dispatched from Bulgaria to other Member States shall bear the following words:

'Frozen porcine semen conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

_____

(*) OJ L 19, 22.1.2011, p. 20.'

5. The health certificate provided for in Directive 89/556/EEC and accompanying bovine in-vivo derived embryos dispatched from Bulgaria to other Member States shall bear the following words:

'Bovine in-vivo derived embryos conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

_____

(*) OJ L 19, 22.1.2011, p. 20.'

6. The health certificate provided for in Directive 92/65/EEC and accompanying frozen ovine or caprine semen dispatched from Bulgaria to other Member States shall bear the following words:

'Frozen ovine/caprine semen conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

_____

(*) OJ L 19, 22.1.2011, p. 20.'

7. The health certificate provided for in Directive 92/65/EEC and accompanying frozen ovine or caprine embryos dispatched from Bulgaria to other Member States shall bear the following words:

'Frozen ovine/caprine embryos conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

_____

(*) OJ L 19, 22.1.2011, p. 20.'

8. Without prejudice to Article 9(c) of Decision 2008/855/EC, the health certificate provided for in Directive 92/65/EEC and accompanying frozen porcine embryos dispatched from Bulgaria to other Member States shall bear the following words:

'Frozen porcine embryos conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

_____

(*) OJ L 19, 22.1.2011, p. 20.'

Article 7

Hides and skins

1. Bulgaria shall not dispatch hides and skins of animals of the bovine, ovine, caprine and porcine species and of other biungulates ('hides and skins') from the areas listed in Annex I.

2. The prohibition set out in paragraph 1 shall not apply to hides and skins which:

(a) were produced in Bulgaria before 9 December 2010; or

(b) comply with the requirements provided for in point 2(c) or (d) of Part A of Chapter VI of Annex VIII to Regulation (EC) No 1774/2002; or

(c) were produced outside the areas listed in Annex I in accordance with the conditions laid down in Regulation (EC) No 1774/2002, and have since introduction into Bulgaria been stored and transported separately from hides and skins not eligible for dispatch in accordance with paragraph 1.

Treated hides and skins shall be separated from untreated hides and skins of animals of species susceptible to foot-and-mouth disease.

3. Bulgaria shall ensure that hides and skins to be dispatched to other Member States shall be accompanied by an official certificate which bears the following words:

'Hides and skins conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

(*) OJ L 19, 22.1.2011, p. 20.'

4. By way of derogation from paragraph 3 it shall be sufficient, in the case of hides and skins which comply with the requirements of points (1)(b) to (e) of Part A of Chapter VI of Annex VIII to Regulation (EC) No 1774/2002, to be accompanied by a commercial document stating compliance with those requirements.

5. By way of derogation from paragraph 3 it shall be sufficient, in the case of hides and skins which comply with the requirements of point 2(c) or (d) of Part A of Chapter VI of Annex VIII to Regulation (EC) No 1774/2002, that compliance with those requirements is stated in the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

Article 8

Other animal products

1. Bulgaria shall not dispatch products of animals of the bovine, ovine, caprine and porcine species and other biungulates not mentioned in Articles 2 to 7 produced after 9 December 2010 and coming from the areas listed in Annex I, or obtained from animals originating in the areas listed in Annex I.

Bulgaria shall not dispatch dung and manure of the bovine, ovine, caprine and porcine species and other biungulates from the areas listed in Annex I.

2. The prohibition set out in the first subparagraph of paragraph 1 shall not apply to:

(a) animal products which:

(i) have been subjected to a heat treatment:

— in a hermetically sealed container with a Fo value of 3,00 or more, or

— in which the centre temperature is raised to at least 70 °C; or

(ii) were produced outside the areas listed in Annex I in accordance with the conditions laid down in Regulation (EC) No 1774/2002, and which since introduction into Bulgaria have been stored and transported separately from animal products not eligible for dispatch in accordance with paragraph 1;

(b) blood and blood products as defined in points 4 and 5 of Annex I to Regulation (EC) No 1774/2002 which have been subjected to at least one of the treatments provided for in point 4(a) of Part A of Chapter IV of Annex VIII to Regulation (EC) No 1774/2002, followed by an effectiveness check, or have been imported in accordance with Part A of Chapter IV of Annex VIII to Regulation (EC) No 1774/2002;

(c) lard and rendered fats which have been subject to the heat treatment prescribed in point 2(d)(iv) of Part B of Chapter IV of Annex VII to Regulation (EC) No 1774/2002;

(d) animal casings complying with the conditions in Part A of Chapter 2 of Annex I to Directive 92/118/EEC and which have been cleaned, scraped and then either salted, bleached or dried, followed by steps to prevent the recontamination of the casings;

(e) sheep wool, ruminant hair and pigs bristles which have undergone factory washing or have been obtained from tanning and unprocessed sheep wool, ruminant hair and pigs bristles which are securely enclosed in packaging and dry;

(f) petfood conforming to the requirements of points 2, 3 and 4 of Part B of Chapter II of Annex VIII to Regulation (EC) No 1774/2002;

(g) composite products which are not subject to further treatment containing products of animal origin, on the understanding that the treatment was not necessary for finished products, the ingredients of which comply with the respective animal health conditions laid down in this Decision;

(h) game trophies in accordance with points 1, 3 or 4 of Part A of Chapter VII of Annex VIII to Regulation (EC) No 1774/2002;

(i) packed animal products intended for use as in-vitro diagnostic, laboratory reagents;

(j) medicinal products as defined in Directive 2001/83/EC, medical devices manufactured utilising animal tissue which is rendered non-viable as referred to in Article 1(5)(g) of Directive 93/42/EEC, veterinary medicinal products as defined in Directive 2001/82/EC, and investigational medicinal products as defined in Directive 2001/20/EC.

3. Bulgaria shall ensure that the animal products referred to in paragraph 2 to be dispatched to other Member States shall be accompanied by an official certificate which bears the following words:

'Animal products conforming to Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria (*).

(*) OJ L 19, 22.1.2011, p. 20.'

4. By way of derogation from paragraph 3, it shall be sufficient, in the case of the products referred to in paragraph 2(a) to (d) and (f) of this Article that compliance with the conditions for the treatment stated in the commercial document required in accordance with the respective Union legislation is endorsed in accordance with Article 9(1).

5. By way of derogation from paragraph 3 it shall be sufficient, in the case of products referred to in paragraph 2(e) to be accompanied by a commercial document stating either the factory washing or origin from tanning or compliance with the conditions laid down in points 1 and 4 of Part A of Chapter VIII of Annex VIII to Regulation (EC) No 1774/2002.

6. By way of derogation from paragraph 3 it shall be sufficient, in the case of products referred to in paragraph 2(g) which have been produced in an establishment operating HACCP and an auditable standard operating procedure which ensures that pre-processed ingredients comply with the respective animal health conditions laid down in this Decision, that this is stated on the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).

7. By way of derogation from paragraph 3, it shall be sufficient, in the case of products referred to in paragraph 2(i) and (j), to be accompanied by a commercial document stating that the products are for use as in-vitro diagnostic, laboratory reagents, medical products or medical devices, provided that the products are clearly labelled 'for in-vitro diagnostic use only' or 'for laboratory use only', as 'medicinal products' or as 'medical devices'.

8. Derogating from the provisions in paragraph 3, it shall be sufficient, in the case of composite products that fulfil the conditions set out in Article 6(1) of Decision 2007/275/EC that they are accompanied by a commercial document, which bears the following words:

'These composite products are shelf stable at ambient temperature or have clearly undergone in their manufacture a complete cooking or heat treatment process throughout their substance, so that any raw material is de-natured'.

Article 9

Certification

1. Where reference is made to this paragraph, the competent authorities of Bulgaria shall ensure that the commercial document required by Union legislation for trade between Member States is endorsed by the attachment of a copy of an official certificate stating that:

(a) the products concerned have been produced:

(i) in a production process that has been audited and found in compliance with the appropriate requirements in Union animal health legislation and suitable to destroy the foot-and-mouth disease virus; or

(ii) from pre-processed materials which had been certified accordingly; and

(b) provisions are in place to avoid possible re-contamination with the foot-and-mouth disease virus after treatment.

Such certification of the production process shall bear a reference to this Decision, shall be valid for 30 days, shall state the expiry date and shall be renewable after inspection of the establishment.

2. In case of products for retail sale to the final consumer, the competent authorities of Bulgaria may authorise consolidated consignments of animal products other than fresh meat, minced meat, mechanically separated meat and meat preparations, each of which is eligible for dispatch in accordance with this Decision, to be accompanied by a commercial document endorsed by the attachment of a copy of an official veterinary certificate confirming that:

(a) the premises of dispatch have in place a system to ensure that goods can only be dispatched if they are traceable to documentary evidence of compliance with this Decision; and

(b) the system referred to in (a) has been audited and found satisfactory.

Such certification of the traceability system shall bear a reference to this Decision, shall be valid for 30 days, shall state the expiry date and shall be renewable only after the establishment had been audited with satisfactory results.

The competent authorities of Bulgaria shall communicate to the other Member States and the Commission the list of establishments which they have approved for the purpose of application of this paragraph.

Article 10

Cleansing and disinfection

1. Without prejudice to Article 11 of Decision 2008/855/EC, Bulgaria shall ensure that vehicles which have been used for the transport of live animals in the areas listed in Annex I and Annex II are cleansed and disinfected after each operation, and that such cleansing and disinfection is recorded in accordance with Article 12(2)(d) of Directive 64/432/EEC.

2. Bulgaria shall ensure that vehicles which have been used within the areas listed in Annex I and Annex II for the transport of animals and parts of animals of species susceptible to foot-and-mouth disease referred to in Article 5(1)(e) of Regulation (EC) No 1774/2002 and of other animal by-products and processed animal by-products derived from animals of species susceptible to foot-and-mouth disease are cleansed and disinfected after each operation, and that such cleansing and disinfection and all contacts with holdings keeping animals of species susceptible to foot-and-mouth disease are recorded in the journey log of the vehicle concerned.

Article 11

Certain exempted products

The restrictions laid down in Articles 3, 4, 5 and 8 shall not apply to the dispatch from the areas listed in Annex I of the animal products referred to in those Articles if such products were:

(a) not produced in Bulgaria and remained in their original packaging indicating the country of origin of the products; or

(b) produced in an approved establishment situated in the areas listed in Annex I from pre-processed products not originating from those areas, which:

(i) have, since introduction into the territory of Bulgaria, been transported, stored and processed separately from products which are not eligible for dispatch outside the areas listed in Annex I;

(ii) are accompanied by a commercial document or official certificate as required by this Decision.

Article 12

Cooperation between Member States

Member States shall cooperate in monitoring personal luggage of passengers travelling from the areas listed in Annex I and in information campaigns carried out to prevent introduction of products of animal origin into the territory of Member States other than Bulgaria.

Article 13

Measures to be taken by Member States other than Bulgaria

1. Without prejudice to Article 1(4), Member States other than Bulgaria shall ensure that live animals of species susceptible to foot-and-mouth disease are not dispatched to the areas listed in Annex I.

2. Member States other than Bulgaria shall take appropriate precautionary measures in relation to susceptible animals dispatched from Bulgaria between 9 December 2010 and 6 January 2011. Those measures may include any of the following:

(a) isolation and clinical inspection;

(b) where necessary, laboratory testing to detect or rule out infection with the foot-and-mouth disease virus.

Article 14

Implementation

Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 15

Repeal

Decision 2011/8/EU is repealed.

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

Article 16

This Decision shall apply until 31 March 2011.

Article 17

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 19 January 2011.

For the Commission

John DALLI

Member of the Commission

ANNEX I

The following areas in Bulgaria:

Region of Burgas.

ANNEX II

The following areas in Bulgaria:

Regions of Kardjali, Haskovo, Yambol, Sliven, Shumen and Varna.

ANNEX III

The following areas in Bulgaria:

1	2	3	4	5	6	7	8
GROUP	ADNS	Administrative Unit	B	S/G	P	FG	WG
Bulgaria	00002	Region of Burgas	—	—	—	—	—
	—	—	—	—	—	—	—
	—	—	—	—	—	—	—
	—	—	—	—	—	—	—
	—	—	—	—	—	—	—

ADNS = Animal Disease Notification System Code (Decision 2005/176/EC)
B = bovine meat
S/G = sheep and goat meat
P = pig meat
FG = farmed game of species susceptible to foot-and-mouth disease
WG = wild game of species susceptible to foot-and-mouth disease

ANNEX IV

The health mark referred to in Article 2(3):

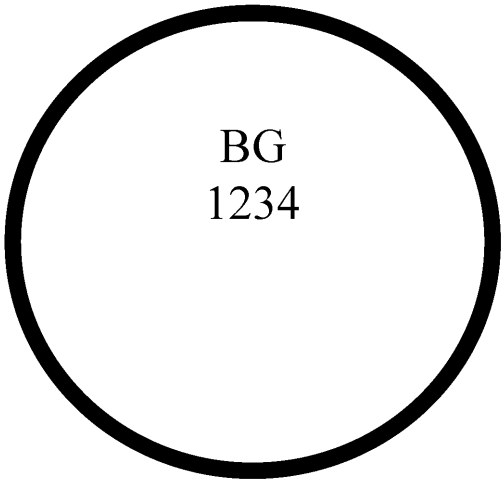
Dimensions:

BG = 7 mm

Establishment No = 10 mm

Circle outer diameter = 50 mm

Line thickness of Circle = 3 mm



ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2010 OF THE COMMUNITY/SWITZERLAND INLAND TRANSPORT COMMITTEE

of 22 December 2010

amending Annex 1 to the Agreement between the European Community and the Swiss Confederation on the carriage of goods and passengers by rail and road

(2011/45/EU)

THE COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on the carriage of goods and passengers by rail and road, and in particular Article 52(4) thereof,

Whereas:

(1) The first indent of Article 52(4) of the Agreement provides for the Joint Committee to adopt decisions revising Annex 1.

(2) Annex 1 has been amended last by Decision 1/2009 of the Joint Committee of 17 June 2009.

(3) New legal acts of the European Union have been adopted in the areas covered by the Agreement. Annex 1 must therefore be reworded to bring it into line with the changes in the relevant legislation of the European Union,

HAS DECIDED AS FOLLOWS:

Article 1

Annex 1 to the Agreement is hereby repealed and replaced by the text annexed to this Decision.

Article 2

This Decision shall enter into force on 1 January 2011.

Done at Berne, 22 December 2010.

The Chairman	*The Head of the Delegation of the European Union*
Peter FÜGLISTALER	Enrico GRILLO PASQUARELLI

ANNEX

'ANNEX 1

APPLICABLE PROVISIONS

In accordance with Article 52(6) of this Agreement, Switzerland shall apply legal provisions equivalent to the following:

Relevant provisions of Community law

SECTION 1 — ADMISSION TO THE OCCUPATION

— Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations (OJ L 124, 23.5.1996, p. 1), as last amended by Council Directive 98/76/EC of 1 October 1998 (OJ L 277, 14.10.1998, p. 17).

SECTION 2 — SOCIAL STANDARDS

— Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (OJ L 370, 31.12.1985, p. 8), as last amended by Commission Regulation (EC) No 68/2009 of 23 January 2009 (OJ L 21, 24.1.2009, p. 3).

— Regulation (EC) No 484/2002 of the European Parliament and of the Council of 1 March 2002 amending Council Regulations (EEC) No 881/92 and (EEC) No 3118/93 for the purposes of establishing a driver attestation (OJ L 76, 19.3.2002, p. 1).

For the purposes of this Agreement,

(a) only Article 1 of Regulation (EC) No 484/2002 shall apply;

(b) the European Community and the Swiss Confederation shall exempt from the obligation to hold a driver attestation all citizens of the Swiss Confederation, of a European Community Member State and of a Member State of the European Economic Area;

(c) the Swiss Confederation may not exempt citizens of States other than those mentioned in point b) from the obligation to hold a driver attestation without prior consultation with and approval by the European Community.

— Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ L 226, 10.9.2003, p. 4).

— Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35).

— Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1).

— Commission Regulation (EC) No 68/2009 of 23 January 2009 adapting for the ninth time to technical progress Council Regulation (EEC) No 3821/85 on recording equipment in road transport (OJ L 21, 24.1.2009, p. 3).

SECTION 3 — TECHNICAL STANDARDS

Motor vehicles

— Council Regulation (EC) No 2411/98 of 3 November 1998 on the recognition in intra-Community traffic of the distinguishing sign of the Member State in which motor vehicles and their trailers are registered (OJ L 299, 10.11.1998, p. 1).

— Council Directive 91/542/EEC of 1 October 1991 amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles (OJ L 295, 25.10.1991, p. 1).

— Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 2.3.1992, p. 27), as last amended by Directive 2002/85/EC of the European Parliament and of the Council of 5 November 2002 (OJ L 327, 4.12.2002, p. 8).

— Council Directive 92/24/EEC of 31 March 1992 relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles (OJ L 129, 14.5.1992, p. 154).

— Council Directive 92/97/EEC of 10 November 1992 amending Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (OJ L 371, 19.12.1992, p. 1).

— Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (OJ L 235, 17.9.1996, p. 59), as last amended by Directive 2002/7/EC of the European Parliament and of the Council of 18 February 2002 (OJ L 67, 9.3.2002, p. 47).

— Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community (OJ L 203, 10.8.2000, p. 1).

— Directive 2003/20/EC of the European Parliament and of the Council of 8 April 2003 amending Council Directive 91/671/EEC on the approximation of the laws of the Member States relating to compulsory use of safety belts in vehicles of less than 3,5 tonnes (OJ L 115, 9.5.2003, p. 63)

— Commission Directive 2003/26/EC of 3 April 2003 adapting to technical progress Directive 2000/30/EC of the European Parliament and of the Council as regards speed limiters and exhaust emissions of commercial vehicles (OJ L 90, 8.4.2003, p. 37).

— Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers (Recast) (OJ L 141, 6.6.2009, p. 12).

Transport of dangerous goods

— Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road (OJ L 249, 17.10.1995, p. 35), as last amended by Council Directive 2008/54/EC of the European Parliament and of the Council of 17 June 2008 (OJ L 162, 21.6.2008, p. 11).

— Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

For the purposes of this Agreement the following derogations to Directive 2008/68/EC apply in Switzerland:

1. Road transport

Derogations for Switzerland under Article 6(2)(a) of Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods

RO-a-CH-1

Subject: Transport of diesel fuel and heating oil with UN number 1202 in tank containers.

Reference to Annex I, I.1, to this Directive: 1.1.3.6 and 6.8

Content of the Annex to the Directive: Exemptions related to the quantities transported per transport unit, regulations concerning the construction of tanks.

Content of the national legislation: Tank containers which are not constructed according to 6.8 but according to national legislation, which have a capacity of less than or equal to 1210 l and which are used to transport heating oil or diesel fuel with UN number 1202 may benefit from the exemptions in 1.1.3.6 ADR.

Initial reference to the national legislation: Appendix 1, paragraphs 1.1.3.6.3(b) and 6.14, of the Ordinance on the carriage of dangerous goods by road (SDR; RS 741.621).

Expiry date: 1 January 2017.

RO-a-CH-2

Subject: Exemption from the requirement to carry a transport document for certain quantities of dangerous goods as defined in 1.1.3.6.

Reference to Annex I, I.1, to this Directive: 1.1.3.6 and 5.4.1.

Content of the Annex to the Directive: Requirement to have a transport document.

Content of the national legislation: The transport of uncleaned empty containers belonging to Transport Category 4 and filled or empty gas cylinders for breathing apparatuses for use by emergency services or as diving equipment, in quantities not exceeding the limits set in 1.1.3.6, is not subject to the obligation to carry a transport document provided for in 5.4.1.

Initial reference to the national legislation: Appendix 1, paragraph 1.1.3.6.3(c) of the Ordinance on the carriage of dangerous goods by road (SDR; RS 741.621).

Expiry date: 1 January 2017.

R O - a - C H - 3

Subject: Transport of uncleaned empty tanks by companies servicing storage facilities for liquids hazardous to water.

Reference to Annex I, I.1, to this Directive: 6.5, 6.8 and 8.2 and 9.

Content of the Annex to the Directive: Construction, equipping and inspection of tanks and vehicles; driver training.

Content of the national legislation: Vehicles and uncleaned empty tanks/containers used by companies servicing storage facilities for liquids hazardous to water to contain liquids while stationary tanks are being serviced are not subject to the construction, equipping and inspection regulations or to the labelling and orange-plate identification regulations stipulated by the ADR. They are subject to particular labelling and identification regulations, and the driver of the vehicle is not obliged to have undertaken the training described in 8.2.

Initial reference to the national legislation: Appendix 1, paragraph 1.1.3.6.3.10, of the Ordinance on the carriage of dangerous goods by road (SDR; RS 741.621).

Expiry date: 1 January 2017.

Derogations for Switzerland under Article 6(2)(b)(i) of Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods

R O - b i - C H - 1

Subject: Transport of domestic waste containing dangerous goods to waste disposal installations.

Reference to Annex I, I.1, to this Directive: 2, 4.1.10, 5.2 and 5.4.

Content of the Annex to the Directive: Classification, combined packaging, marking and labelling, documentation.

Content of the national legislation: The rules include provisions relating to the simplified classification of domestic waste containing (domestic) dangerous goods by an expert recognised by the competent authority, to the use of appropriate receptacles and to driver training. Domestic waste which cannot be classified by the expert may be transported to a treatment centre in small quantities identified by package and by transport unit.

Initial reference to the national legislation: Appendix 1, paragraph 1.1.3.7, of the Ordinance on the carriage of dangerous goods by road (SDR; RS 741.621).

Comments: These rules may only be applied to the transport of domestic waste containing dangerous goods between public treatment sites and waste disposal installations.

Expiry date: 1 January 2017.

R O - b i - C H - 2

Subject: Return transport of fireworks.

Reference to Annex I, I.1, to this Directive: 2.1.2, 5.4.

Content of the Annex to the Directive: Classification and Documentation.

Content of the national legislation: With the aim of facilitating the return transport of fireworks with UN numbers 0335, 0336 and 0337 from retailers to suppliers, exemptions regarding the indication of the net mass and product classification in the transport document are envisaged.

Initial reference to the national legislation: Appendix 1, paragraph 1.1.3.8, of the Ordinance on the carriage of dangerous goods by road (SDR; RS 741.621).

Comments: Detailed checking of the exact contents of each item of unsold product in each package is practically impossible for products intended for retail trade.

Expiry date: 1 January 2017.

RO-bi-CH-3

Subject: ADR training certificate for journeys undertaken with the purpose of transporting vehicles which have broken down, of carrying out repairs, of gaining tank vehicle/tank expertise, and journeys made in tank vehicles by experts responsible for examination of the vehicle in question.

Reference to Annex I, I.1, to this Directive: 8.2.1.

Content of the Annex to the Directive: Drivers of vehicles must attend training courses.

Content of the national legislation: ADR training and certificates are not required for journeys undertaken with the purpose of transporting vehicles that have broken down or test drives related to repairs, journeys made in tank vehicles with a view to gaining tank vehicle/tank expertise, and journeys made by experts responsible for tank vehicle examination.

Initial reference to the national legislation: Instructions of 30 September 2008 of the Federal Department of Environment, Transport, Energy and Communication (DETEC) on the carriage of dangerous goods by road.

Comments: In some cases, vehicles which have broken down or are undergoing repairs and tank vehicles being prepared for technical inspection or being checked at the time of the inspection still contain dangerous goods.

The requirements in 1.3 and 8.2.3 are still applicable.

Expiry date: 1 January 2017.

2. Rail transport

Derogations for Switzerland under Article 6(2)(a) of Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods

RA-a-CH-1

Subject: Transport of diesel fuel and heating oil with UN number 1202 in tank containers.

Reference to Annex II, Section II.1, to this Directive: 6.8.

Content of the Annex to the Directive: Regulations concerning the construction of tanks.

Content of the national legislation: Tank containers which are not constructed according to 6.8 but according to national legislation, which have a capacity of less than or equal to 1210 l and which are used to transport heating oil or diesel fuel with UN number 1202 are authorised.

Initial reference to the national legislation: Annex to the DETEC Ordinance of 3 December 1996 relating to the transport of dangerous goods by rail and cableway installation (RSD, RS 742.401.6) and Appendix 1, Chapter 6.14, of the Ordinance relating to the carriage of dangerous goods by road (SDR, RS 741.621).

Expiry date: 1 January 2017.

RA-a-CH-2

Subject: Transport document.

Reference to Annex II, Section II.1, to this Directive: 5.4.1.1.1.

Content of the Annex to the Directive: General information required in the transport document.

Content of the national legislation: Use of a collective term in the transport document and an annexed list containing the information prescribed as stipulated above.

Initial reference to the national legislation: Annex to the DETEC Ordinance of 3 December 1996 relating to the transport of dangerous goods by rail and cableway installation (RSD, RS 742.401.6).

Expiry date: 1 January 2017.

SECTION 4 — ACCESS AND TRANSIT RIGHTS WITH REGARD TO RAILWAYS

— Council Directive 95/18/EC of 19 June 1995 on the licensing of railway undertakings (OJ L 143, 27.6.1995, p. 70).

— Council Directive 95/19/EC of 19 June 1995 on the allocation of railway infrastructure capacity and the charging of infrastructure fees (OJ L 143, 27.6.1995, p. 75).

— Council Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways (OJ L 237, 24.8.1991, p. 25).

SECTION 5 — OTHER FIELDS

— Council Directive 92/82/EEC of 19 October 1992 on the approximation of the rates of excise duties on mineral oils (OJ L 316, 31.10.1992, p. 19).

— Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network (OJ L 167, 30.4.2004, p. 39).'

DECISION No 1/2011 OF THE EU-SWITZERLAND JOINT COMMITTEE

of 14 January 2011

amending Tables III and IV(b) of Protocol 2 to the Agreement between the European Economic Community and the Swiss Confederation concerning certain processed agricultural products

(2011/46/EU)

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation signed in Brussels on 22 July 1972 [1] hereinafter referred to as 'the Agreement', as amended by the Agreement between the European Community and the Swiss Confederation amending the Agreement as regards the provisions applicable to processed agricultural products [2] signed in Luxembourg on 26 October 2004, and its Protocol 2, and in particular Article 7 of that Protocol,

Whereas:

(1) For the implementation of Protocol 2 to the Agreement, domestic reference prices have been fixed for the Contracting Parties.

(2) Actual prices have changed on the domestic markets of the Contracting Parties as regards raw materials for which price compensation measures are applied.

(3) It is therefore necessary to update the reference prices and amounts listed in Tables III and IV(b) of Protocol 2 accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Protocol 2 to the Agreement is amended as follows:

(a) Table III is replaced by the text set out in Annex I to this Decision;

(b) in Table IV, point (b) is replaced by the text set out in Annex II to this Decision.

Article 2

This Decision enters into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 February 2011.

Done at Brussels, 14 January 2011.

For the Joint Committee
The Chairman
M. O'SULLIVAN

[1] OJ L 300, 31.12.1972, p. 189.
[2] OJ L 23, 26.1.2005, p. 19.

ANNEX I

'TABLE III

EU and Swiss domestic reference prices

Agricultural raw material	Swiss domestic reference price	EU domestic reference price	Article 4(1) Applied on Swiss side Difference Swiss/EU reference price	Article 3(3) Applied on EU side Difference Swiss/EU reference price
	CHF per 100 kg net	CHF per 100 kg net	CHF per 100 kg net	EUR per 100 kg net
Common wheat	48,05	28,20	19,85	0,00
Durum wheat	—	—	1,20	0,00
Rye	41,45	27,40	14,05	0,00
Barley	—	—	—	—
Maize	—	—	—	—
Common wheat flour	97,00	54,50	42,50	0,00
Whole-milk powder	611,55	362,40	249,15	0,00
Skimmed-milk powder	428,95	297,60	131,35	0,00
Butter	1 055,15	480,10	575,05	0,00
White sugar	—	—	—	—
Eggs	—	—	38,00	0,00
Fresh potatoes	43,20	28,60	14,60	0,00
Vegetable fat	—	—	170,00	0,00'

ANNEX II

'TABLE IV

(b) The basic amounts for agricultural raw materials taken into account for the calculation of the agricultural components:

Agricultural raw material	Applied on the Swiss side Article 3(2) Applied basic amount	Applied on the EU side Article 4(2) Applied basic amount
	CHF per 100 kg net	EUR per 100 kg net
Common wheat	17,00	0,00
Durum wheat	1,00	0,00
Rye	12,00	0,00
Barley	—	—
Maize	—	—
Common wheat flour	36,00	0,00
Whole-milk powder	212,00	0,00
Skimmed-milk powder	112,00	0,00
Butter	489,00	0,00
White sugar	—	—
Eggs	32,00	0,00
Fresh potatoes	12,00	0,00
Vegetable fat	145,00	0,00'

CORRIGENDA

Corrigendum to Commission Regulation (EU) No 47/2011 of 20 January 2011 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

(Official Journal of the European Union L 18 of 21 January 2011)

On page 18, recital 4:

for: '(4) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,',

read: '(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,'.

2011/46/EU:

★ **Decision No 1/2011 of the EU-Switzerland Joint Committee of 14 January 2011 amending Tables III and IV(b) of Protocol 2 to the Agreement between the European Economic Community and the Swiss Confederation concerning certain processed agricultural products** 40

Corrigenda

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