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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 101/2005
of 21 January 2005
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 January 2005.

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

Done at Brussels, 21 January 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to Commission Regulation of 21 January 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	113,5
	204	89,1
	212	169,4
	248	157,0
	624	239,8
	999	153,8
0707 00 05	052	145,9
	220	229,0
	999	187,5
0709 90 70	052	189,2
	204	164,0
	999	176,6
0805 10 20	052	67,4
	204	47,0
	212	54,4
	220	40,1
	448	34,2
	999	48,6
0805 20 10	204	63,4
	999	63,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	65,6
	204	78,6
	400	77,9
	464	142,4
	624	78,5
	999	88,6
0805 50 10	052	43,9
	999	43,9
0808 10 80	400	99,3
	404	84,8
	720	55,1
	999	79,7
0808 20 50	388	115,4
	400	87,7
	720	59,5
	999	87,5

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 102/2005**of 21 January 2005****on the issuing of system A3 export licences in the fruit and vegetables sector (tomatoes, oranges, lemons and apples)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2165/2004 ⁽²⁾ opens an invitation to tender setting the indicative refund rates and indicative quantities for system A3 export licences, which may be issued, other than those tendered for as part of food aid.
- (2) In the light of the tenders submitted, the maximum refund rates and the percentages of quantities to be awarded for tenders quoting those maximum rates should be set.

- (3) In the case of tomatoes, oranges, lemons and apples, the maximum rate necessary to award licences for the indicative quantity up to the quantities tendered for is not more than one-and-a-half times the indicative refund rate,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of tomatoes, oranges, lemons and apples, the maximum refund rates and the percentages for reducing the quantities awarded under the invitation to tender opened by Regulation (EC) No 2165/2004 shall be fixed in the Annex.

Article 2

This Regulation shall enter into force on 22 January 2005.

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

Done at Brussels, 21 January 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 371, 18.12.2004, p. 3.

ANNEX

Issuing of system A3 export licences in the fruit and vegetable sector (tomatoes, oranges, lemons and apples)

Product	Maximum refund rate (EUR/t net)	Percentage awarded of quantities tendered for quoting the maximum refund rate
Tomatoes	0	—
Oranges	40	100 %
Lemons	55	100 %
Apples	40	100 %

COMMISSION REGULATION (EC) No 103/2005**of 21 January 2005****opening a standing invitation to tender for the resale on the internal market of paddy rice held by the Greek intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice⁽¹⁾, and in particular Article 7(4) and (5) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 75/91⁽²⁾ lays down the procedures and conditions for the disposal of paddy rice held by intervention agencies.
- (2) The Greek intervention agency has been storing a very significant quantity of paddy rice for a very long time. A standing invitation to tender should therefore be opened for the resale on the internal market of some 16 875 tonnes of paddy rice held by that agency.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Under the conditions laid down in Regulation (EC) No 75/91, the Greek intervention agency shall launch a standing invitation to tender for the resale on the internal market of the quantities of paddy rice held by it, as set out in the Annex to this Regulation.

1. The closing date for the submission of tenders in response to the first partial invitation to tender shall be 2 February 2005.

2. The closing date for the submission of tenders in response to the last partial invitation to tender shall be 30 March 2005.

3. Tenders must be lodged with the Greek intervention agency:

OPEKEPE

Acharnon Street 241

GR-10446 Athens

Tel. (30-10) 212 47 87 and 212 47 89

Fax (30-10) 862 93 73.

Article 3

As an exception to Article 19 of Regulation (EEC) No 75/91, the Greek intervention agency shall inform the Commission, no later than the Tuesday of the week following the closing date for the submission of tenders, of the quantity and average prices of the various lots sold, broken down by group where appropriate.

Article 4

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

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

Done at Brussels, 21 January 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

⁽²⁾ OJ L 9, 12.1.1991, p. 15.

ANNEX

Group	1	2
Approximate quantity	8 743 t	8 132 t
Harvest year	1997	1998
Rice type	all	long-grain B

COMMISSION REGULATION (EC) No 104/2005**of 21 January 2005****opening a standing invitation to tender for the resale on the internal market of paddy rice held by the Spanish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice⁽¹⁾, and in particular Article 7(4) and (5) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 75/91⁽²⁾ lays down the procedures and conditions for the disposal of paddy rice held by intervention agencies.
- (2) The Spanish intervention agency has been storing a very significant quantity of paddy rice for a very long time. A standing invitation to tender should therefore be opened for the resale on the internal market of some 23 445 tonnes of paddy rice held by that agency.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Under the conditions laid down in Regulation (EC) No 75/91, the Spanish intervention agency shall launch a standing invitation to tender for the resale on the internal market of the quantities of paddy rice held by it, as set out in the Annex to this Regulation.

1. The closing date for the submission of tenders in response to the first partial invitation to tender shall be 2 February 2005.

2. The closing date for the submission of tenders in response to the last partial invitation to tender shall be 30 March 2005.

3. Tenders shall be lodged with the Spanish intervention agency:

Fondo Español de Garantía Agraria (FEGA)
Beneficencia, 8
E-28004 Madrid
Telex: 23427 FEGA E
Fax (34) 915 21 98 32 and (34) 915 22 43 87

Article 3

As an exception to Article 19 of Regulation (EEC) No 75/91, the Spanish intervention agency shall inform the Commission, no later than the Tuesday of the week following the closing date for the submission of tenders, of the quantity and average prices of the various lots sold, broken down by group where appropriate.

Article 4

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

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

Done at Brussels, 21 January 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

⁽²⁾ OJ L 9, 12.1.1991, p. 15.

ANNEX

Group	1	2
Quantity (approximate)	17 355 t	6 090 t
Harvest year	2000	2001
Rice types	All	All

COMMISSION REGULATION (EC) No 105/2005**of 17 November 2004****amending Council Regulation (EC) No 1420/1999 and Regulation (EC) No 1547/1999 as regards shipments of certain types of waste to China and Saudi Arabia****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community⁽¹⁾, and in particular Article 17(3) thereof,

Having regard to Council Regulation (EC) No 1420/1999 of 29 April 1999 establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste⁽²⁾, and in particular Article 3(5) thereof,

Whereas:

(1) On 4 August 2003, the Ministry of Defence and Aviation, Presidency of Meteorology and Environment of the Kingdom of Saudi Arabia sent a request to the European Commission that normal commercial transactions ('green list' procedure) apply to the material GH 014 'waste, parings and scrap of polyurethane foam not containing chlorofluorocarbons'.

(2) On 13 May 2004, the Mission of the People's Republic of China to the European Communities sent a request to the European Commission for an amendment to the list of wastes in Annex D to Commission Regulation (EC) No 1547/1999⁽³⁾ which are allowed without recourse to any of the control procedures provided for in Council Regulation (EEC) No 259/93. This amended list will be subject, as before, to additional pre-shipment inspection procedures under the responsibility of the Chinese authorities.

(3) In accordance with Article 17(3) of Regulation (EEC) No 259/93, the committee set up by Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste⁽⁴⁾ was notified of the official requests of Saudi Arabia and of China on 2 April 2004 and 18 May 2004.

(4) In order to take into account the new situation of these countries, it is necessary to amend at the same time Regulation (EC) No 1420/1999 and Regulation (EC) No 1547/1999.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee set up by Article 18 of Directive 75/442/EEC,

HAS ADOPTED THIS REGULATION:

Article 1

Annex D to Regulation (EC) No 1547/1999 is amended as set out in Annex I to this Regulation.

Article 2

Annex A to Regulation (EC) No 1420/1999 is amended as set out in Annex II to this Regulation.

Article 3

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

⁽¹⁾ OJ L 30, 6.2.1993, p.1. Regulation as last amended by Commission Regulation (EC) No 2557/2001 (OJ L 349, 31.12.2001, p. 1).

⁽²⁾ OJ L 166, 1.7.1999, p. 6. Regulation as last amended by Commission Regulation (EC) No 2118/2003 (OJ L 318, 3.12.2003, p. 5).

⁽³⁾ OJ L 185, 17.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 2118/2003.

⁽⁴⁾ OJ L 194, 25.7.1975, p. 39. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

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

Done at Brussels, 17 November 2004.

For the Commission
Pascal LAMY
Member of the Commission

ANNEX I

Annex D to Regulation (EC) No 1547/1999 is amended as follows:

1. In Annex D, between the entry relating to São Tomé and Príncipe and the entry relating to Sierra Leone, the following entry is inserted:

'SAUDI ARABIA

GH 014 ex 3915 90 Waste, parings and scrap of plastics of polyurethane (not containing chlorofluorocarbons).'

2. In Annex D, between the entry relating to Chile and the entry related to The Comoros, the entry relating to China should be deleted and the following entry inserted:

'CHINA

Pre-shipment inspection is required by the Chinese authorities

1. In section GA (Metal and metal-alloy wastes in metallic, non-dispersible form) (*)

GA 120	7404 00	Copper waste and scrap
GA 130	7503 00	Nickel waste and scrap
GA 140	7602 00	Aluminium waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 10	Tin waste and scrap
GA 200	ex 8103 10	Tantalum waste and scrap
GA 430	7204	Iron or steel scrap.

2. In section GC (Other wastes containing metals):

GC 030	ex 8908 00	Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste
GC 070	ex 2619 00	Slags arising from the manufacture of iron and carbon steel (including low alloy steel) excluding those slags which have been specifically produced to meet both national and relevant international requirements and standards (**)

3. In section GH (Solid plastic wastes):

Including, but not limited to:

GH 010	3915	Waste, parings and scrap of plastics of:
GH 011	ex 3915 10	Polymers of ethylene
GH 012	ex 3915 20	Polymers of styrene
GH 013	ex 3915 30	Polymers of vinyl chloride

- GH 014 ex 3915 90 Polymers or copolymers, for example:
- Polypropylene
 - Polyethylene terephthalate
 - Acrylonitrile copolymer
 - Butadiene copolymer
 - Styrene copolymer
 - Polyamides
 - Polybutylene terephthalates
 - Polycarbonates
 - Polyphenylene sulphides
 - Acrylic polymers
 - Paraffins (C₁₀-C₁₃) (4)
 - Polyurethane (not containing chlorofluorocarbons)
 - Polysiloxanes (silicones)
 - Polymethyl methacrylate
 - Polyvinyl alcohol
 - Polyvinyl butyral
 - Polyvinyl acetate
 - Polymers of fluorinated ethylene (Teflon, PTFE)
- GH 015 ex 3915 90 Resins or condensation products, for example:
- Urea formaldehyde resins
 - Phenol formaldehyde resins
 - Melamine formaldehyde resins
 - Epoxy resins
 - Alkyd resins
 - Polyamides.

4. In section GI (Paper, paperboard and paper product wastes):

- GI 010 4707 Waste and scrap of paper or paperboard:
- GI 011 4707 10 — Of unbleached kraft paper or paperboard or of corrugated paper or paperboard
- GI 012 4707 20 — Of other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
- GI 013 4707 30 — Of paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
- GI 014 4707 90 — Other, including but not limited to:
1. Laminated paperboard
 2. Unsorted waste and scrap.

5. In section GJ (Textile wastes):

- GJ 030 5202 Cotton waste (including yarn waste and garnetted stock)
- GJ 031 5202 10 — Yarn waste (including thread waste)
- GJ 032 5202 91 — Garnetted stock

GJ 033	5202 99	— Other
GJ 110	5505	— Waste (including noils, yarn waste and garnetted stock) of man-made fibres
GJ 111	5505 10	— Of synthetic fibres
GJ 112	5505 20	— Of artificial fibres.

6. In section GL (Untreated cork and wood wastes):

GL 010	ex 4401 30	Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
GL 020	4501 90	Cork waste; crushed, granulated or ground cork.

7. In section GM (Wastes arising from agro-food industries):

GM 100	0506 90	Waste of bones and horn-cones, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised.
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(*) "Non-dispersible" does not include any waste in the form of powder, sludge, dust or solid items containing encased hazardous liquids.
(**) This entry covers the use of such slags as a source of titanium dioxide and vanadium.'

ANNEX II

Annex A to Regulation (EC) No 1420/1999 is amended as follows:

In Annex A to Regulation (EC) No 1420/1999, the entry relating to Saudi Arabia is replaced by the following:

'All types except:

In section GH (Solid Plastic Wastes):

GH 014 ex 3915 90 Waste, parings and scrap of plastics of polyurethane not containing chlorofluorocarbons.'

COMMISSION REGULATION (EC) No 106/2005**of 21 January 2005****cancelling certain import licences issued under Regulation (EC) No 1431/94 and releasing the associated securities**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat⁽¹⁾, and in particular Article 3(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 1431/94 of 22 June 1994 laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products⁽²⁾ lays down rules on the validity of import licences.

(2) Commission Decision 2004/122/EC of 6 February 2004 concerning certain protection measures in relation to avian influenza in several Asian countries⁽³⁾ suspended the import of poultry and several poultry products until 15 December 2004.

(3) The import licences covered by Decision 2004/122/EC, issued under Regulation (EC) No 1431/94 for the period from 1 January to 31 March 2004 and linked exclusively to one of the third countries referred to in that Decision, have accordingly been suspended since their date of issue.

(4) In view of the duration of this situation, the licences in question should be cancelled and the immediate release of the associated securities should be authorised.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The import licences issued under Regulation (EC) No 1431/94 for the period 1 January 2004 to 31 March 2004 in respect of the products covered by Decision 2004/122/EC and established exclusively for one of the countries referred to in that Decision are hereby cancelled and the associated securities released.

Article 2

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

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

Done at Brussels, 21 January 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 77. Regulation last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 156, 23.6.1994, p. 9. Regulation last amended by Regulation (EC) No 1043/2001 (OJ L 145, 31.5.2001, p. 24).

⁽³⁾ OJ L 36, 7.2.2004, p. 59. Decision last amended by Decision 2004/851/EC (OJ L 368, 15.12.2004, p. 48).

COMMISSION DIRECTIVE 2005/2/EC

of 19 January 2005

amending Council Directive 91/414/EEC to include *Ampelomyces quisqualis* and *Gliocladium catenulatum* as active substances

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

assessment reports concerning the substances to the Commission on 28 October 1997 (*Ampelomyces quisqualis*) and on 15 June 2000 (*Gliocladium catenulatum*).

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

(1) In accordance with Article 6(2) of Directive 91/414/EEC the French authorities received on 12 April 1996 an application from JSC International Ltd for the inclusion of the active substance *Ampelomyces quisqualis* in Annex I to the Directive. Commission Decision 97/591/EC ⁽²⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.

(2) Finland received an application under Article 6(2) of Directive 91/414/EEC on 19 May 1998 from Kemira Agro Oy (now: Verdera Oy) for the inclusion of the active substance *Gliocladium catenulatum* in Annex I to the Directive. Commission Decision 1999/392/EC ⁽³⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.

(3) For those active substances, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The nominated rapporteur Member States submitted draft

(4) The draft assessment reports were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. The review was finalised on 8 October 2004 in the format of the Commission review reports for *Ampelomyces quisqualis* and *Gliocladium catenulatum*.

(5) The dossier and the information from the review of *Ampelomyces quisqualis* were also submitted to the Scientific Committee on Plants. The report of this Committee was formally adopted on 7 March 2001 ⁽⁴⁾.

(6) In its opinion the Committee concluded that in the absence of a satisfactory pulmonary study, the risk of operators had not been adequately addressed. The Committee further concluded that repeated dosing should in general be part of the primary data set, but it could be omitted provided that adequate justification is provided. In the specific case of *Ampelomyces quisqualis* the Committee was unable to comment on the necessity of repeated dosing due to absence of a satisfactory pulmonary study.

(7) The Committee finally concluded that although no allergic reactions against *Ampelomyces quisqualis* had been observed, the possibility of occurrence of allergic reactions resulting from agricultural exposure to this organism could not be excluded. The Committee recommended monitoring the health of producers and users as a prudent post authorisation measure and making these results available for future re-assessment.

(8) The recommendations of the Scientific Committee were taken into account during the further review, in this Directive and in the Review Report.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Decision 2004/99/EC (OJ L 309, 6.10.2004, p. 6).

⁽²⁾ OJ L 239, 30.8.1997, p. 48.

⁽³⁾ OJ L 148, 15.6.1999, p. 44.

⁽⁴⁾ Opinion of the scientific Committee on Plants regarding the evaluation of *Ampelomyces quisqualis* in the context of Council Directive 91/414/EEC concerning the placing of plant protection products on the market — Opinion adopted by the Scientific Committee on Plants on 7 March 2001.

- (9) A second pulmonary study was performed by the notifier, as requested by the Scientific Committee. The study was considered as scientifically sound and valid within the Standing Committee and the further evaluation concluded that *Ampelomyces quisqualis* is neither pathogenic, nor infectious in mammals and that also no toxins are involved, and thus the risk of operator exposure has been adequately addressed according to the recommendations of the Scientific Committee on Plants.
- (10) As regards the possibility of allergic reactions, no such reactions have been documented from an agricultural use of the substance. As a result, there is no reason to consider that there is any serious risk of such reactions. However, the possibility of occurrence of allergic reactions cannot be entirely excluded. Such concerns should not prevent the substance being included in Annex I to Directive 91/414/EEC, but could instead be met if the Member States established a monitoring programme when they authorise plant protection products containing *Ampelomyces quisqualis*.
- (11) The evaluation within the Standing Committee therefore concluded that there would be no harmful effect on humans under the proposed conditions of use.
- (12) The review of *Gliocladium catenulatum* did not reveal any open questions or concerns, which would have required a consultation of the Scientific Committee on Plants or of the European Food Safety Authority.
- (13) It has appeared from the various examinations made that plant protection products containing the active substances may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC in the light of Article 5(3) thereof, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include *Ampelomyces quisqualis* and *Gliocladium catenulatum* in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing these active substances can be granted in accordance with the provisions of that Directive.
- (14) After inclusion of *Ampelomyces quisqualis* and *Gliocladium catenulatum* in Annex I to Directive 91/414/EEC, Member States should be allowed a reasonable period to implement the provisions of Directive 91/414/EEC as regards plant protection products containing those

substances and in particular to review existing provisional authorisations and, by the end of this period at the latest, to transform those authorisations into full authorisations, to amend them or to withdraw them in accordance with the provisions of Directive 91/414/EEC.

- (15) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (16) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish by 30 September 2005 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 October 2005.

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

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

Article 3

1. Member States shall review the authorisation for each plant protection product containing *Ampelomyces quisqualis* or *Gliocladium catenulatum* to ensure that the conditions relating to these active substances set out in Annex I to Directive 91/414/EEC are complied with. Where necessary, they shall amend or withdraw authorisations in accordance with Directive 91/414/EEC by 30 September 2005 at the latest.

2. For each authorised plant protection product containing *Ampelomyces quisqualis* or *Gliocladium catenulatum* as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 March 2005 at the latest, Member States shall re-evaluate the product on the basis of a dossier satisfying the requirements of Annex III thereto. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing *Ampelomyces quisqualis* or *Gliocladium catenulatum* as the only active substance, where necessary, amend or withdraw the authorisation by 30 September 2006 at the latest; or
- (b) in the case of a product containing *Ampelomyces quisqualis* or *Gliocladium catenulatum* as one of several active substances, where necessary, amend or withdraw the authorisation by

30 September 2006 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 4

This Directive shall enter into force on 1 April 2005.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 19 January 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

In Annex I to Directive 91/414/EEC the following row is added at the end of the table:

No	Common name, identification numbers	IUPAC Name	Purity (*)	Entry into force	Expiration of inclusion	Specific provisions
'94	<i>Ampelomyces quisqualis</i> Strain: AQ 10 Culture collection No CNCM I-807 CIPAC No Not allocated	Not applicable		1 April 2005	31 March 2015	Only uses as fungicide may be authorised. When granting authorisations, the conclusions of the review report on <i>Ampelomyces quisqualis</i> , and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 8 October 2004 shall be taken into account.
99	<i>Glodadium catenulatum</i> Strain: J1446 Culture collection No DSM 9212 CIPAC No Not allocated	Not applicable		1 April 2005	31 March 2015	Only uses as fungicide may be authorised. When granting authorisations, the conclusions of the review report on <i>Glodadium catenulatum</i> , and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 30 March 2004 shall be taken into account. In this overall assessment, Member States should pay particular attention to the protection of operators and workers. Risk mitigation measures should be applied where appropriate.

(*) Further details on identity and specification of active substances are provided in the review report.

COMMISSION DIRECTIVE 2005/3/EC**of 19 January 2005****amending Council Directive 91/414/EEC to include imazosulfuron, laminarin, methoxyfenozide and s-metolachlor as active substances****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) In accordance with Article 6(2) of Directive 91/414/EEC Germany received on 27 June 1996 an application from Spiess-Urania Chemicals GmbH for the inclusion of the active substance imazosulfuron in Annex I to Directive 91/414/EEC. Commission Decision 97/865/EC ⁽²⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (2) Belgium received an application under Article 6(2) of Directive 91/414/EEC on 29 March 2001 from Goëmar SA for the inclusion of the active substance laminarin in Annex I to Directive 91/414/EEC. Commission Decision 2001/861/EC ⁽³⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (3) The United Kingdom received an application under Article 6(2) of Directive 91/414/EEC on 21 February 2000 from Rohm and Haas France SA (now Dow AgroSciences) for the inclusion of the active substance methoxyfenozide in Annex I to Directive 91/414/EEC. Commission Decision 2001/385/EC ⁽⁴⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (4) Belgium received an application under Article 6(2) of Directive 91/414/EEC on 1 August 1997 from Novartis

NV (now Syngenta) for the inclusion of the active substance s-metolachlor in Annex I to Directive 91/414/EEC. Commission Decision 98/512/EC ⁽⁵⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.

- (5) For those active substances, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The designated rapporteur Member States submitted draft assessment reports concerning the substances to the Commission on 17 June 1998 (imazosulfuron), on 2 June 2003 (laminarin), on 2 August 2002 (methoxyfenozide) and 3 May 1999 (s-metolachlor).
- (6) The draft assessment reports have been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. The review was finalised on 8 October 2004 in the format of the Commission review reports for imazosulfuron, laminarin, methoxyfenozide and s-metolachlor.
- (7) For imazosulfuron, the dossier and the information from the review were also submitted to the Scientific Committee on Plants. The report of this Committee was formally adopted on 25 April 2001 ⁽⁶⁾.
- (8) The Committee was asked to comment on the relevance of the metabolite IPSN due to its presence in soil and water. In its opinion the Committee concluded that there is no significant health risk arising from IPSN in the groundwater, and that the risk to soil micro-organisms, aquatic invertebrates, fish and the acute risk to earthworms are sufficiently addressed. The Committee also concluded that on the basis of worst-case exposure estimates further information is required to assess some other risks from IPSN. The Committee finally concluded that the risk to the environment and the toxicological risk to human health from the parent substance and/or metabolites other than IPSN, in some studies formed at levels comparable to IPSN, have not been fully assessed and therefore should be addressed during the further evaluation.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2004/99/EC (OJ L 309, 6.10.2004, p. 6).

⁽²⁾ OJ L 351, 23.12.1997, p. 67.

⁽³⁾ OJ L 321, 6.12.2001, p. 34.

⁽⁴⁾ OJ L 137, 19.5.2001, p. 30.

⁽⁵⁾ OJ L 228, 15.8.1998, p. 35.

⁽⁶⁾ Opinion of the Scientific Committee on Plants regarding the inclusion of imazosulfuron in Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market — SCP/IMAZO/002-Final, published 21 May 2001.

- (9) The recommendations of the Scientific Committee were taken into account during the further review, in this Directive and in the Review Report.
- (10) With respect to IPSN, additional data on the risk based on worst-case exposure estimates and identified by the Scientific Committee have been delivered by the notifier and assessed. The evaluation within the Standing Committee concluded that in the light of the additional data submitted by the notifier, and under the proposed conditions of use, there would be no harmful effect on humans from IPSN.
- (11) With respect to imazosulfuron and other metabolites than IPSN, no other metabolites than IPSN occur in levels that are considered as 'relevant' in the sense of the provisions of Directive 91/414/EEC. Therefore the evaluation within the Standing Committee concluded that the risk can be assessed with the data available.
- (12) Following this assessment, the evaluation within the Standing Committee furthermore concluded that under the proposed conditions of use, in particular the maximum dose rate of 0,05 kg active substance/ha, and when appropriate risk mitigation measures are applied, there would be no harmful effect on humans and no unacceptable risk to the environment from imazosulfuron and its metabolites.
- (13) The review of laminarin, methoxyfenozide and s-metolachlor did not reveal any open questions or concerns, which would have required a consultation of the Scientific Committee on Plants or of the European Food Safety Authority.
- (14) It has appeared from the various examinations made that plant protection products containing the active substances concerned may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include imazosulfuron, laminarin, methoxyfenozide and s-metolachlor in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing these active substances may be granted in accordance with the provisions of that Directive.
- (15) After inclusion of imazosulfuron, laminarin, methoxyfenozide and s-metolachlor in Annex I to Directive 91/414/EEC, Member States should be allowed a reasonable period to implement the provisions of

Directive 91/414/EEC as regards plant protection products containing those substances and in particular to review existing provisional authorisations and, by the end of this period at the latest, to transform those authorisations into full authorisations, to amend them or to withdraw them in accordance with the provisions of Directive 91/414/EEC.

- (16) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (17) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish by 30 September 2005 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 October 2005.

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

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

Article 3

1. Member States shall review the authorisation for each plant protection product containing imazosulfuron, laminarin, methoxyfenozide or s-metolachlor to ensure that the conditions relating to this active substance set out in Annex I to Directive 91/414/EEC are complied with. Where necessary, they shall amend or withdraw authorisations in accordance with Directive 91/414/EEC by 30 September 2005 at the latest.

2. For each authorised plant protection product containing imazosulfuron, laminarin, methoxyfenozide or s-metolachlor as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 March 2005 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing imazosulfuron, laminarin, methoxyfenozide or s-metolachlor as the only active substance, where necessary, amend or withdraw the authorisation by 30 September 2006 at the latest; or
- (b) in the case of a product containing imazosulfuron, laminarin, methoxyfenozide or s-metolachlor as one of several active substances, where necessary, amend or

withdraw the authorisation by 30 September 2006 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 4

This Directive shall enter into force on 1 April 2005.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 19 January 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

In Annex I to Directive 91/414/EEC the following rows are added at the end of the table:

No	Common name, identification numbers	IUPAC Name	Purity (%)	Entry into force	Expiration of inclusion	Specific provisions
'95	Imazosulfuron CAS No: 122548-33-8 CIPAC No: 590	1-(2-chloroimidazo[1,2-a]pyridin-3-ylsulphonyl)-3-(4,6-dimethoxypyrimidin-2-yl)urea	≥ 980 g/kg	1 April 2005	31 March 2015	Only uses as herbicide may be authorised. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on imazosulfuron, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 8 October 2004 shall be taken into account. In this overall assessment Member States should pay particular attention to the protection of aquatic and terrestrial non-target plants. Risk mitigation measures should be applied where appropriate.
96	Laminarin CAS No: 9008-22-4 CIPAC No: 671	(1→3)-β-D-glucan (according to IUPAC-IUB Joint Commission on Biochemical Nomenclature)	≥ 860 g/kg on dry matter	1 April 2005	31 March 2015	Only uses as elicitor of the crop's self-defence mechanisms may be authorised. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on laminarin, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 8 October 2004 shall be taken into account.
97	Methoxyfenozide CAS No: 161050-58-4 CIPAC No: 656	N-tert-Butyl-N'-(3-methoxy- <i>o</i> -toluoyl)-3,5-xylohydrazide	≥ 970 g/kg	1 April 2005	31 March 2015	Only uses as insecticide may be authorised. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on methoxyfenozide, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 8 October 2004 shall be taken into account. In this overall assessment Member States should pay particular attention to the protection of terrestrial and aquatic non-target arthropods. Risk mitigation measures should be applied where appropriate.

No	Common name, identification numbers	IUPAC Name	Purity (*)	Entry into force	Expiration of inclusion	Specific provisions
98	S-metolachlor CAS No: 87392-12-9 (S-isomer) 178961-20-1 (R-isomer) CIPAC No: 607	Mixture of: (aRS, 1 S)-2-chloro-N-(6-ethyl-o-tolyl)-N-(2-methoxy-1-methylethyl)acetamide (80-100 %) and: (aRS, 1 R)-2-chloro-N-(6-ethyl-o-tolyl)-N-(2-methoxy-1-methylethyl)acetamide (20-0 %)	≥ 960 g/kg	1 April 2005	31 March 2015	Only uses as herbicide may be authorised. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on s-metolachlor, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 8 October 2004 shall be taken into account. In this overall assessment Member States — should pay particular attention to the potential for groundwater contamination, particularly of the active substance and its metabolites CGA 51202 and CGA 354743, when the active substance is applied in regions with vulnerable soil and/or climatic conditions, — should pay particular attention to the protection of aquatic plants. Risk mitigation measures should be applied where appropriate.

(*) Further details on identity and specification of active substances are provided in the review report.*

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 December 2004

determining the Community position for a decision of the Management entities under the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficient labelling programmes for office equipment on the revision of Annex C, part II, defining monitor specifications

(2005/42/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/269/EC of 8 April 2003 concerning the conclusion on behalf of the Community of the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficient labelling programmes for office equipment⁽¹⁾, and in particular Article 3(3) thereof,

Whereas:

- (1) The Agreement provides for the European Commission, together with the United States Environmental Protection Agency (EPA), to reassess the specifications for label qualification of office equipment listed in Annex C to the Agreement as market conditions change. Developments in the field of computer monitors have led to a revision of the specifications.
- (2) The position of the Community with regard to amendments of the specifications shall be determined by the Commission, after consultation with the special committee designated by the Council.
- (3) The measures provided for in this Decision take account of the opinion given by the European Community Energy Star Board referred to in Articles 8 and 11 of Regulation (EC) No 2422/2001 of the European

Parliament and of the Council of 6 November 2001 on a Community energy efficiency labelling programme for office equipment⁽²⁾.

- (4) With a view to adopting the Community position, the Commission has consulted the special committee designated by the Council.
- (5) The monitor specifications in Annex C, part II, should be repealed and replaced by the specifications annexed to this Decision,

DECIDES:

Sole Article

The position to be adopted by the European Community for a decision by the Management entities, under the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficient labelling programmes for office equipment, on the monitor specifications in Annex C, part II, to the Agreement shall be based on the attached draft decision.

Done at Brussels, 22 December 2004.

For the Commission
Jacques BARROT
Vice-President

⁽¹⁾ OJ L 99, 17.4.2003, p. 47.

⁽²⁾ OJ L 332, 15.12.2001, p. 1.

ANNEX

DECISION

of ...

of the Management entities under the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficient labelling programmes for office equipment on the revision of the Annex C, part II, defining monitor specifications

THE MANAGEMENT ENTITIES,

Having regard to the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficient labelling programmes for office equipment, and in particular Article X(2) thereof,

Whereas the monitor specifications in part II of Annex C to the Agreement should be amended,

HAVE DECIDED AS FOLLOWS:

The monitor specifications in Annex C, part II, to the Agreement are hereby repealed and replaced by the specifications in the Annex to this Decision.

This Decision, done in duplicate, shall be signed by the Co-chairs. The Decision shall be applicable as from 1 January 2005.

Signed in Washington DC,

*On behalf of the United States
Environmental Protection Agency*

...

Signed in Brussels,

*On behalf of the
European Community*

...

ANNEX C, PART II TO THE AGREEMENT

II. COMPUTER MONITOR SPECIFICATIONS

1. Definitions

A. Computer monitor (also referred to as 'monitor')

A commercially available, electronic product with a display screen and its associated electronics encased in a single housing that is capable of displaying output information from a computer via one or more inputs, such as VGA, DVI, and/or IEEE 1394. The monitor usually relies upon a cathode-ray tube (CRT), liquid crystal display (LCD), or other display device. This definition is intended primarily to cover standard monitors designed for use with computers. To qualify, the computer monitor must have a viewable diagonal screen size greater than 12 inches and must be capable of being powered by a separate AC wall outlet or a battery unit that is sold with an AC adapter. Computer monitors with a tuner/receiver may qualify as Energy Star under this specification as long as they are marketed and sold to consumers as computer monitors (i.e. focusing on computer monitor as the primary function) or as dual function computer monitors and televisions. However, products with a tuner/receiver and computer capability that are marketed and sold as televisions are not included in this specification.

B. On Mode/Active Power

The product is connected to a power source and produces an image. The power requirement in this mode is typically greater than the power requirement in Sleep and Off Modes.

C. Sleep Mode/Low Power

The reduced power state that the computer monitor enters after receiving instructions from a computer or via other functions. A blank screen and reduction in power consumption characterise this mode. The computer monitor returns to On Mode with full operational capability upon sensing a request from a user/computer (e.g. user moves the mouse or presses a key on the keyboard).

D. Off Mode/Standby Power

The lowest power consumption mode which cannot be switched off (influenced) by the user and that may persist for an indefinite time when a computer monitor is connected to the main electricity supply and used in accordance with the manufacturer's instructions. For purposes of this specification, Off Mode is defined as the power state when the product is connected to a power source, produces no images, and is waiting to be switched to On Mode by a direct signal from a user/computer (e.g. user pushes power switch)⁽¹⁾.

E. Hard Off Mode

A condition where the product is still plugged into the mains, but has been disconnected from an external power source. This mode is usually engaged by the consumer via a 'hard off switch'. While in this mode, a product will not draw any electricity and will usually measure 0 watt when metered.

F. Disconnect

The product has been unplugged from the mains and therefore is disconnected from all external power sources.

2. Qualifying products

In order to qualify as Energy Star, a computer monitor model must meet the definition in Section 1.A and the specification requirements provided in Section 3 below. As explained in Section 1, this specification does not cover products with computer capability that are marketed and sold as televisions.

3. Energy-efficiency specifications for qualifying products

Only those products listed in Section 2 that meet the following criteria may qualify as Energy Star. Effective dates for Tiers 1 and 2 are provided in Section 6 of this specification.

Widescreen models

Widescreen (e.g. 16:9, 15:9, etc.) models are eligible to earn the Energy Star, provided that they meet the energy-efficiency requirements in these specifications. There are no separate specifications for widescreen models and as such, they must comply with Sections 3.A and 3.B below. For Tier 2, future revisions or clarifications for widescreen models will be evaluated and considered.

⁽¹⁾ This definition is consistent with IEC 62301: Household Electrical Appliances — Measurement of Standby Power as of March 2004.

A. On Mode/Active Power

1. Tier 1

To qualify as Energy Star, computer monitor models must not exceed the following maximum active power consumption equation: $Y = 38X + 30$. Y is expressed in watts and rounded up to the nearest whole number and X is the number of megapixels in decimal form (e.g. 1 920 000 pixels = 1,92 megapixels). For example, the maximum power consumption for a computer monitor with 1 800 × 1 440 resolution, or 2 592 000 pixels, would be: $38(2,592) + 30 = 128,49$ or 129 watts when rounded up. Under this metric, maximum allowed power consumption for computer monitors with various standard resolutions is provided below in Table 1.

2. Tier 2

To qualify as Energy Star, computer monitor models must not exceed the following maximum active power consumption equation: If $X < 1$ megapixel, then $Y = 23$; if $X \geq 1$ megapixel, then $Y = 28X$. Y is expressed in watts and rounded up to the nearest whole number and X is the number of megapixels in decimal form (e.g. 1 920 000 pixels = 1,92 megapixels). For example, the maximum power consumption for a computer monitor with 1 024 × 768 resolution (or ,78 megapixels) would be $Y = 23$ watts and for a computer monitor with 1 600 × 1 200 resolution would be $28(1,92) = 53,76$ or 54 watts when rounded up.

TABLE 1
Sample Tier 1 On Mode maximum power levels

Resolution	Total pixels	Maximum power use for Tier 1
640 × 480	307 200	42 watts
800 × 600	480 000	49 watts
1 024 × 768	786 432	60 watts
1 280 × 768	983 040	68 watts
1 280 × 1 024	1 310 720	80 watts
1 600 × 1 024	1 638 400	93 watts
1 600 × 1 200	1 920 000	103 watts
1 920 × 1 200	2 304 000	118 watts
1 800 × 1 440	2 592 000	129 watts
2 048 × 1 440	2 949 120	143 watts
2 048 × 1 536	3 145 728	150 watts

To qualify a computer monitor as Energy Star, it must be tested according to the protocol outlined in Section 4, Test methodology.

B. Sleep and Off Modes

1. Tiers 1 and 2

Maximum power consumption levels for Sleep and Off Modes are provided in Table 2 below. Computer monitors capable of multiple Sleep Modes (i.e. Sleep and Deep Sleep) shall meet the Sleep Mode requirement below in all such modes. For example, under Tier 1, a computer monitor tested at 7 watts in Sleep and 3 watts in Deep Sleep would not qualify because one of the Sleep Modes exceeds 4 watts.

2. Sleep Mode exception

Computer monitors that have the capability to proceed automatically from On Mode/Active Power to an Off Mode/Standby Power of 2 watts or less in Tier 1 and 1 watt or less in Tier 2 comply with these energy consumption requirements. The computer monitor's Off Mode/Standby Power must be activated within 30 minutes of user inactivity or as otherwise defined in future versions of the Computer Agreement (issued after current Version 3.0). Upon resumption of user activity (e.g. user moves the mouse or presses a key on the keyboard), the computer monitor must return to full operational capability. In other words, a Sleep Mode is not necessary if the computer monitor can proceed from On Mode/Active Power to Off Mode/Standby Power and meet the Energy Star requirements in the Off Mode/Standby Power.

TABLE 2

Energy-efficiency criteria for Sleep and Off Modes (Tiers 1 and 2)

	Tier 1	Tier 2
Sleep Mode	≤ 4 watts	≤ 2 watts
Off Mode	≤ 2 watts	≤ 1 watt

3. Sleep Mode enabling

Energy savings from the computer monitor's Sleep Mode can only be achieved if this power-saving mode is enabled. Enabling and default times are driven by the computer; where feasible (e.g. where monitor manufacturer has a business relationship with specific computer manufacturers or where monitor manufacturer also sells its own computers or bundled products), monitor manufacturer should ensure that Energy Star qualified computer monitors have their Sleep Modes enabled when shipped to the customer. Further, the computer shall activate the computer monitor's Sleep Mode within 30 minutes of user inactivity or as otherwise defined. **If a computer monitor has the capability to proceed automatically from On Mode/Active Power to Off Mode/Standby Power, then, consistent with the Sleep Mode requirements, the computer monitor's Off Mode/Standby Power must be activated within 30 minutes of user inactivity or as otherwise defined.**

4. Test methodologyProduct testing set-up, methodology, and documentation

The testing and measurement methods below reference published specifications from the Video Electronics Standards Association (VESA) Display Metrology Committee and the International Electrotechnical Commission (IEC), and supplement those guidelines where necessary with methods developed in cooperation with the computer monitor industry.

Manufacturers are required to perform tests and self-certify those product models that meet the Energy Star guidelines. Families of computer monitor models that are built on the same chassis and are identical in every respect but housing and colour may be qualified through submission of test data for a single, representative model. Likewise, models that are unchanged or that differ only in finish from those sold in a previous year may remain qualified without the submission of new test data, assuming the specification remains unchanged.

The power requirement shall be measured from the outlet or power source to the product under test. The average true power consumption of the computer monitor shall be measured during the On Mode/Active Power, the Sleep Mode/Low Power, and the Off Mode/Standby Power. When performing measurements to self-certify a product model, the product being tested must initially be in the same condition (e.g. configuration and settings) as when shipped to the customer, unless adjustments need to be made pursuant to instructions below.

To ensure a consistent means for measuring the power consumption of electronic products, the following protocol must be followed, which has three main components:

Product testing set-up and conditions: outlined below in Sections A through H are the ambient test conditions and measurement protocols that must be respected when performing power measurements.

Product testing methodology: the actual test steps for measuring power in On Mode/Active Power, Sleep Mode/Low Power, and Off Mode/Standby Power are provided in Section I below.

Product testing documentation: documentation requirements for submittal of qualified product data are detailed in Section J below.

This protocol ensures that outside factors do not adversely affect the test results and that the test results can be consistently reproduced. Manufacturers may elect to use an in-house or independent laboratory to provide the test results. A sample of test facilities and recommended test equipment will be provided in the near future on the Energy Star website at www.energystar.gov.

Product testing set-up and conditions

A. Test conditions

General criteria

Supply voltage (*)	Europe: North America: Australia/New Zealand: Japan:	230 (± 1 %) volts AC, 50 Hz (± 1 %) 115 (± 1 %) volts AC, 60 Hz (± 1 %) 230 (± 1 %) volts AC, 50 Hz (± 1 %) 100 (± 1 %) volts AC, 50 Hz (± 1 %)/60 Hz (± 1 %)
Total harmonic distortion (voltage):	< 2 % THD	
Ambient temperature:	20 °C ± 5 °C	
Relative humidity:	30–80 %	
Line impedance:	< 0,25 ohm	

(*) **Supply voltage:** Manufacturers shall test their computer monitors based on the market in which the models will be sold. Manufacturers must ensure that qualifying products marketed and sold in any region as Energy Star do not exceed the power levels declared on the Qualifying Product Information (QPI) form (and stored in the Energy Star database) at the standard mains voltage and frequency conditions of that region. For equipment that is sold in multiple international markets and therefore rated at multiple input voltages, the manufacturer must test at and report all relevant voltages and power consumption levels if it intends to register the product as Energy Star in the respective markets. For example, a manufacturer that is shipping the same computer monitor model to the United States and Europe must measure and report the On, Sleep, and Off power consumption at both 115 volts/60 Hz and 230 volts/50 Hz.

(Reference IEC 62301: Household Electrical Appliances — Measurement of Standby Power, Sections 3.2, 3.3 and VESA Flat Panel Display Measurements (FPDM) Standard 2.0, Section 301-2)

B. Dark room conditions

When performing light measurements, the computer monitor shall be located in a dark room condition. The computer monitor screen illuminance measurement (E), when in Off Mode/Standby Power, must be 1,0 lux or less. Measurements should be made at a point perpendicular to the center of the screen using a Light Measuring Device (LMD) with the computer monitor in Off Mode/Standby Power (Reference VESA FPDM Standard 2.0, Section 301-2F).

C. Colour controls and peripherals

All colour controls (hue, saturation, gamma, etc.) shall be placed at their factory default settings. No external devices shall be connected to any included Universal Serial Bus (USB) hubs or ports. Any built-in speakers, TV tuners, etc. may be placed in their minimum power configuration, as adjustable by the user, to minimise power use not associated with the display itself. Circuit removal or other actions not under user control may not be taken to minimise power use.

D. Power measurement test conditions

CRT pixel format shall be set at the preferred pixel format with the highest resolution that is intended to be driven at a 75 Hz refresh rate. A VESA Discrete Monitor Timing (DMT) or newer industry standard pixel format timing must be used for the test. The CRT monitor must be capable of meeting all its manufacturer-stated quality specifications in the tested format. For LCDs and other fixed pixel technologies, pixel format shall be set to the native level. LCD refresh rate shall be set to 60 Hz, unless a different refresh rate is specifically recommended by the manufacturer, in which case that rate shall be used.

E. Power measurement protocols

Computer monitor power consumption shall be measured in watts with an imposed test pattern. Warm-up time shall be a minimum of a 20-minute period (Reference VESA FPDM Standard 2.0, Section 301-2D or 305-3 for warm-up test). A true RMS power meter with a crest factor of at least five shall be used to measure the power use of each randomly chosen unit at one or more, as appropriate, of the voltage/frequency combinations provided in Section 4.A (Reference VESA Standard: Display Specifications and Measurement Procedures, Version 1.0, Revision 1.0, Section 8.1.3). Measurements shall be taken after wattage values are stable over a three-minute period. Measurements are considered stable if the wattage reading does not vary more than 1 % over the three-minute period (Reference IEC 4.3.1). (Manufacturers shall ignore the input sync signal check cycle when metering the model in Sleep Mode/Low Power and Off Mode/Standby Power.) Manufacturers shall use calibrated measuring equipment capable of measurements accurate to one-tenth of a watt or better.

Borrowing from European Norm 50301 (Reference BSI 03-2001, BS EN 50301:2001, Methods of Measurement for the Power Consumption of Audio, Video, and Related Equipment, Annex A), EPA has established a test procedure where the number of units required for test depends on the test results for the first unit. For the purposes of Energy Star, if a tested computer monitor uses at least 15 % less power (i.e. greater than or equal to 15 %) than the Energy Star specification in all three operating modes (On Mode/Active Power, Sleep Mode/Low Power, and Off Mode/Standby Power), then it only has to be tested once. However, if a tested computer monitor is within 15 % (i.e. less than 15 %) of the Energy Star specification in any of the three operating modes, then two more units have to be tested. None of the test values may exceed the Energy Star specification for the model to qualify as Energy Star. All of the test results as well as the average values (based on the three or more data points) must be reported on an Energy Star QPI form.

The following example further illustrates this approach:

Example: For simplicity, assume the specification is 100 watts or less and only applies to one operational mode. 85 watts would represent the 15 % threshold...

- If the first unit is measured at 80 watts, no more testing is needed and the model qualifies (80 watts is at least 15 % more efficient than the specification and is 'outside' the 15 % threshold).
- If the first unit is measured at 85 watts, no more testing is needed and the model qualifies (85 watts is exactly 15 % more efficient than the specification).
- If the first unit is measured at 90 watts, then two more units must be tested to determine qualification (90 watts is only 10 % more efficient than the specification and is 'within' the 15 % threshold).
- If three units are tested at 90, 98 and 105 watts, the model does not qualify as Energy Star—even though the average is 98 watts— because one of the values (105) exceeds the Energy Star specification.

F. Luminance test patterns and procedures

For CRT monitors, the technician shall initiate the AT01P (Alignment Target 01 Positive Mode) pattern (VESA FPD Standard 2.0, A112-2F, AT01P) for screen size and use it to set the computer monitor to the manufacturer's recommended image size, which is typically slightly smaller than maximum viewable screen size. Then, test pattern (VESA FPD Standard 2.0, A112-2F, SET01K) shall be displayed that provides eight shades of gray from full black (0 volt) to full white (0,7 volt) ⁽¹⁾. Input signal levels shall conform to VESA Video Signal Standard (VSIS), Version 1.0, Rev. 2.0, December 2002. The technician shall adjust (where feasible) the computer monitor brightness control downward from its maximum until the lowest black bar luminance level is just slightly visible (VESA FPD Standard 2.0, Section 301-3K). The technician shall then display a test pattern (VESA FPD Standard 2.0, A112-2H, L80) that provides a full white (0,7 volt) box that occupies 80 % of the image. The technician shall then adjust the contrast control until the white area of the screen provides at least 100 candelas per square meter of luminance, measured according to VESA FPD Standard 2.0, Section 302-1.

For all fixed pixel displays (e.g. LCDs and others), test pattern (VESA FPD Standard 2.0, A112-2F, SET01K) shall be displayed that provides eight shades of gray from full black (0 volt) to full white (0,7 volt). Input signal levels shall conform to VESA Video Signal Standard (VSIS), Version 1.0, Rev. 2.0, December 2002. With the brightness and contrast controls at maximum, the technician shall check that, at a minimum, the white and near white gray levels can be distinguished. If white and near white gray levels cannot be distinguished, then contrast shall be adjusted until they can be distinguished. The technician shall next display a test pattern (VESA FPD Standard 2.0, A112-2H, L80) that provides a full white (0,7 volt) box that occupies 80 % of the image. The technician shall then adjust the brightness control until the white area of the screen provides at least 175 candelas per square meter of luminance, measured according to VESA FPD Standard 2.0, Section 302-1. [If computer monitor's maximum luminance is less than 175 candelas per square meter (e.g. 150), then technician shall use the maximum luminance (e.g. 150) and report the value to EPA with other required testing documentation. Similarly, if the computer monitor's minimum luminance is greater than 175 candelas per square meter (e.g. 200), then technician shall use the minimum luminance (e.g. 200) and report the value on the Energy Star QPI form.

⁽¹⁾ Corresponding voltage values for digital only interface monitors that correspond to the brightness of the image (0 to 0,7 volt) are:
 0 volt (black) = a setting of 0
 0,1 volt (darkest shade of gray analogue) = 36 digital gray
 0,7 volt (full white analogue) = 255 digital gray
 Please note that future digital interface specifications may widen this range, but in all cases, 0 volt shall correspond to black and the maximum value shall correspond to white, with 0,1 volt corresponding to one-seventh of the maximum value.

G. Light measurement protocols

When light measurements, such as illuminance and luminance, need to be made, a LMD shall be used with the computer monitor located in dark room conditions. The LMD shall be used to make measurements at the center of, and perpendicular to the computer monitor screen (Reference VESA FPD Standard 2.0, Appendix A115). The screen surface area to be measured shall cover at least 500 pixels, unless this exceeds the equivalent of a rectangular area with sides of lengths equal to 10 % of the visible screen height and width (in which case this latter limit applies). However, in no case may the illuminated area be smaller than the area the LMD is measuring (Reference VESA FPD Standard 2.0, Section 301-2H).

H. Display set-up and characterisation

The computer monitor test sample characteristics shall be recorded prior to the test. The following information shall be recorded at a minimum:

Product description/category (e.g. 17-inch computer monitor with white housing)
Display technology (e.g. CRT, LCD, Plasma)
Brand name/manufacturer
Model number
Serial number
Rated voltage (VAC) and frequency (Hz)
Viewable diagonal size (inches)
Aspect ratio (e.g. 4:3)
Recommended image size (actual size tested) width × height
Viewing angle (horizontal and vertical degrees)
Screen refresh rate (during test) (Hz)
Number of pixels as tested (horizontal)
Number of pixels as tested (vertical)
Maximum claimed resolution (horizontal)
Maximum claimed resolution (vertical)
Analogue, digital, or both interfaces
Instrumentation information (e.g. type of signal generator)

Product testing methodology

I. Test method

Following are the test steps for measuring the true power requirements of the test unit in On Mode/Active Power, Sleep Mode/Low Power, and Off Mode/Standby Power. Manufacturers are required to test their computer monitors using the analogue interface, except in those cases where one is not provided (i.e. digital interface monitors, which are defined as only having a digital interface for purposes of this test method). For digital interface monitors, please see footnote 2 for voltage information and then follow the test method below using a digital signal generator.

On Mode/Active Power

1. Connect the test sample to the outlet or power source and test equipment. For computer monitors shipped with an external power supply, the external power supply (as opposed to a reference power supply) must be used in the test.
2. Power on all test equipment and properly adjust power source voltage and frequency.
3. Check for normal operation of the test unit and leave all customer adjustments set to factory default settings.
4. Bring the test unit into On Mode/Active Power either by using the remote control device or by using the ON/OFF switch on the test unit cabinet. Allow the unit under test to reach operating temperature (approximately 20 minutes).
5. Set the proper display mode. Refer to Section D, Power measurement test conditions.
6. Provide dark room conditions. See Sections G, Light measurement protocols, and B, Dark room conditions.
7. Set size and luminance. Refer to Section F, Luminance test patterns and procedures for CRT or fixed pixel displays. Once luminance is set, dark room conditions are no longer needed.
8. Either verify that the wall outlet power is within specifications or adjust the AC power source output as described in Section A (e.g. $115\text{ V} \pm 1\%$, $60\text{ Hz} \pm 1\%$).
9. Set the power meter current range. The full-scale value selected multiplied by the crest factor rating ($I_{\text{peak}}/I_{\text{rms}}$) of the meter must be greater than the peak current reading from the oscilloscope.
10. Allow the readings on the power meter to stabilise and then take the true power reading in watts from the power meter. Measurements are considered stable if the wattage reading does not vary more than 1 % over the three-minute period. See Section E, Power measurement protocols.
11. Power consumption shall be recorded, as well as total pixel format (horizontal $\times$ vertical pixels displayed), to calculate pixels/watt.
12. Record the test conditions and test data.

Sleep Mode/Low Power (Power Switch On, No Video Signal)

1. At the conclusion of the On Mode/Active Power test, initiate the computer monitor's Sleep Mode/Low Power. The method of adjustment shall be documented along with the sequence of events required to reach the Sleep Mode/Low Power. Power on all test equipment and properly adjust operation range.
2. Allow the computer monitor to remain in Sleep Mode/Low Power until stable power readings are measured. Measurements are considered stable if the wattage reading does not vary more than 1 % over the three-minute period. Manufacturers shall ignore the input sync signal check cycle when metering the model in Sleep Mode/Low Power.
3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power). If the device has different Sleep Modes that can be manually selected, the measurement should be taken with the device in the most energy consumptive of those modes. If the modes are cycled through automatically, the measurement time should be long enough to obtain a true average that includes all modes.

Off Mode/Standby Power (Power Switch Off)

1. At the conclusion of the Sleep Mode/Low Power test, initiate the computer monitor's Off Mode/Standby Power. If only one power switch is provided (i.e. a soft off or a hard off), press that switch; if two power switches are provided (i.e. a soft off AND a hard off), press the soft off switch. The method of adjustment shall be documented along with the sequence of events required to reach the Off Mode/Standby Power. Power on all test equipment and properly adjust operation range.
2. Allow the computer monitor to remain in Off Mode/Standby Power until stable power readings are measured. Measurements are considered stable if the wattage reading does not vary more than 1 % over the three-minute period. Manufacturers shall ignore the input sync signal check cycle when metering the model in Off Mode/Standby Power.

3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power).

Product testing documentation

J. Submittal of qualified product data

Partners are required to self-certify those product models that meet the Energy Star guidelines and report information on a QPI form. Energy Star qualifying product lists, including information about new as well as discontinued models, must be provided on an annual basis, or more frequently if desired by the manufacturer.

5. User interface

Manufacturers are strongly recommended to design products in accordance with the user interface standards being developed by the Power Management Controls project to make power controls more consistent and intuitive across all electronic devices. For details on this project, see <http://eetd.LBL.gov/Controls>

6. Effective date

The effective date of the present specifications shall be as follows:

A. Qualifying products under Tier 1 of this specification

Tier 1 of this specification shall commence on 1 January 2005. All products, including models originally qualified under previous specifications, with a date of manufacture on or after 1 January 2005, must meet the new requirements in order to qualify for Energy Star (including additional shipments of models originally qualified under the previous version).

B. Qualifying and labelling products under Tier 2 of this specification:

The second phase of this specification, Tier 2, shall commence on 1 January 2006. Specifications for Tier 2 shall apply to products with a date of manufacture on or after 1 January 2006.

C. The date of manufacture is the date (e.g. month and year) on which a specific unit is completely assembled.

COMMISSION DECISION

of 30 December 2004

amending Decision 95/388/EC as regards the updating of the model health certificates for intra-Community trade in semen, ova and embryos of the ovine and caprine species

(notified under document number C(2004) 5544)

(Text with EEA relevance)

(2005/43/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC⁽¹⁾, and in particular the fourth indent of Article 11(2) and the third indent of Article 11(3) thereof,

Whereas:

- (1) Directive 92/65/EEC lays down the animal health requirements governing trade in semen, ova and embryos of the ovine and caprine species.
- (2) Commission Decision 95/388/EC⁽²⁾ lays down the specimen certificate applicable to such trade.
- (3) Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies⁽³⁾ now provides the legal basis for all measures relating to TSEs in animals. Commission Regulation (EC) No 1492/2004 amended Regulation (EC) No 999/2001 to clarify the specific TSE-related requirements for trade in semen, ova and embryos of the ovine and caprine species and to provide derogations for semen and embryos from animals of certain genotypes.

(4) It is therefore necessary to align the animal health model certificates in Annexes I and II to Decision 95/388/EC with the updated rules.

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

HAS ADOPTED THIS DECISION:

Article 1

1. Annex I to Decision 95/388/EC is replaced by Annex I to this Decision.
2. Annex II to Decision 95/388/EC is replaced by Annex II to this Decision.

Article 2

This Decision shall apply from 1 January 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 December 2004.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 268, 14.9.1992, p. 54. Directive as last amended by Directive 2004/68/EC (OJ L 139, 30.4.2004, p. 321).

⁽²⁾ OJ L 234, 3.10.1995, p. 30.

⁽³⁾ OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 1492/2004 (OJ L 274, 24.8.2004, p. 3).

ANNEX I

Model veterinary certificate for trade in semen of the ovine and caprine species

EUROPEAN COMMUNITY

Intra-trade certificate

Part I: Details of consignment presented	I.1. Consignor ☐ Name Address Postal code		I.2. Certificate reference number	I.2.a. Local reference number:
			I.3. Central Competent Authority	
			I.4. Local Competent Authority	
	I.5. Consignee Name Address Postal code		I.6. No(s) of related original certificates No(s) of accompanying documents	
			I.7. Dealer Name Approval number	
	I.8. Country of origin	ISO code	I.10. Country of destination	ISO code
	I.9. Region of origin	Code	I.11. Region of destination	Code
	I.12. Place of origin/place of harvest Holding ☐ Assembly centre ☐ Dealer's premise ☐ Approved body ☐ Semen centre ☐ Approved aquaculture holding ☐ Embryo team ☐ Establishment ☐ Other ☐ Name Address Postal code Approval number		I.13. Place of destination Holding ☐ Assembly centre ☐ Dealer's premise ☐ Approved body ☐ Semen centre ☐ Approved aquaculture holding ☐ Embryo team ☐ Establishment ☐ Other ☐ Name Address Postal code Approval number	
	I.14. Place of loading Postal code		I.15. Date and time of departure	
	I.16. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification		I.17. Transporter Name Address Postal code Approval number Member State	
	I.18. Animal species/product		I.19. Commodity code (CN code)	
			I.20. Number/Quantity	
	I.21. Temperature of products Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages	
	I.23. Identification of container/Seal number		I.24. Type of packaging	
	I.25. Animals certified as/products certified for: Breeding ☐ Fattening ☐ Slaughter ☐ Transhumance ☐ Approved body ☐ Artificial reproduction ☐ Registered equidae ☐ Game restocking ☐ Pets ☐ Human consumption ☐ Animal feedingstuff ☐ Pharmaceutical use ☐ Technical use ☐ Other ☐			
I.26. Transit through third country ☐ Third country Exit point Entry point ISO code Code BIP unit No:		I.27. Transit through Member States ☐ Member State Member State Member State ISO code ISO code ISO code		
I.28. Export ☐ Third country Exit point ISO code Code		I.29. Estimated journey time		
I.30. Route plan Yes ☐ No ☐				
I.31. Identification of the animals Identification mark of doses (2)				

EUROPEAN COMMUNITY

Ovine/caprine semen Intra-trade certificate

Part II: Certification	II. Health information ☐	II.a. Certificate reference number	II.b. Local reference number								
	I, the undersigned official veterinarian, hereby certify that: - The semen described above was collected, processed and stored under conditions which meet the requirements of Directive 92/65/EEC. - The semen comes from an animal of the ovine/caprine species (1) which meets the requirements of Annex D, Chapter II, points B and C to Directive 92/65/EEC. - In the case of semen collected and processed in a centre/station (1), collection, processing and storage took place in a centre/station (1). - The semen meets the requirements of Annex D, Chapter III to Directive 92/65/EEC and of Annex VIII, Chapter A(I) to Regulation (EC) No 999/2001. (1) Delete as appropriate. (2) Corresponding to the identification of the donor animals and date of collection.										
Official veterinarian or official inspector <table> <tr> <td>Name (in capitals)</td> <td>Qualification and title</td> </tr> <tr> <td>Local veterinary unit</td> <td>No of the related LVU</td> </tr> <tr> <td>Date</td> <td>Signature</td> </tr> <tr> <td>Stamp</td> <td></td> </tr> </table>				Name (in capitals)	Qualification and title	Local veterinary unit	No of the related LVU	Date	Signature	Stamp	
Name (in capitals)	Qualification and title										
Local veterinary unit	No of the related LVU										
Date	Signature										
Stamp											

EUROPEAN COMMUNITY

Intra-trade certificate

Part III: Control	III.1. Date of the inspection 	III.2. Certificate reference number:
	III.3. Documentary Check: No ☐ Yes ☐ EU Standard Satisfactory ☐ Not satisfactory ☐ Additional guarantees Satisfactory ☐ Not satisfactory ☐ National requirements Satisfactory ☐ Not satisfactory ☐	III.4. Identity Check: No ☐ Yes ☐ Satisfactory ☐ Not satisfactory ☐
	III.5. Physical Check: No ☐ Total animals checked ☐ Satisfactory ☐ Not satisfactory ☐	III.6. Laboratory Tests: No ☐ Yes ☐ Date: Tested for: Results: Random ☐ Suspicion ☐ Satisfactory ☐ Not satisfactory ☐
	III.7. Welfare check No ☐ Yes ☐ Satisfactory ☐ Not satisfactory ☐	
	III.8. Infringement of welfare regulation: III.8.1. Transporter authorisation invalid ☐ III.8.2. Non-compliance of the means of transport ☐ III.8.3. Stocking density exceeded ☐ Average space III.8.4. Travel times exceeded ☐ III.8.5. Watering and feeding not fulfilled ☐ III.8.6. Mishandling or negligence to the animals ☐ III.8.7. Other ☐	III.9. Infringement of health legislation III.9.1. Absence/invalid certificate ☐ III.9.2. Mis-match with documents ☐ III.9.3. Non-authorised country ☐ III.9.4. Non-approved region/zone ☐ III.9.5. Prohibited species ☐ III.9.6. Absence of additional guarantee ☐ III.9.7. Non-approved holding ☐ III.9.8. Diseased or suspect animals ☐ III.9.9. Unsatisfactory tests ☐ III.9.10. Absence or non-legal identification ☐ III.9.11. National requirements not fulfilled ☐ III.9.12. Address of destination invalid ☐ III.9.13. Other ☐
	III.10. Impact of the transport on animals Number of dead animals: Estimation Number of unfit animals: Estimation Number of birth or abortion	
	III.11. Corrective action III.11.1. Delayed departure ☐ III.11.2. Transfer procedure ☐ III.11.3. Quarantine ☐ III.11.4. Humane killing/Euthanasia ☐ III.11.5. Destruction of carcasses/products ☐ III.11.6. Return of consignment ☐ III.11.7. Treatment of products ☐ III.11.8. Use of products for other purpose ☐ Identification:	III.12. Follow-up of quarantine III.12.1. Humanely killing/Euthanasia ☐ III.12.2. Release ☐
III.13. Place of inspection Establishment ☐ Holding ☐ Assembly centre ☐ Dealer's premise ☐ Approved body ☐ Semen centre ☐ Port ☐ Airport ☐ Exit point ☐ Enroute ☐ Other ☐		
III.14. Official veterinarian or official inspector Local Veterinary Unit No of the related LVU Name (in Capital): Qualification and title Date: Signature:		

ANNEX II

Model veterinary certificate for trade in ova/embryos of the ovine and caprine species

EUROPEAN COMMUNITY

Intra-trade certificate

Part I: Details of consignment presented	I.1. Consignor ☐ Name Address Postal code		I.2. Certificate reference number		I.2.a. Local reference number:	
			I.3. Central Competent Authority			
			I.4. Local Competent Authority			
	I.5. Consignee Name Address Postal code		I.6. No(s) of related original certificates		No(s) of accompanying documents	
			I.7. Dealer Name		Approval number	
	I.8. Country of origin	ISO code	I.9. Region of origin	Code	I.10. Country of destination	ISO code
					I.11. Region of destination	Code
	I.12. Place of origin/place of harvest Holding ☐ Assembly centre ☐ Dealer's premise ☐ Approved body ☐ Semen centre ☐ Approved aquaculture holding ☐ Embryo team ☐ Establishment ☐ Other ☐ Name Approval number Address Postal code		I.13. Place of destination Holding ☐ Assembly centre ☐ Dealer's premise ☐ Approved body ☐ Semen centre ☐ Approved aquaculture holding ☐ Embryo team ☐ Establishment ☐ Other ☐ Name Approval number Address Postal code			
	I.14. Place of loading Postal code		I.15. Date and time of departure			
	I.16. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification		I.17. Transporter Name Approval number Address Postal code Member State			
I.18. Animal species/product		I.19. Commodity code (CN code)				
		I.20. Number/Quantity				
I.21. Temperature of products Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages				
I.23. Identification of container/Seal number		I.24. Type of packaging				
I.25. Animals certified as/products certified for: Breeding ☐ Fattening ☐ Slaughter ☐ Transhumance ☐ Approved body ☐ Artificial reproduction ☐ Registered equidae ☐ Game restocking ☐ Pets ☐ Human consumption ☐ Animal feedingstuff ☐ Pharmaceutical use ☐ Technical use ☐ Other ☐						
I.26. Transit through third country ☐ Third country ISO code Exit point Code Entry point BIP unit No:			I.27. Transit through Member States ☐ Member State ISO code Member State ISO code Member State ISO code			
I.28. Export ☐ Third country ISO code Exit point Code			I.29. Estimated journey time			
I.30. Route plan Yes ☐ No ☐						
I.31. Identification of the animals Identification mark of doses (2)						

EUROPEAN COMMUNITY

Ovine/caprine ova/embryos Intra-trade certificate

Part II: Certification	II. Health information ☐	II.a. Certificate reference number	II.b. Local reference number								
	I, the undersigned official veterinarian, hereby certify that: 1. The ova/embryos (1) described above was collected, processed and stored under conditions which meet the requirements of Directive 92/65/EEC. 2. The ova/embryos (1) come from female donors of the ovine/caprine species (1) which meets the requirements of Annex D, Chapter IV to Directive 92/65/EEC. 3. The ova/embryos (1) meet the requirements of Annex D, Chapter III to Directive 92/65/EEC and of Annex VIII, Chapter A(I) to Regulation (EC) No 999/2001. 4. In case of embryos the semen used for fertilisation meets the requirements of Directive 92/65/EEC and of Annex VIII, Chapter A(I) to Regulation (EC) No 999/2001. (1) Delete as appropriate. (2) Corresponding to the identification of the donor animals and date of collection.										
Official veterinarian or official inspector <table> <tr> <td>Name (in capitals)</td> <td>Qualification and title</td> </tr> <tr> <td>Local veterinary unit</td> <td>No of the related LVU</td> </tr> <tr> <td>Date</td> <td>Signature</td> </tr> <tr> <td>Stamp</td> <td></td> </tr> </table>				Name (in capitals)	Qualification and title	Local veterinary unit	No of the related LVU	Date	Signature	Stamp	
Name (in capitals)	Qualification and title										
Local veterinary unit	No of the related LVU										
Date	Signature										
Stamp											

EUROPEAN COMMUNITY

Intra-trade certificate

Part III: Control	III.1. Date of the inspection 	III.2. Certificate reference number:	
	III.3. Documentary Check: No ☐ Yes ☐ EU Standard Satisfactory ☐ Not satisfactory ☐ Additional guarantees Satisfactory ☐ Not satisfactory ☐ National requirements Satisfactory ☐ Not satisfactory ☐	III.4. Identity Check: No ☐ Yes ☐ Satisfactory ☐ Not satisfactory ☐	
	III.5. Physical Check: No ☐ Total animals checked ☐ Satisfactory ☐ Not satisfactory ☐	III.6. Laboratory Tests: No ☐ Yes ☐ Date: Tested for: Results: Random ☐ Suspicion ☐ Satisfactory ☐ Not satisfactory ☐	
	III.7. Welfare check No ☐ Yes ☐ Satisfactory ☐ Not satisfactory ☐		
	III.8. Infringement of welfare regulation: III.8.1. Transporter authorisation invalid ☐ III.8.2. Non-compliance of the means of transport ☐ III.8.3. Stocking density exceeded ☐ Average space III.8.4. Travel times exceeded ☐ III.8.5. Watering and feeding not fulfilled ☐ III.8.6. Mishandling or negligence to the animals ☐ III.8.7. Other ☐	III.9. Infringement of health legislation III.9.1. Absence/invalid certificate ☐ III.9.2. Mis-match with documents ☐ III.9.3. Non-authorised country ☐ III.9.4. Non-approved region/zone ☐ III.9.5. Prohibited species ☐ III.9.6. Absence of additional guarantee ☐ III.9.7. Non-approved holding ☐ III.9.8. Diseased or suspect animals ☐ III.9.9. Unsatisfactory tests ☐ III.9.10. Absence or non-legal identification ☐ III.9.11. National requirements not fulfilled ☐ III.9.12. Address of destination invalid ☐ III.9.13. Other ☐	
	III.10. Impact of the transport on animals Number of dead animals: Estimation ☐ Number of unfit animals: Estimation ☐ Number of birth or abortion ☐		
	III.11. Corrective action III.11.1. Delayed departure ☐ III.11.2. Transfer procedure ☐ III.11.3. Quarantine ☐ III.11.4. Humane killing/Euthanasia ☐ III.11.5. Destruction of carcasses/products ☐ III.11.6. Return of consignment ☐ III.11.7. Treatment of products ☐ III.11.8. Use of products for other purpose ☐ Identification:	III.12. Follow-up of quarantine III.12.1. Humanely killing/Euthanasia ☐ III.12.2. Release ☐	
	III.13. Place of inspection Establishment ☐ Holding ☐ Assembly centre ☐ Dealer's premise ☐ Approved body ☐ Semen centre ☐ Port ☐ Airport ☐ Exit point ☐ Enroute ☐ Other ☐		
	III.14. Official veterinarian or official inspector Local Veterinary Unit No of the related LVU Name (in Capital): Qualification and title Date: Signature:		

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL DECISION 2005/44/CFSP

of 20 December 2004

concerning the conclusion of the Agreement between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union military crisis management operation in Bosnia and Herzegovina (operation ALTHEA)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Article 1

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

The Agreement between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA) is hereby approved on behalf of the European Union.

Having regard to the recommendation from the Presidency,

The text of the Agreement is attached to this Decision.

Whereas:

Article 2

(1) On 12 July 2004, the Council adopted Joint Action 2004/570/CFSP on the European Union military operation in Bosnia and Herzegovina⁽¹⁾.

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

Article 3

(2) Article 11(3) of that Joint Action provides that detailed arrangements regarding the participation of third states shall be the subject of an agreement in accordance with Article 24 of the Treaty on European Union.

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

Article 4

(3) Following authorisation by the Council on 13 September 2004, the Presidency, assisted by the Secretary-General/High Representative, negotiated an Agreement between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union military crisis management operation in Bosnia and Herzegovina.

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

Done at Brussels, 20 December 2004.

(4) The Agreement should be approved,

For the Council

The President

P. VAN GEEL

⁽¹⁾ OJ L 252, 28.7.2004, p. 10.

AGREEMENT**between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union military crisis management operation in Bosnia and Herzegovina (operation ALTHEA)**

THE EUROPEAN UNION (EU),

of the one part, and

THE SWISS CONFEDERATION,

of the other part,

hereinafter referred to as the 'Parties',

TAKING INTO ACCOUNT:

- the adoption of United Nations Security Council Resolution 1575 (2004) of 22 November 2004 concerning the establishment of EUFOR,
- the adoption by the Council of the European Union of Decision 2004/803/CFSP of 25 November 2004 on the launching of the European Union military operation in Bosnia and Herzegovina ⁽¹⁾,
- the adoption by the Council of the European Union of Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina ⁽²⁾,
- the invitation to the Swiss Confederation to participate in the EU-led operation,
- the successful completion of the Force Generation process and the recommendation by the EU Operation Commander and the EU Military Committee to agree on the participation of Swiss Confederation forces in the EU-led operation,
- Political and Security Committee Decision BiH/1/2004 of 21 September 2004 ⁽³⁾ on the acceptance of the Swiss Confederation's contribution to the European Union military operation in Bosnia and Herzegovina,
- Political and Security Committee Decision BiH/3/2004 of 29 September 2004 on the setting-up of the Committee of Contributors for the European Union military operation in Bosnia and Herzegovina ⁽⁴⁾,

HAVE AGREED AS FOLLOWS:

Article 1

Participation in the operation

1. The Swiss Confederation shall associate itself with Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina and with any Joint Action or Decision by which the Council of the European Union decides to extend the EU military crisis management operation, in accordance with the provisions of this Agreement and any required implementing arrangements.

2. The contribution of the Swiss Confederation to the EU military crisis management operation is without prejudice to the decision-making autonomy of the European Union.

3. The Swiss Confederation shall ensure that its forces and personnel participating in the EU military crisis management operation undertake their mission in conformity with:

- Joint Action 2004/570/CFSP and possible subsequent amendments;
- the Operation Plan;
- implementing measures.

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

5. The Swiss Confederation shall inform the EU Operation Commander in due time of any change to its participation in the operation, including of the withdrawal of its contribution.

⁽¹⁾ OJ L 353, 27.11.2004, p. 21.

⁽²⁾ OJ L 252, 28.7.2004, p. 10.

⁽³⁾ OJ L 324, 27.10.2004, p. 20.

⁽⁴⁾ OJ L 325, 28.10.2004, p. 64.

*Article 2***Status of forces**

1. The status of the forces and personnel contributed to the EU military crisis management operation by the Swiss Confederation shall be governed by the provisions on the status of forces, if available, agreed between the European Union and the host country.

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

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

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

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

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

*Article 3***Classified information**

1. The Swiss Confederation shall take appropriate measures to ensure that EU classified information is protected in accordance with the European Union Council's security regulations, contained in Council Decision 2001/264/EC of

19 March 2001⁽¹⁾, and in accordance with further guidance issued by competent authorities, including the EU Operation Commander.

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

*Article 4***Chain of command**

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

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

3. The Swiss Confederation shall have the same rights and obligations in terms of the day-to-day management of the operation as participating European Union Member States.

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

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

*Article 5***Financial aspects**

1. The Swiss Confederation shall assume all the costs associated with its participation in the operation unless the costs are subject to common funding as provided for in the legal instruments referred to in Article 1(1) of this Agreement, as well as in Council Decision 2004/197/CFSP of 23 February 2004 establishing a mechanism to administer the financing of the common costs of EU operations having military or defence implications⁽²⁾.

⁽¹⁾ OJ L 101, 11.4.2001, p. 1.

⁽²⁾ OJ L 63, 28.2.2004, p. 68.

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

Article 6

Arrangements to implement the Agreement

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

Article 7

Non-compliance

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

Article 8

Dispute settlement

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

Article 9

Entry into force

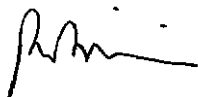
1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other of the completion of the internal procedures necessary for this purpose.

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

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

Done at Brussels, on 22 December 2004 in the English language in four copies.

For the European Union



For the Swiss Confederation



DECLARATIONS**referred to in Article 2(5) and (6) of the Agreement****Declaration by the EU Member States:**

The EU Member States applying EU Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina will endeavour, insofar as their internal legal systems so permit, to waive as far as possible claims against the Swiss Confederation for injury, death of their personnel, or damage to, or loss of, any assets owned by themselves and used by the EU crisis management operation if such injury, death, damage or loss:

- was caused by personnel from the Swiss Confederation in the execution of their duties in connection with the EU crisis management operation, except in case of gross negligence or wilful misconduct, or
- arose from the use of any assets owned by the Swiss Confederation, provided that the assets were used in connection with the operation and except in the case of gross negligence or wilful misconduct of EU crisis management operation personnel from the Swiss Confederation using those assets.

Declaration by the Swiss Confederation:

The Swiss Confederation applying EU Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina will endeavour, insofar as its internal legal system so permits, to waive as far as possible claims against any other State participating in the EU crisis management operation for injury, death of its personnel, or damage to, or loss of, any assets owned by itself and used by the EU crisis management operation if such injury, death, damage or loss:

- was caused by personnel in the execution of their duties in connection with the EU crisis management operation, except in case of gross negligence or wilful misconduct, or
 - arose from the use of any assets owned by States participating in the EU crisis management operation, provided that the assets were used in connection with the operation and except in case of gross negligence or wilful misconduct of EU crisis management operation personnel using those assets.
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