

Official Journal of the European Union

L 234



English edition

Legislation

Volume 58

8 September 2015

Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

- ★ **Council Decision (EU) 2015/1497 of 20 April 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement in the form of an Exchange of Letters between the European Union and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) concerning the membership of the Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna** 1
- Agreement in the form of an Exchange of Letters between the European Union and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) concerning the membership of the Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna 3
- ★ **Information concerning the extension of the Grains Trade Convention, 1995** 5
- ★ **Information concerning the extension of the International Sugar Agreement, 1992** 6

REGULATIONS

- Commission Implementing Regulation (EU) 2015/1498 of 7 September 2015 establishing the standard import values for determining the entry price of certain fruit and vegetables 7

DECISIONS

- ★ **Commission Implementing Decision (EU) 2015/1499 of 3 September 2015 granting a derogation requested by Belgium with regard to the region of Flanders pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources (notified under document C(2015) 6058)** 10

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Implementing Decision (EU) 2015/1500 of 7 September 2015 concerning certain protective measures against lumpy skin disease in Greece and repealing Implementing Decision (EU) 2015/1423 (notified under document C(2015) 6221) ⁽¹⁾	19
--	----

Corrigenda

★ Corrigendum to Commission Regulation (EU) 2015/603 of 13 April 2015 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 2-naphthyloxyacetic acid, acetochlor, chloropicrin, diflufenican, flurprimidol, flutolanil and spinosad in or on certain products (OJ L 100, 17.4.2015)	27
★ Corrigendum to Decision of the EEA Joint Committee No 163/2011 of 19 December 2011 amending Annex XIII (Transport) to the EEA Agreement (OJ L 76, 15.3.2012)	27

⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2015/1497

of 20 April 2015

on the signing, on behalf of the European Union, and provisional application of the Agreement in the form of an Exchange of Letters between the European Union and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) concerning the membership of the Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Union is competent to adopt measures for the conservation of marine biological resources under the common fisheries policy and to enter into agreements with third countries and international organisations.
- (2) Pursuant to Council Decision 98/392/EC ⁽¹⁾, the Union is a Contracting Party to the United Nations Convention on the Law of the Sea of 10 December 1982. That convention requires all members of the international community to cooperate in conserving and managing the biological resources of the sea.
- (3) Pursuant to Council Decision 98/414/EC ⁽²⁾, the Union is a Contracting Party to the Agreement on the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.
- (4) On 1 December 2009 the Council authorised the European Commission to seek, on behalf of the Union, an amendment to the Convention for the Conservation of Southern Bluefin Tuna ('the Convention') in order for the Union to become a Contracting Party.
- (5) While the negotiations on the amendment to the Convention have not been conclusive, during its 20th meeting in October 2013, the Commission for the Conservation of Southern Bluefin Tuna ('CCSBT') amended the Resolution to establish an Extended Commission for the Conservation of Southern Bluefin Tuna ('CCSBT Extended Commission') to allow the Union to become a Member of the CCSBT Extended Commission through an Agreement in the form of an Exchange of Letters.
- (6) Since vessels flying the flags of Member States of the Union fish resources in the area of distribution of Southern Bluefin Tuna, it is in the Union's interest to sign and provisionally apply the Agreement in the form of an

⁽¹⁾ Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof (OJ L 179, 23.6.1998, p. 1.).

⁽²⁾ Council Decision 98/414/EC of 8 June 1998 on the ratification by the European Community of the Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks (OJ L 189, 3.7.1998, p. 14.).

Exchange of Letters between the European Union and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) concerning the membership of the Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna ('Agreement in the form of an Exchange of Letters') in order to play an effective role in the implementation of the Convention.

- (7) Upon completion of this procedure the Union would be entitled to membership and vote in the CCSBT Extended Commission and Extended Scientific Committee.
- (8) Membership of the CCSBT Extended Commission will also promote consistency in the Union's conservation approach across oceans and reinforce its commitment to the long-term conservation and sustainable use of fisheries resources globally.
- (9) The Agreement in the form of an Exchange of Letters should therefore be signed and applied on a provisional basis,

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) concerning the membership of the Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna ('Agreement in the form of an Exchange of Letters') is hereby authorised, subject to the procedures for its conclusion.

The text of the Agreement in the form of an Exchange of Letters is attached to this Decision.

Article 2

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

Article 3

The Agreement in the form of an Exchange of Letters shall be applied on a provisional basis as from ... (*), pending the completion of the procedures for its conclusion.

Article 4

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

Done at Luxembourg, 20 April 2015.

For the Council
The President
J. DÜKLAVS

(*) The Secretariat-General will publish the date of signature and provisional application in the Official Journal.

AGREEMENT**in the form of an Exchange of Letters between the European Union and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) concerning the membership of the Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna****A. Letter from the European Union**

Sir/Madam,

I have the honour to refer to the Resolution to establish an Extended Commission and an Extended Scientific Committee (hereafter 'the Resolution'), as amended by the 20th Meeting of the CCSBT in October 2013.

Paragraph 6 of the Resolution establishes that any regional economic integration organisation, entity or fishing entity, vessels flagged to which have caught SBT at any time in the previous three calendar years, may express its willingness to the Executive Secretary of the Commission to become a member of the Extended Commission and Extended Scientific Committee. To this end, the Executive Secretary of the CCSBT, on behalf of the Commission, will conduct an Exchange of Letters with the representative of such regional economic integration organisation, entity or fishing entity to this effect.

Regarding Paragraph 8 of the Resolution there are no changes to the EU entitlement of 10 tonnes for the years 2015-2017.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the CCSBT and the European Union to become Member of the CCSBT Extended Commission and Extended Scientific Committee in accordance with the provisions contained in the Resolution mentioned above.

The EU would like to indicate its firm commitment to continue to respect the terms of the CCSBT Convention and comply with decisions of the Extended Commission.

This Agreement shall apply provisionally from the day following the day of your reply pending the notification by the Union of the completion of the procedures for its conclusion.

Please accept, Sir/Madam, the assurance of my highest consideration.

For the European Union

Information concerning the extension of the Grains Trade Convention, 1995

At its 41st session (London, 8 June 2015), the International Grains Council decided to extend the Grains Trade Convention (1995) ⁽¹⁾ for a period of 2 years until 30 June 2017.

⁽¹⁾ OJ L 21, 27.1.1996, p. 49.

Information concerning the extension of the International Sugar Agreement, 1992

At its 47th session (Antigua, Guatemala, 25 June 2015), the International Sugar Council decided to extend the International Sugar Agreement (1992) ⁽¹⁾ for a period of two years until 31 December 2017.

⁽¹⁾ OJ L 379, 23.12.1992, p. 16.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1498

of 7 September 2015

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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

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

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 7 September 2015.

*For the Commission,
On behalf of the President,
Jerzy PLEWA*

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

		(EUR/100 kg)
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	173,3
	MK	41,5
	XS	29,8
	ZZ	81,5
0707 00 05	TR	116,3
	XS	42,0
	ZZ	79,2
0709 93 10	TR	132,5
	ZZ	132,5
0805 50 10	AR	146,2
	BO	135,7
	CL	137,0
	UY	64,0
	ZA	139,4
	ZZ	124,5
0806 10 10	EG	233,7
	MA	201,0
	MK	63,9
	TR	137,2
	ZZ	159,0
0808 10 80	AR	188,7
	BR	88,5
	CL	125,4
	NZ	145,1
	US	136,8
	UY	110,5
	ZA	109,2
	ZZ	129,2
0808 30 90	AR	189,8
	CL	108,0
	TR	131,5
	ZA	113,5
	ZZ	135,7
0809 30 10, 0809 30 90	MK	68,9
	TR	148,1
	ZZ	108,5

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0809 40 05	BA	55,4
	IL	336,8
	MK	55,1
	XS	68,2
	ZZ	128,9

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2015/1499

of 3 September 2015

granting a derogation requested by Belgium with regard to the region of Flanders pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources

(notified under document C(2015) 6058)

(Only the Dutch text is authentic)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources ⁽¹⁾, and in particular the third subparagraph of point 2 of Annex III thereto,

Whereas:

- (1) If the amount of manure that a Member State intends to apply per hectare each year is different from those specified in the first sentence of the second subparagraph of point 2 of Annex III to Directive 91/676/EEC and in point (a) of that subparagraph, that amount is to be fixed so as not to prejudice the achievement of the objectives specified in Article 1 of that Directive and it has to be justified on the basis of objective criteria, such as, in the present case, long growing seasons and crops with high nitrogen uptake.
- (2) On 29 July 2011, the Commission adopted Implementing Decision 2011/489/EU ⁽²⁾, allowing Belgium to authorise in the region of Flanders, under certain conditions, the application of up to 250 kg nitrogen per hectare per year from livestock manure on parcels cultivated with grassland and maize undersown with grassland, with cut grassland followed by maize and with cut rye followed by maize and up to 200 kg nitrogen per hectare per year from livestock manure on parcels cultivated with winter wheat and triticale followed by a catch crop and with sugar or fodder beets.
- (3) The derogation granted by Implementing Decision 2011/489/EU concerned approximately 2 970 farmers and 82 820 ha of land and expired on 31 December 2014.
- (4) On 7 April 2015, Belgium submitted to the Commission a request for renewal of the derogation under the third subparagraph of point 2 of Annex III to Directive 91/676/EEC with regard to the region of Flanders.
- (5) The requested derogation concerns the intention of Belgium to allow the application in Flanders, in specific holdings, of up to 250 kg nitrogen per hectare per year from grazing livestock manure and treated pig manure on parcels cultivated with grassland, grassland mixed with clover, maize undersown with grassland and cut grassland or cut rye followed by maize and up to 200 kg nitrogen per hectare per year from livestock manure and treated pig manure on parcels cultivated with winter wheat or triticale followed by a catch crop and with beet.
- (6) The information provided by Belgium in the context of the derogation granted by Implementing Decision 2011/489/EU, indicates that the derogation has not led to a deterioration of water quality. The Report from the

⁽¹⁾ OJ L 375, 31.12.1991, p. 1.

⁽²⁾ Commission Implementing Decision 2011/489/EU of 29 July 2011 on granting a derogation requested by the Kingdom of Belgium with regard to the region of Flanders pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 200, 3.8.2011, p. 23).

Commission to the Council and the European Parliament on the implementation of Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources based on Member State reports for the period 2008 to 2011 ⁽¹⁾ shows that in the region of Flanders for groundwater, around 78 % of monitoring stations have mean nitrate concentrations below 50 mg/l and 63 % of monitoring stations have mean nitrate concentrations below 25 mg/l. Monitoring data show a downward trend in nitrate concentration in groundwater as compared to the previous reporting period (2004 to 2007). For surface water, 93 % of monitoring stations have mean nitrate concentrations below 50 mg/l and 70 % of monitoring stations have mean nitrate concentrations below 25 mg/l. The majority of monitoring points in surface waters shows a decreasing trend in nitrate concentrations. In the reporting period 2008 to 2011, around 80 % of rivers and all transitional waters were classified as either eutrophic or hypertrophic.

- (7) Flanders has established the following water quality goals to be reached over the action programme period 2015 to 2018. For surface water concentration below 50 mg nitrates per litre will have to be reached in 95 % of the monitoring points of the agricultural monitoring network; for shallow groundwater, which has a slower recovery rate, the average nitrate concentration will have to be decreased by 20 % compared to the average level of 2010, amounting to 40 mg nitrates per litre; in hydrogeological homogeneous zones for which the nitrate concentrations in shallow groundwaters are on average higher than 50 mg nitrates per litre, the average concentration will have to decrease by 5 mg nitrates per litre.
- (8) In order to reach these goals, Flanders has established a reinforced action programme for the period 2015 to 2018. A review of the policy will be carried out at the end of winter 2016-2017 based on which possible further reinforced action will be taken in order to guarantee that the set water quality goals are reached. The legislation transposing Directive 91/676/EEC for the region of Flanders, the 'Decree for the protection of water against pollution by nitrates from agricultural sources' ⁽²⁾ (hereinafter, the Manure Decree) has been amended ⁽³⁾ in accordance with the action programme for the period 2015 to 2018 on 12 June 2015 and applies in conjunction with this Decision.
- (9) The Manure Decree applies through the whole territory of the region of Flanders.
- (10) The Manure Decree includes limits for the application of both nitrogen and phosphorus.
- (11) The supporting documents presented by Belgium concerning the region of Flanders show that the proposed amount of respectively 250 and 200 kg per hectare per year nitrogen from livestock manure is justified on the basis of objective criteria such as long growing seasons and crops with high nitrogen uptake.
- (12) The data reported by Belgium concerning the region of Flanders for the period 2008 to 2011 show an increase of 4,4 % in pig numbers as compared to the period 2004 to 2007. The latest available numbers for 2012 and 2013 show a more moderate increase in pig numbers of 2,6 %. The numbers of poultry show a decrease of 13,2 % from 2004 to 2008, followed by an increase of 20,8 %. The numbers of cattle remained stable. In order to avoid that the application of the requested derogation leads to intensification of livestock rearing, the competent authorities will ensure the limitation of the number of livestock which can be kept in each farm (nutrient emission rights) in the region of Flanders according to the provisions set out in the Manure Decree.
- (13) Nitrogen use from livestock manure in the period 2008-2011 showed a decrease of 15 % as compared to the period 2004 to 2007. During the third action programme (2007 to 2010) nitrogen use from livestock manure stagnated at about 101 000 tonnes per year. During the fourth action programme a further decline in nitrogen use from livestock manure was observed, with a value of 94 500 tonnes in 2013. During the reporting period 2008 to 2011, the use of mineral nitrogen showed an increase of 4 % as compared to the period 2004 to 2007. The latest available data for 2012 and 2013 show that mineral nitrogen use is stabilising at 39 000 tonnes.
- (14) After examination of the request it can be considered that the proposed amounts of respectively 250 and 200 kg per hectare per year of nitrogen from grazing livestock manure and treated pig manure, will not prejudice the achievement of the objectives of Directive 91/676/EEC, subject to certain strict conditions being met which apply in addition to the reinforced measures taken in the action programme for the period 2015 to 2018.

⁽¹⁾ Four-year report within the framework of the Nitrates Directive (91/676/EEC) for the Flemish Region, K. Desimpelaere, E. Lesage — Vlaamse Landmaatschappij, R. Eppinger, H. Maeckelberghe, K. Van Hoof — Vlaamse Milieumaatschappij, June 2012.

⁽²⁾ Belgisch Staatsblad of 29 December 2006, p. 76368.

⁽³⁾ Belgisch Staatsblad of 29 July 2015, p. 47994.

- (15) Directive 2000/60/EC of the European Parliament and the Council ⁽¹⁾ provides for a comprehensive, cross-border approach to water protection organised around river basin districts, with the objective of achieving a good status for European bodies of water by 2015. Reducing nutrients is an integral part of that objective. Granting of a derogation under this Decision is without prejudice to the provisions pursuant to Directive 2000/60/EC and does not exclude that additional measures may be needed to fulfil obligations derived from it.
- (16) Directive 2007/2/EC of the European Parliament and of the Council ⁽²⁾ lays down general rules aimed at the establishment of the Infrastructure for Spatial Information in the Union for the purposes of environmental policies of the Union and policies or activities which may have an impact on the environment. Where applicable, the spatial information collected in the context of this Decision should be in line with the provisions set out in that Directive. In order to reduce administrative burden and enhance data coherence, Belgium, when collecting the necessary data under this Decision should, where appropriate, make use of the information generated under the Integrated Administration and Control System established pursuant to Chapter II of Title V of Regulation (EU) No 1306/2013 of the European Parliament and of the Council ⁽³⁾.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Nitrates Committee set up pursuant to Article 9 of Directive 91/676/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The derogation requested by Belgium, on behalf of the Flanders region, for the purpose of allowing a higher amount of livestock manure than that provided for in the first sentence of the second subparagraph of point 2 of Annex III to Directive 91/676/EEC and in point (a) thereof, is granted, subject to the conditions laid down in Articles 4 to 12.

Article 2

Scope

This Decision applies on an individual basis to specified parcels of a farm, on which crops with high nitrogen demand and long growing season are cultivated, and that are subject to the conditions set out in Articles 4 to 7.

Article 3

Definitions

For the purpose of this Decision, the following definitions shall apply:

- (a) 'farms' means agricultural holdings with or without livestock rearing;
- (b) 'parcel' means an individual field or a group of fields, homogeneous regarding cropping, soil type and fertilisation practices;
- (c) 'grassland' means permanent or temporary grassland (generally temporary lies less than 4 years);

⁽¹⁾ Directive 2000/60/EC of the European Parliament and the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

⁽²⁾ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

⁽³⁾ Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549).

- (d) 'crops with high nitrogen demand and long growing season' means any of the following:
- (i) grassland;
 - (ii) grassland with less than 50 % of clover;
 - (iii) maize undersown, before or after harvest, with grass mowed and removed from the field acting as a catch crop;
 - (iv) cut grassland or cut rye followed by maize;
 - (v) winter wheat or triticale followed by a catch crop;
 - (vi) sugar or fodder beets;
- (e) 'grazing livestock' means cattle (with the exclusion of veal calves), sheep, goats and horses;
- (f) 'manure treatment' means the processing of pig manure in two fractions, a solid and a liquid fraction, performed in order to improve land application and enhance nitrogen and phosphorus recovery;
- (g) 'treated manure' means the liquid fraction resulting from manure treatment;
- (h) 'effluent with low nitrogen and phosphate content' means treated manure with a maximum nitrogen content of 1 kg per tonne effluent and a maximum phosphate content of 1 kg per tonne effluent;
- (i) 'soil profile' means the soil layer below ground level to a depth of 0,90 m, unless the average highest groundwater level is shallower; in this latter case it shall be to a depth of the average highest groundwater level.

Article 4

Annual application and commitment

1. Farmers who want to benefit from derogation under this Decision shall submit an application to the competent authorities annually by 15 February. For the year 2015, the annual application shall be submitted by 31 July.
2. Together with the annual application referred to in paragraph 1, the farmers shall undertake in writing to fulfil the conditions provided for in Articles 5, 6 and 7.

Article 5

Manure treatment

1. The competent authorities shall ensure that the solid fraction resulting from manure treatment shall be delivered to authorised installations for recycling with the aim of reducing odours and other emissions, improving agronomic and hygienic properties, facilitating handling and enhancing recovery of nitrogen and phosphate.
2. Farmers benefitting from the derogation who carry out manure treatment shall submit each year to the competent authorities the data related to the amount of manure sent to treatment, the amount and the destination of the solid fraction and of the treated manure and their contents of nitrogen and phosphorus.
3. The competent authorities shall establish and regularly update the acknowledged methodologies to assess the composition of treated manure, the variations in composition and treatment efficiency for each farm benefitting from an individual derogation.
4. The competent authorities shall ensure that ammonia and other emissions from manure treatment shall be collected and treated so as to reduce environmental impact and nuisance for those installations that cause higher emissions than the reference situation, which is storage and land application of raw livestock manure.

For those purposes the competent authorities shall ensure that an inventory of installations requiring emission treatment shall be established and regularly updated.

Article 6

Application of manure and other fertilisers

1. Subject to the conditions laid down in paragraphs 2 to 12, the amount of grazing livestock manure, treated manure and effluent with low nitrogen and phosphate content applied to derogated parcels each year, including the manure applied by the animals themselves shall not exceed any of the following values:

(a) 250 kg of nitrogen per hectare per year on parcels cultivated with the following:

- (i) grassland and maize undersown with grassland;
- (ii) cut grassland followed by maize;
- (iii) cut rye followed by maize;
- (iv) grassland with less than 50 % of clover;

(b) 200 kg of nitrogen per hectare per year on parcels cultivated with the following:

- (i) winter wheat followed by a catch crop;
- (ii) triticale followed by a catch crop;
- (iii) sugar or fodder beets.

2. Treated manure, not qualifying as effluent with low nitrogen and phosphate content, may only be applied to derogated parcels if it has a nitrogen to phosphate ratio (N/P_2O_5) of minimum 3,3.

3. The application of effluent with low nitrogen and phosphate content shall be limited to maximal 15 tonnes per hectare.

4. The total nitrogen and phosphate input shall comply with the nutrient demand of the considered crop and take into account the supply from the soil and the increased manure nitrogen availability due to treatment. It shall not exceed for all crops, in any case, the maximum application standards for phosphate and nitrogen, as established in the action programme.

5. Phosphate from chemical fertilizer shall not be used on derogated parcels.

6. A fertilisation plan shall be kept for each farm, for its whole acreage, describing the crop rotation and planned application of manure and nitrogen and phosphate fertilisers. It shall be available in the farm each calendar year by 15 February at the latest.

The fertilisation plan shall include the following:

- (a) the number of livestock and the description of the housing and storage system, including the volume of manure storage available;
- (b) a calculation of manure nitrogen (minus losses in housing and storage) and phosphorus produced in the farm;
- (c) the description of manure treatment and expected characteristics of treated manure;
- (d) the amount, type and characteristics of manure delivered outside the farm or within the farm;
- (e) the crop rotation and acreage of parcels with crops with high nitrogen demand and long growing season and parcels with other crops;
- (f) the foreseeable nitrogen and phosphorus crop requirements for each parcel;
- (g) a calculation of nitrogen and phosphorus application from manure over each parcel;
- (h) a calculation of nitrogen and phosphorus application from chemical and other fertilisers over each parcel;
- (i) calculations for assessment of compliance with nitrogen and phosphorus application standards.

The fertilisation plans shall be revised no later than 7 days following any change in agricultural practices to ensure consistency between plans and actual agricultural practices.

7. Fertilisation accounts shall be prepared by each farm; they shall be submitted to the competent authority for each calendar year by 15 March of the following calendar year.

8. The fertilisation account shall set out the following:

- (a) the crop acreages;
- (b) the number and type of livestock;
- (c) the manure production per animal;
- (d) the amount of fertilisers imported by the farm;
- (e) the amount of manure offloaded from the farm and to whom.

9. Results of nitrogen and phosphorus analysis in soil shall be available for each farm benefitting from the derogation.

Sampling and analysis shall be carried out no later than 31 May and at least once every 4 years for phosphorus and for nitrogen for each homogeneous area of the farm, with regard to crop rotation and soil characteristics.

At least one analysis per five hectares of farmland shall be required.

10. Nitrate concentration in the soil profile shall be measured every year in autumn and at the latest by 15 November on at least 6 % of all derogated parcels and 1 % of the other parcels in use by farms benefitting from the derogation in such a way that at least 85 % of those farms are involved. At least three samples representing three different soil layers within the soil profile shall be required every 2 hectares of farmland.

11. Manure, treated manure or effluent with low nitrogen and phosphate content with a total nitrogen content higher than 0,60 kg nitrogen per tonne, chemical and other fertilisers shall not be spread on derogated parcels between 1 September and 15 February the following year.

12. At least two thirds of the amount of nitrogen from manure, excluding nitrogen from manure from grazing livestock, shall be applied before 1 June each year.

Article 7

Land management

Farmers benefitting from an individual derogation shall carry out the following measures:

- (a) grassland shall be ploughed in spring for all soil types except clay soils;
- (b) grassland on clay soils shall be ploughed before 15 September;
- (c) on derogated parcels crop rotation shall not include leguminous or other plants fixing atmospheric nitrogen. This shall, however, not apply to clover in grassland with less than 50 % clover;
- (d) a crop with high nitrogen demand shall be seeded within 2 weeks after grass has been ploughed and fertilisers shall not be applied in the year of ploughing of permanent grassland;
- (e) catch crops shall be seeded within 2 weeks after the harvest of winter wheat and no later than 10 September;
- (f) catch crops shall not be ploughed before 15 February in order to ensure permanent vegetal cover of the arable area for recovering subsoil autumn losses of nitrates and limit winter losses.

*Article 8***Other measures**

The competent authorities shall ensure that derogations granted for the application of treated manure are compatible with the capacity of authorised installations for manure treatment and processing of the solid fraction.

This derogation shall be applied without prejudice to the measures needed to comply with other environmental legislation of the Union.

*Article 9***Measures on manure production and transport**

1. The competent authorities shall ensure respect of the limitation of the number of livestock which can be kept in each farm (nutrient emission rights) in the region of Flanders according to the provisions set out in the Manure Decree.
2. The competent authorities shall ensure that manure transport from accredited transporters is recorded through geographic positioning systems for all transports.
3. The competent authorities shall ensure that manure composition with regard to nitrogen and phosphorus concentration is assessed before each transport. Manure samples shall be analysed by recognised laboratories and the results of the analysis shall be communicated to the competent authorities and to the farmer to which the manure is delivered.
4. The competent authorities shall ensure that a document specifying the amount of transported manure and its nitrogen and phosphorus content is available during transport.

*Article 10***Monitoring**

1. The competent authority shall ensure that maps showing the percentage of farms, number of parcels, percentage of livestock, percentage of agricultural land and local land use covered by individual derogations for each municipality are drawn up and updated every year.

Data on crop rotations and agricultural practices covered by individual derogations shall be collected and updated every year by the competent authority.

2. The monitoring network for sampling of surface and shallow groundwater referred in Article 10(2) of Commission Decision 2008/64/EC ⁽¹⁾ shall be maintained to assess the impact of the derogation on water quality. The monitoring network will include measurements of the nitrate and phosphate of rivers flowing to the North Sea. The amount of initial monitoring sites shall not be reduced and the location of the sites shall not be changed during the period of applicability of this Decision.
3. A reinforced monitoring shall be conducted in agricultural catchments on sandy soils.
4. The monitoring sites, corresponding to at least 150 farms, established under Decision 2008/64/EC shall be maintained in order to provide data on nitrogen and phosphorus concentration in soil water, on mineral nitrogen in soil profile and corresponding nitrogen and phosphorus losses through the root zone into groundwater, as well as on nitrogen and phosphorus losses by surface and subsurface runoff, both under derogation and non-derogation conditions.

The monitoring sites shall include main soil types (clay, loamy, sandy and loessial soils), fertilisation practices and crops.

⁽¹⁾ Commission Decision 2008/64/EC of 21 December 2007 granting a derogation requested by Belgium with regard to the region of Flanders pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 16, 19.1.2008, p. 28).

The composition of the monitoring network shall not be modified during the period of applicability of this Decision.

5. Survey and continuous nutrient analysis shall provide data on local land use, crop rotations and agricultural practices on farms benefiting from individual derogations.

Those data may be used for model-based calculations of the magnitude of nitrate leaching and phosphorus losses from fields where up to 250 kg or up to 200 kg nitrogen per hectare per year of grazing livestock manure and treated pig manure is applied.

6. The monitoring network including shallow groundwater, soil water, drainage water and streams in farms belonging to the monitoring network, shall provide data on nitrate and phosphorus concentration in water leaving the root zone and entering the groundwater and surface water system.

Article 11

Verification

1. All the applications for derogation shall be submitted to administrative control of the competent authorities. Where the control demonstrates that the conditions provided for in Articles 5, 6 and 7 are not fulfilled, the applicant shall be informed thereof. In this case, the application shall be considered to be refused.

2. A programme of field inspections shall be established by the competent authorities based on risk analysis, results of controls of the previous years and results of general random controls of application of legislation implementing Directive 91/676/EEC.

The field inspections shall cover at least 7 % of the farms benefiting from an individual derogation in respect to the conditions set out in Articles 5, 6 and 7. Where verification indicates non-compliance, the farmer shall be informed thereof. In this case, the request for derogation the next year shall be considered to be refused.

3. The results of the measurements referred to in Article 6(9) shall be verified. Where verification indicates non-compliance, including that the basic threshold, as defined in the Manure Decree, was exceeded, the farmer shall be informed thereof and an application for derogation for the following year for the parcel or parcels shall be refused.

4. The competent authorities shall ensure on-spot controls of at least 2 % of manure transport operations, based on risk assessment and results of administrative controls referred to in paragraph 1.

Controls shall include verification of the fulfilment of the obligations on accreditation, assessment of accompanying documents, verification of manure origin and destination and sampling of transported manure.

Manure sampling may be carried out, where appropriate using automatic manure samplers installed on the vehicles, during loading operations.

Manure samples shall be analysed by laboratories recognised by the competent authorities and results of the analysis shall be communicated to the delivering and to the receiving farmer.

5. The competent authorities shall be granted the necessary powers and means to verify compliance with derogation granted under this Decision.

Article 12

Reporting

1. The competent authorities shall submit every year by 30 June a report containing the following information:

- (a) maps showing the percentage of farms, percentage of livestock, percentage of agricultural land and local land use, as well as data on crop rotations and agricultural practices in derogation farms, referred to in Article 10(1);
- (b) the results of water monitoring, including information on water quality trends for ground, surface waters, and waters flowing to the North Sea, as well as the impact on derogation on water quality referred to in Article 10(2);

- (c) an evaluation of the nitrate residue in soil profile in autumn for the derogated parcels and a comparison with nitrate residue data and trends on non-derogated parcels for similar crop rotations. Non-derogated parcels should include non-derogated parcels on farms benefitting from a derogation and parcels on other farms;
- (d) information on nitrate and phosphorus concentration in water leaving the root zone and entering the groundwater and surface water system referred to in Article 10(6) and the results from the reinforced water monitoring in agricultural catchments in sandy soils referred to in Article 10(3);
- (e) the results of the surveys on local land use, crop rotations and agricultural practices, and the results of model-based calculations of the magnitude of nitrate and phosphorus losses from farms benefitting from an individual derogation, referred to in Article 10(5);
- (f) an evaluation of the implementation of the derogation conditions, on the basis of controls at farm and parcel level, as well as controls on manure transport, and information on non-compliant farms, on the basis of the results of the administrative and field inspections;
- (g) information on manure treatment, including further processing and utilisation of the solid fractions, and provide detailed data on the characteristics of treatments systems, their efficiency and composition of treated manure;
- (h) information on the amount of farms benefitting from derogation and derogated parcels on which treated manure and effluent with low nitrogen and phosphate content has been applied as well as their volumes;
- (i) the methodologies to assess the composition of treated manure, the variations in composition and treatment efficiency for each farm benefitting from individual derogation, referred to in Article 5(3);
- (j) the inventory of manure treatment installation referred to in Article 5(4);
- (k) a summary and an evaluation of data obtained from the monitoring sites referred to in Article 10(4);
- (l) data related to fertilisation in all farms which benefit from an individual derogation, including information on yields and on soil types;
- (m) trends in livestock numbers for each livestock category in Flanders region and in derogation farms.

The spatial data contained in the report shall, where applicable, fulfil the provisions of Directive 2007/2/EC. In collecting the necessary data, Belgium shall make use, where appropriate, of the information generated under the Integrated Administration and Control System established pursuant to Chapter II of Title V of Regulation (EU) No 1306/2013.

Article 13

Period of Application

This Decision shall expire on 31 December 2018.

Article 14

Addressee

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 3 September 2015.

For the Commission
Karmenu VELLA
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2015/1500**of 7 September 2015****concerning certain protective measures against lumpy skin disease in Greece and repealing
Implementing Decision (EU) 2015/1423***(notified under document C(2015) 6221)***(Only the Greek text is authentic)****(Text with EEA relevance)**

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,

Having regard to 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 ⁽³⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Lumpy skin disease is a primarily vector-transmitted viral disease of bovine animals characterised by severe losses and with the potential for important spread, notably through movements of and trade in susceptible live animals and products thereof. The disease is not of public health importance because the lumpy skin disease virus is not transmissible to humans.
- (2) Council Directive 92/119/EEC ⁽⁴⁾ lays down general measures for the control of certain animal diseases, including lumpy skin disease. These include measures to be taken in the event of a suspicion and a confirmation of lumpy skin disease in a holding, the measures to be taken in restriction zones and other additional measures to successfully control the disease.
- (3) On 20 August 2015, the Greek authorities notified the Commission of two outbreaks of lumpy skin disease in bovine holdings with approximately 200 bovine animals in Feres area of the regional unit of Evros in Greece. These outbreaks represent the first occurrence of lumpy skin disease in the Union.
- (4) Greece applied measures within the framework of Directive 92/119/EEC and in particular established protection and surveillance zones around the outbreaks according to Article 10 of that Directive.
- (5) The risk of spread of the lumpy skin disease virus to other areas of Greece and to other Member States, particularly through trade in live bovine animals and their germinal products, the movement of certain wild ruminants and the placing on the market of certain products derived from bovine animals should be controlled.
- (6) In order to prevent its spread to other parts of Greece, to other Member States and third countries, the Commission adopted Commission Implementing Decision (EU) 2015/1423 ⁽⁵⁾ providing for interim protective measures and prohibiting the movement and dispatch of bovine animals and semen thereof as well as the placing on the market of certain animal products from the regional unit of Evros.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ OJ L 18, 23.1.2003, p. 11.

⁽⁴⁾ Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease (OJ L 62, 15.3.1993, p. 69).

⁽⁵⁾ Commission Implementing Decision (EU) 2015/1423 of 21 August 2015 concerning certain interim protective measures against lumpy skin disease in Greece (OJ L 222, 25.8.2015, p. 7).

- (7) Following receipt of further information on the epidemiological situation in Greece it is possible to supplement those measures by the application of risk mitigating measures.
- (8) The definitions used for the purposes of this Decision are those provided for in existing legislation and in particular in Article 2 of Directive 92/119/EEC, Article 2 of Council Directive 64/432/EEC ⁽¹⁾ and Article 2 of Council Directive 92/65/EEC ⁽²⁾. However, some specific terms are specifically created and used for the purposes of this Decision and should therefore be defined herein.
- (9) It is necessary to define the part of the territory of Greece which is considered to be free of lumpy skin disease and not subject to the restrictions pursuant to Directive 92/119/EEC and the present Decision. It is therefore appropriate to outline a restricted zone in an Annex, taking into account the level of risk for the spread of the disease. The geographical boundaries of such zone should be based on the risk and the outcome of the tracing of possible contacts to the infected holding, possible role of vectors and the possibility to implement sufficient controls on the movement of animals and products. Such zone should include any protection and surveillance zone established under Directive 92/119/EEC. Based on information provided by Greece, the whole territory of the regional unit of Evros in Greece should be regarded as a restricted zone.
- (10) It is also necessary to provide for certain restrictions on the dispatch of animals of susceptible species and their germinal products from this restricted zone, as well as restrictions for the placing on the market of certain products of animal origin and animal by-products from such a zone.
- (11) In the event of an outbreak of lumpy skin disease, Article 19 of Directive 92/119/EEC provides for the possibility to apply vaccination against that disease. At present, the vaccination against lumpy skin disease in Greece is prohibited. However, Greece has indicated their intention to proceed with emergency vaccination against the lumpy skin disease. The risk of spreading the disease by means of animals and products thereof of vaccinated animals is different to those of non-vaccinated animals. Therefore, those risks should be addressed separately and are not subject of this decision.
- (12) In terms of risk of spreading of lumpy skin disease, different commodities pose different levels of risk. As indicated in the Scientific Opinion of the European Food Safety Authority (the EFSA) on lumpy skin disease ⁽³⁾ the movement of live bovine animals, bovine semen and raw hides and skins from infected bovine animals pose higher risk in terms of exposure and consequences than other products such as milk and dairy products, treated hides and skins or fresh meat, meat preparations and meat products originating from bovine animals, where scientific or experimental evidence is lacking on their role of transmission of the disease. Therefore, measures in this Decision need to be balanced and proportionate to the risks.
- (13) The movements of live bovine animals out of the regional unit of Evros should continue to be prohibited in order to prevent the spread of the disease. According to the Scientific Opinion of the EFSA on lumpy skin disease and the World Organisation for Animal Health (OIE) wild fauna, i.e. certain exotic wild ruminants may play a potential role in the transmission of the disease, in particular in Africa where the disease is endemic. Therefore some preventive measures should also apply to wild ruminants. In the absence of more precise rules in the Union legislation, the appropriate international standards for such movements provided for in the Terrestrial Animal Health Code of the OIE (OIE Terrestrial Animal Health Code) ⁽⁴⁾ should be used for this purpose.
- (14) As Greece has requested for an exemption from the prohibition of the dispatch of bovine animals for direct slaughter from holdings situated in the restricted zone outside protection and surveillance zones and such exemption is foreseen in Article 11.11.5 of the OIE Terrestrial Animal Health Code, it is appropriate to allow the dispatch of such consignments under certain conditions.
- (15) Similarly, the transmission of the disease through semen and embryos of animals of the bovine species cannot be excluded. Therefore, certain protective measures should be provided for those commodities. In the absence of the Union standards, the Scientific Opinion of the EFSA on lumpy skin disease and the appropriate OIE Animal Health Terrestrial Code recommendations should be used for this purpose.

⁽¹⁾ Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ L21, 29.7.1964, p. 1977/64).

⁽²⁾ 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 (OJ L 268, 14.9.1992, p. 54).

⁽³⁾ EFSA Journal 2015;13(1):3986 [73 pp.].

⁽⁴⁾ 24th Edition, 2015.

- (16) According to the Scientific Opinion of the EFSA on lumpy skin disease, transmission of lumpy skin disease virus through semen (natural mating or artificial insemination) has been experimentally demonstrated, and lumpy skin disease virus has been isolated in the semen of experimentally infected bulls. The collection and use of semen of animals of the bovine species originating in the restricted zone should therefore be prohibited.
- (17) In accordance with Article 4.7.14 of the OIE Terrestrial Animal Health Code, the lumpy skin disease is assigned in accordance with the Manual of the International Embryo Transfer Society to Category 4 diseases or pathogenic agents, which are those for which studies have been done, or are in progress, that indicate that no conclusions are yet possible with regard to the level of transmission risk or that the risk of transmission via embryo transfer might not be negligible even if the embryos are properly handled in accordance with that Manual between collection and transfer. The collection and use of embryos of animals of the bovine species originating in the restricted zone should therefore be prohibited.
- (18) There is no scientific or experimental evidence suggesting the transmission of the virus to susceptible animals through fresh meat, meat preparations or meat products. Although the Scientific Opinion of the EFSA on lumpy skin disease indicates that the virus may survive in meat for a non-indicated period of time, the existing Union ban on feeding ruminant proteins to ruminants would exclude the possibility of an unlikely oral transmission of possible virus. To avoid any risk of spreading the disease, the placing on the market of fresh meat, meat preparations and meat products produced from bovine animals originating in the regional unit of Evros should only be allowed where the fresh meat was produced from bovine animals kept on disease-free holdings situated in the restricted zone outside established protection and surveillance zones. Such meat should only be placed on the market in the territory of Greece.
- (19) Furthermore, the dispatch of consignments of fresh meat, meat preparations and meat products obtained from such fresh meat obtained from animals kept outside the restricted zone and processed in establishments situated in the restricted zone outside protection and surveillance zones may be allowed under certain conditions.
- (20) Colostrum, milk and dairy products used as animal feed may play an important role in spreading the disease, in particular, where the colostrum, milk and dairy products have not been sufficiently heat-treated or acidified to inactivate the virus.
- (21) Greece has requested for exemption from prohibition of the dispatch of pasteurised milk and dairy products for human consumption from establishments situated in the restricted zone outside protection and surveillance zones. As the Scientific Opinion of the EFSA on the animal health risks of feeding animals with ready-to-use dairy products without further treatment ⁽¹⁾ specifies more precisely some methods that can mitigate the risks of spreading lumpy skin disease through milk and dairy products, it is possible to allow the dispatch of consignments of milk and dairy products for human consumption under certain conditions.
- (22) Commission Regulation (EU) No 142/2011 ⁽²⁾, lays down implementing rules for Regulation (EC) No 1069/2009 of the European Parliament and of the Council ⁽³⁾, including requirements for the safe processing of animal by-products and derived products. For the prevention of spreading of lumpy skin disease, placing on the market of unprocessed animal by-products shall be prohibited. A reference to processed animal by-products in this Decision shall be read as a reference to animal health standards set out in Regulation (EU) No 142/2011.
- (23) The measures provided for in this Decision should replace the interim protective measures against lumpy skin disease in Greece provided for in Implementing Decision (EU) 2015/1423. That Decision should therefore be repealed.
- (24) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ EFSA Journal (2006) 347, p. 1.

⁽²⁾ Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1).

⁽³⁾ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

1. This Decision lays down certain protective animal health control measures in relation to the lumpy skin disease confirmed in Greece.
2. In case of conflict, the measures provided for in this Decision shall supersede the measures adopted by Greece in the framework of Directive 92/119/EEC.
3. Derogations provided for in Articles 4, 5, 6 and 7 do not apply to bovine animals vaccinated against lumpy skin disease and products thereof.

Article 2

Definitions

For the purposes of this Decision, the following definitions apply:

- (a) 'bovine animal' means ungulates of the species *Bos taurus*, *Bos indicus*, *Bison bison* and *Bubalus bubalis*;
- (b) 'restricted zone' is the part of the territory of a Member State listed in the Annex to this Decision which includes the area where lumpy skin disease was confirmed and any protection and surveillance zones established in accordance with Article 10 of Directive 92/119/EEC.

Article 3

Prohibition on the movement and dispatch of certain animals and semen and embryos thereof, and placing on the market of certain products of animal origin and animal by-products

1. Greece shall prohibit the dispatch of the following commodities from the restricted zone to other parts of Greece, to other Member States and to third countries:
 - (a) live bovine animals and captive wild ruminants;
 - (b) semen, ova and embryos of animals of the bovine species.
2. Greece shall prohibit the placing on the market outside the restricted zone of the following commodities produced from bovine animals and wild ruminants kept in or hunted in the restricted zone:
 - (a) fresh meat and meat preparations and meat products produced from such fresh meat;
 - (b) colostrum, milk and dairy products of bovine animals;
 - (c) fresh hides and skins of bovine animals and wild ruminants, other than those referred to in point (d);
 - (d) unprocessed animal by-products of bovine animals and wild ruminants, unless destined and channelled under official supervision of the competent authority for disposal or processing in an approved plant under Regulation (EC) No 1069/2009 within the territory of Greece.

*Article 4***Derogation from the prohibition on the dispatch of live bovine animals and captive wild ruminants for direct slaughter and dispatch of fresh meat, meat preparations and meat products obtained from such animals**

1. By way of derogation from the prohibition provided for in point (a) of Article 3(1), the competent authority may authorise the dispatch of bovine animals and captive wild ruminants from holdings situated in the restricted zone outside protection and surveillance zones to a slaughterhouse located in other parts of Greece provided that:

- (a) the animals were resident since birth, or for the past 28 days, on a holding where no case of lumpy skin disease was officially reported during that period;
- (b) the animals were clinically inspected at loading and did not present any clinical symptoms of lumpy skin disease;
- (c) the animals are transported for immediate slaughter directly, without stopping or unloading to the slaughterhouse;
- (d) the slaughterhouse is designated for the slaughtering of those animals by the competent authority;
- (e) the competent authority responsible for the slaughterhouse has to be informed by the dispatching competent authority of the intention to send bovine animals and notifies the competent authority of dispatch of their arrival;
- (f) on arrival at the slaughterhouse, these animals are kept and slaughtered separately from other animals within less than 36 hours.

2. Any dispatch of bovine animals and captive wild ruminants in accordance with paragraph 1 shall only take place if the following conditions are fulfilled:

- (a) the means of transport has been properly cleansed and disinfected before and after loading of such animals in accordance with Article 9;
- (b) before and during the transport, animals are protected against the attacks of vector insects.

3. The competent authority shall ensure that fresh meat, meat preparations and meat products obtained from those animals are placed on the market in accordance with the requirements provided for in Articles 5 and 6, respectively.

*Article 5***Derogation from the prohibition on the placing on the market of fresh meat and meat preparations of bovine animals and wild ruminants**

1. By way of derogation from the prohibition provided for in point (a) of Article 3(2), the competent authority may authorise the placing on the market of consignments of fresh meat, excluding offal and fresh hides and skins, obtained from bovine animals and wild ruminants from the restricted zone outside protection and surveillance zones and meat preparations thereof, provided that the fresh meat and meat preparations were obtained from animals:

- (a) kept on holdings in the restricted zone that were not under restrictions in accordance with Directive 92/119/EEC; or
- (b) slaughtered before 21 August 2015.

The competent authority shall ensure that the consignments referred to in this paragraph are not dispatched to other Member States or third countries.

2. The competent authority shall only authorise the dispatch to other Member States of consignments of fresh meat and meat preparations produced from such fresh meat obtained from bovine animals kept and slaughtered outside the restricted zone, provided the consignments are accompanied by an official certificate with the following attestation:

'Fresh meat or meat preparations complying with Commission Implementing Decision (EU) 2015/1500 [C(2015)6221] of 7 September 2015 concerning certain protective measures against lumpy skin disease in Greece'.

*Article 6***Derogation from the prohibition on the placing on the market of meat products consisting of or containing meat of bovine animals and wild ruminants**

1. By way of derogation from the prohibition provided for in point (a) of Article 3(2), the competent authority may authorise the placing on the market of consignments of meat products produced from fresh meat of bovine animals and wild ruminants from the restricted zone outside protection and surveillance zones, provided that the fresh meat was obtained from animals:

- (a) kept on holdings in the restricted zone that were not under restrictions in accordance with Directive 92/119/EEC; or
- (b) slaughtered before 21 August 2015; or
- (c) kept and slaughtered outside the restricted zone.

2. The competent authority shall authorise the placing on the market of meat products referred to in paragraph 1, conforming to conditions of points (a) or (b) of that paragraph, only on the territory of Greece, provided that the meat products have been subjected to a non-specific treatment which ensures that the cut surface of the meat products shows no longer the characteristics of fresh meat.

The competent authority shall ensure that the consignments referred to in this paragraph are not dispatched to other Member States or third countries.

3. The competent authority shall only authorise the dispatch of consignments referred to in paragraph 1(a) and (b) to other Member States, provided that the meat products have been subjected to a specific treatment in a hermetically sealed container to an F_0 value of three or more, and are accompanied by an official certificate with the following attestation:

'Meat products complying with Commission Implementing Decision (EU) 2015/1500 [C(2015)6221] of 7 September 2015 concerning certain protective measures against lumpy skin disease in Greece'.

4. The competent authority shall only authorise the dispatch to other Member States of consignments of meat products referred to in paragraph 1(c), provided that the meat products have been subjected to a non-specific treatment, which ensures that the cut surface of the meat products shows no longer the characteristics of fresh meat and is accompanied by an official certificate with the following attestation:

'Meat products complying with Commission Implementing Decision (EU) 2015/1500 [C(2015)6221] of 7 September 2015 concerning certain protective measures against lumpy skin disease in Greece'.

*Article 7***Derogation from the prohibition on the dispatch and placing on the market of milk and dairy products**

1. By way of derogation from the prohibition provided for in point (b) of Article 3(2), the competent authority may authorise the placing on the market of milk for human consumption obtained from bovine animals in the restricted zone outside protection and surveillance zones, and dairy products thereof, provided that the milk and dairy products have been subjected to a treatment described in points 1.1 to 1.5 of Part A of Annex IX to Council Directive 2003/85/EC ⁽¹⁾.

2. The competent authority shall only authorise dispatch to other Member States of consignments of milk and dairy products referred to in paragraph 1, provided that the consignments are accompanied by an official certificate, with the following attestation:

'Milk or dairy products complying with Commission Implementing Decision (EU) 2015/1500 [C(2015)6221] of 7 September 2015 concerning certain protective measures against lumpy skin disease in Greece'.

⁽¹⁾ Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC (OJ L 306, 22.11.2003, p. 1).

*Article 8***Special health mark for fresh meat, meat preparations and meat products referred to in Articles 5(1) and 6(2) respectively**

Greece shall ensure that the fresh meat, meat preparations and meat products referred to in Article 5(1), and Article 6(2) respectively are marked with a special health mark or identification mark that is not oval and cannot be confused with:

- (a) the health mark for fresh meat as set out in Chapter III of Section I of Annex I to Regulation (EC) No 854/2004 of the European Parliament and of the Council ⁽¹⁾;
- (b) the identification mark for meat preparations and meat products consisting of or containing meat of bovine animals, as set out in Section I of Annex II to Regulation (EC) No 853/2004 of the European Parliament and of the Council ⁽²⁾.

*Article 9***Requirements concerning transport vehicles, cleansing and disinfection**

1. The competent authority shall ensure that, for any vehicle which has been in contact with the susceptible species in the restricted zone and intends to leave this same zone, the operator or driver of this vehicle provides evidence showing that, since the last contact with the animals, the vehicle has been cleansed and disinfected in a manner to inactivate lumpy skin disease virus.
2. The competent authority should define the information to be presented by the operator/driver of the livestock vehicle in order to demonstrate the required disinfection has taken place.

*Article 10***Information requirements**

Greece shall inform the Commission and the other Member States, in the framework of the Standing Committee on Plants, Animals, Food and Feed, of the results of the surveillance for lumpy skin disease carried out in the restricted zone.

*Article 11***Repeal**

Implementing Decision (EU) 2015/1423 is repealed.

*Article 12***Application**

This Decision shall apply until 30 October 2015.

⁽¹⁾ 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 (OJ L 139, 30.4.2004, p. 206).

⁽²⁾ 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 (OJ L 139, 30.4.2004, p. 55).

*Article 13***Addressees**

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 7 September 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

*ANNEX***Greece:**

The following regional units in Greece:

— Regional unit of Evros

CORRIGENDA

Corrigendum to Commission Regulation (EU) 2015/603 of 13 April 2015 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 2-naphthyloxyacetic acid, acetochlor, chloropicrin, diflufenican, flurprimidol, flutolanil and spinosad in or on certain products

(Official Journal of the European Union L 100 of 17 April 2015)

On page 12, in Article 2 and Article 3, in the second paragraph:

for: '7 December 2015';

read: '7 November 2015'.

Corrigendum to Decision of the EEA Joint Committee No 163/2011 of 19 December 2011 amending Annex XIII (Transport) to the EEA Agreement

(Official Journal of the European Union L 76 of 15 March 2012)

On page 53, in the Annex, point 3(d)(ii):

for: '... on the basis of certificates issue ...',

read: '... on the basis of certificates issued ...'.

