

Official Journal

of the European Union

L 36

English edition

Legislation

Volume 49

8 February 2006

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 206/2006 of 7 February 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

★ Commission Regulation (EC) No 207/2006 of 7 February 2006 amending Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community 3

★ Commission Regulation (EC) No 208/2006 of 7 February 2006 amending Annexes VI and VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for biogas and composting plants and requirements for manure ⁽¹⁾ 25

★ Commission Regulation (EC) No 209/2006 of 7 February 2006 amending Regulations (EC) No 809/2003 and (EC) No 810/2003 as regards the extension of the validity of the transitional measures for composting and biogas plants under Regulation (EC) No 1774/2002 of the European Parliament and of the Council ⁽¹⁾ 32

★ Commission Regulation (EC) No 210/2006 of 7 February 2006 fixing the aid for tomatoes for processing for the 2006/07 marketing year 34

★ Commission Regulation (EC) No 211/2006 of 7 February 2006 derogating from Regulation (EC) No 1433/2003 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards operational funds, operational programmes and financial assistance ... 36

★ Commission Directive 2006/16/EC of 7 February 2006 amending Council Directive 91/414/EEC to include oxamyl as active substance ⁽¹⁾ 37

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

Council

2006/75/EC:

- ★ **Council Decision of 30 January 2006 amending and extending Decision 2001/923/EC establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles' programme)** 40

2006/76/EC:

- ★ **Council Decision of 30 January 2006 extending to the non-participating Member States the application of Decision 2006/75/EC amending and extending Decision 2001/923/EC establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles' programme)** 42

Commission

2006/77/EC:

- ★ **Commission Decision of 23 December 2005 Commission Decision setting up a High Level Group on Competitiveness, Energy and the Environment** 43

2006/78/EC:

- ★ **Commission Decision of 31 January 2006 concerning a financial contribution by the Community for the implementation of an epidemiological survey and bluetongue surveillance measures in the context of the emergency measures taken to combat this disease in Portugal in 2004 and 2005 (notified under document number C(2006) 166)** 45

2006/79/EC:

- ★ **Commission Decision of 31 January 2006 amending Decisions 2005/759/EC and 2005/760/EC as regards an extension of their period of application (notified under document number C(2006) 187) ⁽¹⁾** 48

2006/80/EC:

- ★ **Commission Decision of 1 February 2006 granting certain Member States the derogation provided for in Article 3(2) of Council Directive 92/102/EEC on the identification and registration of animals (notified under document number C(2006) 172)** 50

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 206/2006
of 7 February 2006
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 February 2006.

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

Done at Brussels, 7 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 7 February 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	82,3
	204	50,7
	212	113,2
	624	111,0
	999	89,3
0707 00 05	052	99,0
	204	101,8
	628	167,7
	999	122,8
0709 10 00	220	63,9
	999	63,9
0709 90 70	052	165,0
	204	107,8
	999	136,4
0805 10 20	052	50,4
	204	54,7
	212	41,3
	220	39,9
	448	47,8
	624	64,1
	999	49,7
0805 20 10	204	89,3
	999	89,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	62,2
	204	114,1
	400	79,6
	464	145,9
	624	77,7
	662	45,3
	999	87,5
0805 50 10	052	48,6
	999	48,6
0808 10 80	400	127,4
	404	98,4
	720	74,3
	999	100,0
0808 20 50	388	92,1
	400	88,5
	528	111,0
	720	45,5
	999	84,3

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

COMMISSION REGULATION (EC) No 207/2006**of 7 February 2006****amending Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community ⁽¹⁾, and in particular Article 122 thereof,

Whereas:

- (1) Some Member States or their competent authorities have requested amendments to the Annexes to Regulation (EEC) No 574/72 in accordance with the procedure set out therein.
- (2) The proposed amendments are due to decisions taken by the Member States concerned or their competent authorities designating the authorities which are responsible for ensuring that social security legislation is implemented in accordance with Community law.

- (3) The schemes to be taken into consideration when calculating the average annual cost for benefits in kind, in accordance with Article 94 and Article 95 of Regulation (EEC) No 574/72, are listed in Annex 9.

- (4) The unanimous opinion of the Administrative Commission on Social Security for Migrant Workers has been obtained,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes 1 to 5 and Annexes 7 to 10 to Regulation (EEC) No 574/72 are amended in accordance with the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 7 February 2006.

For the Commission

Vladimír ŠPIDLA

Member of the Commission

⁽¹⁾ OJ L 74, 27.3.1972, p. 1. Regulation as last amended by Regulation (EC) No 647/2005 of the European Parliament and of the Council (OJ L 117, 4.5.2005, p. 1).

ANNEX

1. Annex 1 is amended as follows:

(a) Section 'K. CYPRUS' is replaced by the following:

'K. CYPRUS:

1. Υπουργός Εργασίας και Κοινωνικών Ασφαλίσεων (Minister of Labour and Social Insurance), Λευκωσία.
2. Υπουργός Υγείας (Minister of Health), Λευκωσία.
3. Υπουργός Οικονομικών (Minister of Finance), Λευκωσία.;

(b) Section 'L. LATVIA' is replaced by the following:

'L. LATVIA:

1. Labklājības ministrija, Rīga (Ministry of Welfare, Riga).
2. Veselības ministrija, Rīga (Ministry of Health, Riga).;

(c) Section 'O. HUNGARY' is replaced by the following:

'O. HUNGARY:

1. Egészségügyi Minisztérium (Ministry of Health), Budapest.
2. Ifjúsági, Családügyi, Szociális és Esélyegyenlőségi Minisztérium (Ministry of Youth, Family and Social Affairs and Equal Opportunities), Budapest.
3. Foglalkoztatáspolitikai és Munkaügyi Minisztérium (Ministry of Employment and Labour), Budapest.
4. Pénzügyminisztérium (Ministry of Finance), Budapest.;

(d) Section 'Q. NETHERLANDS' is amended as follows:

point 2 is replaced by the following:

'2. Minister van Volksgezondheid, Welzijn en Sport (Minister for Public Health, Welfare and Sport), Den Haag.;

(e) Section 'R. AUSTRIA' is replaced by the following:

'R. AUSTRIA:

1. Bundesminister für soziale Sicherheit, Generationen und Konsumentenschutz, (Federal Minister for Social Security, Generations and Consumer Protection), Vienna.
2. Bundesminister für Wirtschaft und Arbeit (Federal Minister for Economic Affairs and Labour), Vienna.
3. Bundesminister für Gesundheit und Frauen (Federal Minister for Health and Women), Vienna.
4. Special schemes for civil servants:

Bundeskanzler (Federal Chancellor), Vienna, or the provincial government concerned.'

2. Annex 2 is amended as follows:

(a) Section 'J. ITALY' is amended as follows:

(i) point 3.A is replaced by the following:

'A. Employed persons:

(a) in general:

Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices;

- (b) for workers in the entertainment business:

Ente nazionale di previdenza e assistenza per i lavoratori dello spettacolo (National Welfare and Assistance Office for Workers in the Entertainment Business), Roma;

- (c) for journalists:

Istituto nazionale di previdenza dei giornalisti italiani "Giovanni Amendola" (Giovanni Amendola National Welfare Institution for Italian Journalists), Roma.;

- (ii) point 3.B is replaced by the following:

'B. Self-employed persons:

- (a) for medical practitioners:

Ente nazionale di previdenza ed assistenza medici (National Welfare and Assistance Office for Medical Practitioners);

- (b) for pharmacists:

Ente nazionale di previdenza ed assistenza farmacisti (National Welfare and Assistance Office for Pharmacists);

- (c) for veterinarians:

Ente nazionale di previdenza ed assistenza veterinari (National Welfare and Assistance Office for Veterinarians);

- (d) for nurses, medical auxiliaries and children's nurses:

Cassa nazionale di previdenza ed assistenza a favore degli infermieri professionali, assistenti sanitari, vigilatrici d'infanzia (IPASVI);

- (e) for engineers and architects:

Cassa nazionale di previdenza ed assistenza per gli ingegneri ed architetti liberi professionisti;

- (f) for surveyors:

Cassa italiana di previdenza dei geometri liberi professionisti;

- (g) for solicitors and barristers:

Cassa nazionale di previdenza ed assistenza forense;

- (h) for economists:

Cassa nazionale di previdenza ed assistenza a favore dei dottori commercialisti (National Welfare and Assistance Fund for Economists);

- (i) for accountants:

Cassa nazionale di previdenza ed assistenza a favore dei ragionieri e periti commerciali (National Welfare and Assistance Fund for Accountants);

- (j) for employment experts:

Ente nazionale di previdenza ed assistenza per i consulenti del lavoro (National Welfare and Assistance Office for Employment Experts);

- (k) for notaries:

Cassa nazionale notariato (National Fund for Notaries);

(l) for customs agents:

Fondo nazionale di previdenza per gli impiegati delle imprese di spedizione e delle agenzie marittime (FASC);

(m) for biologists:

Ente nazionale di previdenza ed assistenza a favore dei biologi;

(n) for agricultural technicians and scientists:

Ente nazionale di previdenza per gli addetti e per gli impiegati in agricoltura;

(o) for sales representatives:

Ente nazionale di assistenza per gli agenti e rappresentanti di commercio;

(p) for industrial technicians:

Ente nazionale di previdenza dei periti industriali;

(q) for actuaries, chemists, agronomists, foresters and geologists:

Ente nazionale di previdenza ed assistenza pluricategoriale degli agronomi e forestali, degli attuari, dei chimici e dei geologi;

(r) for psychologists:

Ente nazionale di previdenza ed assistenza per gli psicologi (National Welfare and Assistance Office for Psychologists);

(s) for journalists:

Istituto nazionale di previdenza dei giornalisti italiani "Giovanni Amendola" (Giovanni Amendola National Welfare Institute for Italian Journalists).;

(b) Section 'K. CYPRUS' is replaced by the following:

'K. CYPRUS:

1. Benefits in kind:

Υπουργείο Υγείας, Λευκωσία, (Ministry of Health, Nicosia).

2. Cash benefits:

Υπηρεσίες Κοινωνικών Ασφαλίσεων, Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων, Λευκωσία (Department of Social Insurance Services, Ministry of Labour and Social Insurance, Nicosia).

3. Family benefits:

Υπηρεσίες Χορηγιών και Επιδομάτων, Υπουργείο Οικονομικών, Λευκωσία (Grants and Benefits Service, Ministry of Finance), Nicosia.;

(c) Section 'L. LATVIA' is replaced by the following:

'L. LATVIA:

The competence of the institutions shall be governed by the provisions of Latvian legislation, unless specified otherwise hereinafter.

1. For all contingencies, except health care in kind: Valsts sociālās apdrošināšanas aģentūra, Rīga (State Social Insurance Agency, Riga).

2. Health care in kind: Veselības obligātās apdrošināšanas valsts aģentūra, Rīga (State Compulsory Health Insurance Agency, Riga).;

(d) Section 'O. HUNGARY' is amended as follows:

point 6 is replaced by the following:

'6. Family benefits:

Cash benefits:

1. Magyar Államkincstár (Hungarian State Treasury);
2. Országos Egészségbiztosítási Pénztár (National Health Insurance Fund).';

(e) Section 'Q. NETHERLANDS' is amended as follows:

point 1 is replaced by the following:

'1. Sickness and maternity:

(a) benefits in kind:

- for persons who, under Article 2 of the Health Care Insurance Act, are obliged to take out insurance with a health care insurer: the health care insurer with which the person concerned has concluded health care insurance within the meaning of the Health Care Insurance Act, or
- persons not included in the category in the previous indent who are resident abroad and who, in application of the Regulation or pursuant to the EEA Agreement or the Agreement with Switzerland on the free movement of persons, are entitled to health care in their country of residence pursuant to Netherlands legislation:
 1. the registration and levying of the statutory contributions: the College voor zorgverzekeringen in Diemen; or
 2. health care: CZ in Tilburg;

(b) cash benefits:

Uitvoeringsinstituut Werknemersverzekeringen, Amsterdam (Employee Insurance Administration Institution, Amsterdam);

(c) health care allowances:

Belastingdienst Toeslagen, Utrecht.;

(f) Section 'R. AUSTRIA' is amended as follows:

(i) point 2(b) is replaced by the following:

'(b) For application of Article 45(6) of the Regulation, if no contribution period has been completed in Austria, and for taking into account periods of military and civilian service and periods of child-raising not preceded or succeeded by a period of insurance in Austria: Pensionsversicherungsanstalt (Pension Insurance Institution), Vienna.;

(ii) point 4 is replaced by the following:

'4. Family benefits:

- (a) family benefits with the exception of Kinderbetreuungsgeld (childcare allowance): Finanzamt (Tax Office);
- (b) Kinderbetreuungsgeld (childcare allowance): the sickness insurance institution with which the applicant is insured or was most recently insured, otherwise the Gebietskrankenkasse (Regional Health Insurance Fund) to which the application was made.;

(g) Section 'S. POLAND' is amended as follows:

(i) point 2(a) is replaced by the following:

'(a) for persons who have been recently employed or self-employed, excluding self-employed farmers, and for professional soldiers and officers who have completed periods of service other than mentioned in subpoints (c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i) and (e)(ii):

1. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Łódź — for persons who have completed:

(a) exclusively Polish periods of insurance, residing in the territory of Spain, Portugal, Italy, Greece, Cyprus or Malta;

- (b) Polish and foreign periods of insurance, including periods completed lately in Spain, Portugal, Italy, Greece, Cyprus or Malta;
2. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Nowy Sącz — for persons who have completed:
 - (a) exclusively Polish periods of insurance, residing in the territory of Austria, the Czech Republic, Hungary, Slovakia or Slovenia;
 - (b) Polish and foreign periods of insurance, including periods completed lately in Austria, the Czech Republic, Hungary, Slovakia or Slovenia;
 3. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Opole — for persons who have completed:
 - (a) exclusively Polish periods of insurance, residing in the territory of Germany;
 - (b) Polish and foreign periods of insurance, including periods completed lately in Germany;
 4. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Szczecin — for persons who have completed:
 - (a) exclusively Polish periods of insurance, residing in the territory of Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;
 - (b) Polish and foreign periods of insurance, including periods completed lately in Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;
 5. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — I Oddział w Warszawie — Centralne Biuro Obsługi Umów Międzynarodowych (I Branch in Warsaw — Central Bureau for International Agreements) — for persons who have completed:
 - (a) exclusively Polish periods of insurance, residing in the territory of Belgium, France, the Netherlands, Luxembourg, Ireland or the United Kingdom;
 - (b) Polish and foreign periods of insurance, including periods completed lately in Belgium, France, the Netherlands, Luxembourg, Ireland or the United Kingdom;
- (ii) point 3(a) is replaced by the following:
- ‘(a) benefits in kind: Narodowy Fundusz Zdrowia Warszawa (National Health Fund, Warsaw);’
- (iii) point 3(b)(ii) is replaced by the following:
- ‘(ii) disability or death of main wage earner:
- for persons who were employed or self-employed (excluding self-employed farmers) at the time when the risk materialised and for persons who were unemployed graduates referred for training or internship when the risk materialised:
- the units of the Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in point 2, subpoint (a),
- for persons who were self-employed farmers at the time when the risk materialised:
- the units of the Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego) listed in point 2, subpoint (b),
- for professional soldiers, if the risk materialises during a period of military service:
- Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw),
- for officers, mentioned in point 2, subpoint (d), if the risk materialises during a period of service in one of the formations listed in point 2, subpoint (d):
- Zakład Emerytalno-Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw),
- for Prison Guard officers, if the risk materialises during a period of such service:
- Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of the Prison Service in Warsaw),
- for judges and prosecutors:
- specialised entities of the Ministry of Justice;’

(iv) points 4(c), (d) and (e) are replaced by the following:

‘(c) for professional soldiers:

specialised entities of the Ministry of National Defence;

(d) for Police officers, National Fire Brigade officers, Border Guard officers, Internal Security Agency and Foreign Intelligence Agency officers and Government Security Bureau officers:

specialised entities of the Ministry of Internal Affairs and Administration;

(e) for Prison Guard officers:

specialised entities of the Ministry of Justice;’

(v) point 4(g) is replaced by the following:

‘(g) for pensioners:

— who are entitled to benefits from the social insurance system for employed and self-employed, excluding self-employed farmers:

units of the Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in point 2, subpoint (a),

— who are entitled to benefits from the social insurance system for farmers:

units of the Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego) listed in point 2, subpoint (b),

— who are entitled to benefits from the pension protection system for professional soldiers:

Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw),

— who are entitled to benefits from the pension protection system for officers, mentioned in point 2, subpoint (d):

Zakład Emerytalno-Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw),

— who are entitled to benefits from the pension protection system for Prison Guard officers:

Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of the Prison Service in Warsaw),

— who are former judges and prosecutors:

specialised entities of the Ministry of Justice;’

(vi) point 6 is replaced by the following:

‘6. Family benefits:

regional social assistance centre with territorial jurisdiction over the place of residence or stay for person entitled to benefits;’

(h) Section ‘X. SWEDEN’ is amended as follows:

point 2 is replaced by the following:

‘2. For unemployment benefits:

(a) for the purpose of applying Articles 80 to 82 of the implementing Regulation:

— the unemployment fund which would be competent to deal with a benefit application in the event of unemployment in Sweden, or

— the supervisory authority;

(b) for the purpose of applying Article 83 of the implementing Regulation:

— Inspektionen för arbetslöshetsförsäkringen (Swedish Unemployment Insurance Board).'

3. Annex 3 is amended as follows:

(a) Section 'B. CZECH REPUBLIC' is amended as follows:

point 1 is replaced by the following:

'1. Benefits in kind:

(a) in general:

the health insurance company (according to choice);

(b) for the air rescue service:

Ministerstvo zdravotnictví (Ministry of Health).';

(b) Section 'J. ITALY' is amended as follows:

(i) point 3.A is replaced by the following:

'A. Employed persons:

(a) in general:

Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices;

(b) for workers in the entertainment business:

Ente nazionale di previdenza e assistenza per i lavoratori dello spettacolo (National Welfare and Assistance Office for Workers in the Entertainment Business), Roma;

(c) for journalists:

Istituto nazionale di previdenza dei giornalisti italiani "Giovanni Amendola" (Giovanni Amendola National Welfare Institution for Italian Journalists), Roma.;

(ii) point 4 is replaced by the following:

'4. Death grants:

Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices;

Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices; IPSEMA.;

(c) Section 'K. CYPRUS' is replaced by the following:

'K. CYPRUS:

1. Benefits in kind:

Υπουργείο Υγείας, Λευκωσία (Ministry of Health, Nicosia).

2. Cash benefits:

Υπηρεσίες Κοινωνικών Ασφαλίσεων, Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων, Λευκωσία (Department of Social Insurance Services, Ministry of Labour and Social Insurance, Nicosia).

3. Family benefits:

Υπηρεσία Χορηγιών και Επιδομάτων, Υπουργείο Οικονομικών, Λευκωσία (Grants and Benefits Service, Ministry of Finance, Nicosia).';

(d) Section 'L. LATVIA' is replaced by the following:

'L. LATVIA:

1. For all contingencies, except health care in kind:

Valsts sociālās apdrošināšanas aģentūra, Rīga (State Social Insurance Agency, Riga).

2. Health care in kind:

Veselības obligātās apdrošināšanas valsts aģentūra, Rīga (State Compulsory Health Insurance Agency, Riga).';

(e) Section 'O. HUNGARY' is amended as follows:

(i) point I.1 is replaced by the following:

'1. Sickness and maternity:

Benefits in kind and cash benefits:

Országos Egészségbiztosítási Pénztár és a megyei egészségbiztosítási pénztárak (National Health Insurance Fund and the Regional Health Insurance Funds).';

(ii) point I.6 is replaced by the following:

'6. Family benefits:

Cash benefits:

1. Magyar Államkincstár Budapesti és Pest megyei Regionális Igazgatósága (Regional Directorate in Budapest and Pest County of the Hungarian State Treasury);

2. Országos Egészségbiztosítási Pénztár (National Health Insurance Fund).';

(iii) point II.1 is replaced by the following:

'1. Sickness and maternity:

Benefits in kind and cash benefits:

Országos Egészségbiztosítási Pénztár és a megyei egészségbiztosítási pénztárak (National Health Insurance Fund and the Regional Health Insurance Funds).';

(iv) point II.6 is replaced by the following:

'6. Family benefits:

Cash benefits:

1. Magyar Államkincstár Budapesti és Pest megyei Regionális Igazgatósága (Regional Directorate in Budapest and Pest County of the Hungarian State Treasury);

2. Országos Egészségbiztosítási Pénztár (National Health Insurance Fund).';

(f) Section 'Q. NETHERLANDS' is amended as follows:

point 1(a) is replaced by the following:

'(a) benefits in kind:

(i) institution of the place of residence:

CZ, Tilburg;

(ii) institution of the place of stay:

Onderlinge Waarborgmaatschappij Agis Zorgverzekeringen u.a. (Mutual Sickness Insurance Association), Amersfoort.';

(g) Section 'R. AUSTRIA' is amended as follows:

(i) point 1(b)(ii) is replaced by the following:

'(ii) in the case of treatment in a hospital for which a regional health fund is responsible, the regional health fund (Landesgesundheitsfonds) competent for the place of residence or place of stay of the person concerned;'

(ii) point 2(b) is replaced by the following:

'(b) In all other cases with the exception of the application of Article 53 of the implementing Regulation:

Pensionsversicherungsanstalt, Wien (Pension Insurance Institution, Vienna).';

(iii) point 3(a)(ii) is replaced by the following:

'(ii) in the case of treatment in a hospital for which a regional health fund is responsible, the regional health fund (Landesgesundheitsfonds) competent for the place of residence or place of stay of the person concerned;'

(iv) point 5 is replaced by the following:

‘5. Family benefits:

Finanzamt (Tax Office) competent for the place of residence or place of stay of the person concerned.’;

(h) Section ‘S. POLAND’ is amended as follows:

(i) point 2(a) is replaced by the following:

‘(a) for persons who have been recently employed or self-employed excluding self-employed farmers and for professional soldiers and officers who have completed periods of service other than mentioned in subpoints (c), (d) and (e):

1. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Łódź — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in Spain, Portugal, Italy, Greece, Cyprus or Malta;
2. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Nowy Sącz — for persons who have completed:
 - (a) exclusively Polish periods of insurance, residing in the territory of Austria, the Czech Republic, Hungary, Slovakia or Slovenia;
 - (b) Polish and foreign periods of insurance, including periods completed lately in Austria, the Czech Republic, Hungary, Slovakia or Slovenia;
3. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Opole — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in Germany;
4. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Szczecin — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;
5. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — I Oddział w Warszawie — Centralne Biuro Obsługi Umów Międzynarodowych (I Branch in Warsaw — Central Bureau for International Agreements) — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in Belgium, France, the Netherlands, Luxembourg, Ireland or the United Kingdom.’;

(ii) point 2(g) is replaced by the following:

‘(g) for persons who have completed exclusively foreign periods of insurance:

1. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Łódź — for persons who have completed foreign periods of insurance, including periods completed lately in Spain, Portugal, Italy, Greece, Cyprus or Malta;
2. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Nowy Sącz — for persons who have completed foreign periods of insurance, including periods completed lately in Austria, the Czech Republic, Hungary, Slovakia or Slovenia;
3. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Opole — for persons who have completed foreign periods of insurance, including periods completed lately in Germany;
4. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Szczecin — for persons who have completed foreign periods of insurance, including periods completed lately in Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;
5. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — I Oddział w Warszawie — Centralne Biuro Obsługi Umów Międzynarodowych (I Branch in Warsaw — Central Bureau for International Agreements) — for persons who have completed foreign periods of insurance, including periods completed lately in Belgium, France, the Netherlands, Luxembourg, Ireland or the United Kingdom.’;

(iii) point 3(b)(ii) is replaced by the following:

‘(ii) disability or death of main wage earner:

- for persons who have been recently employed or self-employed (excluding self-employed farmers):
the units of the Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in point 2(a),
- for persons who have been recently self-employed farmers:
the units of the Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego) listed in point 2(b),
- for professional soldiers in the case of Polish periods of military service, if the last period has been the period of mentioned service, and foreign periods of insurance:
Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw), if it is the competent institution mentioned in Annex 2(3)(b)(ii) third indent,
- for officers mentioned in point 2(d), in the case of Polish periods of military service, if the last period has been the period of service in one of the formations listed in point 2(d), and foreign periods of insurance:
Zakład Emerytalno-Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw), if it is the competent institution mentioned in Annex 2(3)(b)(ii) fourth indent,
- for Prison Guard officers, in the case of Polish periods of service, if the last period has been the period of mentioned service, and foreign periods of insurance:
Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of the Prison Service in Warsaw), if it is the competent institution mentioned in Annex 2(3)(b)(ii) fifth indent,
- for judges and prosecutors:
specialised entities of the Ministry of Justice,
- for persons who have completed exclusively foreign periods of insurance:
the units of the Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in point 2(g).’

4. Annex 4 is amended as follows:

(a) Section ‘K. CYPRUS’ is replaced by the following:

‘K. CYPRUS:

1. Benefits in kind:

Υπουργείο Υγείας, Λευκωσία (Ministry of Health, Nicosia).

2. Cash benefits:

Υπηρεσίες Κοινωνικών Ασφαλίσεων, Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων, Λευκωσία (Department of Social Insurance Services, Ministry of Labour and Social Insurance, Nicosia).

3. Family benefits:

Υπηρεσία Χορηγιών και Επιδομάτων, Υπουργείο Οικονομικών, Λευκωσία (Grants and Benefits Service, Ministry of Finance, Nicosia).’;

(b) Section ‘L. LATVIA’ is replaced by the following:

‘L. LATVIA

1. For all contingencies, except health care in kind:

Valsts sociālās apdrošināšanas aģentūra, Rīga (State Social Insurance Agency, Riga).

2. Health care in kind:

Veselības obligātās apdrošināšanas valsts aģentūra, Rīga (State Compulsory Health Insurance Agency, Riga).’;

(c) Section 'O. HUNGARY' is amended as follows:

(i) point 6 is replaced by the following:

'6. Family benefits:

— Cash benefits:

1. Magyar Államkincstár (Hungarian State Treasury);
2. Országos Egészségbiztosítási Pénztár (National Health Insurance Fund).

— Maternity benefit and maternity allowance:

Országos Egészségbiztosítási Pénztár (National Health Insurance Fund).';

(d) Section 'Q. NETHERLANDS' is amended as follows:

point 1 is replaced by the following:

'1. Sickness, maternity, invalidity, accidents at work, occupational diseases and unemployment:

(a) benefits in kind:

College voor zorgverzekeringen (Care Insurance Board) Diemen;

(b) cash benefits:

Uitvoeringsinstituut Werknemersverzekeringen, Amsterdam (Employee Insurance Administration Institution, Amsterdam);

(c) health care allowance:

Belastingdienst Toeslagen, Utrecht.';

(e) Section 'R. AUSTRIA' is amended as follows:

point 3 is replaced by the following:

'3. Family benefits

(a) Family benefits with the exception of Kinderbetreuungsgeld (childcare allowance):

Bundesministerium für soziale Sicherheit, Generationen und Konsumentenschutz (Federal Ministry for Social Security, Generations and Consumer Protection), Vienna;

(b) Kinderbetreuungsgeld (childcare allowance):

Niederösterreichische Gebietskrankenkasse (Lower Austria Health Insurance Fund) — competent centre for childcare allowance.';

(f) Section 'V. SLOVAKIA' is amended as follows:

point 2 is replaced by the following:

'2. Benefits in kind:

Úrad pre dohľad nad zdravotnou starostlivosťou (Health Care Supervision Authority), Bratislava';

(g) Section 'W. FINLAND' is replaced by the following:

'W. FINLAND

1. Sickness and maternity insurance, national pensions, family benefits, unemployment benefits and employment pensions:

Kansaneläkelaitos — Folkpensionsanstalten (Social Insurance Institution), Helsinki.

2. Employment pensions:

Eläketurvakeskus/Pensionsskyddscentralen, Helsinki.

3. Accidents at work and occupational diseases:

Tapaturmavakuutuslaitosten Liitto — Olycksfallsförsäkringsanstalternas Förbund (Federation of Accident Insurance Institutions), Helsinki.'

5. Annex 5 is amended as follows:

- (a) Section '67. DENMARK — FINLAND' is replaced by the following:

'67. DENMARK — FINLAND

Article 15 of the Nordic Convention on Social Security of 18 August 2003: Agreement on the reciprocal waiver of refunds pursuant to Articles 36, 63 and 70 of the Regulation (costs of benefits in kind in respect of sickness and maternity, accidents at work and occupational diseases, and unemployment benefits) and Article 105 of the implementing Regulation (costs of administrative checks and medical examinations).';

- (b) Section '130. SPAIN — FRANCE' is replaced by the following:

'130. SPAIN — FRANCE

Agreement of 17 May 2005 establishing the specific arrangements for the management and settlement of reciprocal claims in respect of health care benefits pursuant to Regulations (EEC) No 1408/71 and (EEC) No 574/72.';

- (c) Section '142. SPAIN — PORTUGAL' is replaced by the following:

'142. SPAIN — PORTUGAL

- (a) Articles 42, 43 and 44 of the Administrative Arrangement of 22 May 1970;

- (b) Agreement of 2 October 2002 between Spain and Portugal laying down detailed arrangements for the management and settlement of reciprocal claims for health care under Regulations (EEC) No 1408/71 and (EEC) No 574/72, with a view to facilitating and accelerating the settlement of these claims in accordance with Articles 93, 94 and 95 of Regulation (EEC) No 574/72.';

- (d) Section '146. SPAIN — SWEDEN' is replaced by the following:

'146. SPAIN — SWEDEN

Agreement of 1 December 2004 on the reimbursement of the costs of benefits in kind provided under Regulations (EEC) No 1408/71 and (EEC) No 574/72.';

- (e) Section '290. PORTUGAL - UNITED KINGDOM' is replaced by the following:

'290. PORTUGAL - UNITED KINGDOM

The arrangement of 8 June 2004 concerning Articles 36(3) and 63(3) of Regulation (EEC) No 1408/71 establishing other methods of reimbursement of the costs of benefits in kind provided under the Regulation by both countries with effect from 1 January 2003.';

- (f) Section '298. FINLAND — SWEDEN' is replaced by the following:

'298. FINLAND — SWEDEN

Article 15 of the Nordic Convention on Social Security of 18 August 2003: Agreement on the reciprocal waiver of refunds pursuant to Articles 36, 63 and 70 of the Regulation (costs of benefits in kind in respect of sickness and maternity, accidents at work and occupational diseases, and unemployment benefits) and Article 105 of the implementing Regulation (costs of administrative checks and medical examinations).'

6. Annex 7 is amended as follows:

(a) Section 'G. SPAIN' is replaced by the following:

'G. SPAIN

Banco Popular, Madrid.';

(b) Section 'W. FINLAND' is replaced by the following:

'W. FINLAND

none.'

7. Annex 8 is amended as follows:

point A(a) is replaced by the following:

'(a) with a reference period of one calendar month in dealings between:

- Belgium and the Czech Republic,
- Belgium and Germany,
- Belgium and Greece,
- Belgium and Spain,
- Belgium and France,
- Belgium and Ireland,
- Belgium and Lithuania,
- Belgium and Luxembourg,
- Belgium and Austria,
- Belgium and Poland,
- Belgium and Portugal,
- Belgium and Slovakia,
- Belgium and Finland,
- Belgium and Sweden,
- Belgium and the United Kingdom,
- the Czech Republic and Denmark,
- the Czech Republic and Germany,
- the Czech Republic and Greece,
- the Czech Republic and Spain,
- the Czech Republic and France,
- the Czech Republic and Ireland,
- the Czech Republic and Latvia,
- the Czech Republic and Lithuania,
- the Czech Republic and Luxembourg,
- the Czech Republic and Hungary,
- the Czech Republic and Malta,
- the Czech Republic and the Netherlands,
- the Czech Republic and Austria,
- the Czech Republic and Poland,
- the Czech Republic and Portugal,
- the Czech Republic and Slovenia,

- the Czech Republic and Slovakia,
- the Czech Republic and Finland,
- the Czech Republic and Sweden,
- the Czech Republic and the United Kingdom,
- Denmark and Lithuania,
- Denmark and Poland,
- Denmark and Slovakia,
- Germany and Greece,
- Germany and Spain,
- Germany and France,
- Germany and Ireland,
- Germany and Lithuania,
- Germany and Luxembourg,
- Germany and Austria,
- Germany and Poland,
- Germany and Slovakia,
- Germany and Finland,
- Germany and Sweden,
- Germany and the United Kingdom,
- Greece and Lithuania,
- Greece and Poland,
- Greece and Slovakia,
- Spain and Lithuania,
- Spain and Austria,
- Spain and Poland,
- Spain and Slovenia,
- Spain and Slovakia,
- Spain and Finland,
- Spain and Sweden,
- France and Lithuania,
- France and Luxembourg,
- France and Austria,
- France and Poland,
- France and Portugal,
- France and Slovenia,
- France and Slovakia,
- France and Finland,
- France and Sweden,
- Ireland and Lithuania,
- Ireland and Austria,
- Ireland and Poland,
- Ireland and Portugal,
- Ireland and Slovakia,
- Ireland and Sweden,

- Latvia and Lithuania,
- Latvia and Luxembourg,
- Latvia and Hungary,
- Latvia and Poland,
- Latvia and Slovenia,
- Latvia and Slovakia,
- Latvia and Finland,
- Lithuania and Luxembourg,
- Lithuania and Hungary,
- Lithuania and the Netherlands,
- Lithuania and Austria,
- Lithuania and Portugal,
- Lithuania and Slovenia,
- Lithuania and Slovakia,
- Lithuania and Finland,
- Lithuania and Sweden,
- Lithuania and the United Kingdom,
- Luxembourg and Austria,
- Luxembourg and Poland,
- Luxembourg and Portugal,
- Luxembourg and Slovenia,
- Luxembourg and Slovakia,
- Luxembourg and Finland,
- Luxembourg and Sweden,
- Hungary and Austria,
- Hungary and Poland,
- Hungary and Slovenia,
- Hungary and Slovakia,
- Malta and Slovakia,
- the Netherlands and Austria,
- the Netherlands and Poland,
- the Netherlands and Slovakia,
- the Netherlands and Finland,
- the Netherlands and Sweden,
- Austria and Poland,
- Austria and Portugal,
- Austria and Slovenia,
- Austria and Slovakia,
- Austria and Finland,
- Austria and Sweden,
- Austria and the United Kingdom,
- Poland and Portugal,
- Poland and Slovenia,
- Poland and Slovakia,

- Poland and Finland,
- Poland and Sweden,
- Poland and the United Kingdom,
- Portugal and Slovenia,
- Portugal and Slovakia,
- Portugal and Finland,
- Portugal and Sweden,
- Portugal and the United Kingdom,
- Slovenia and Slovakia,
- Slovenia and Finland,
- Slovenia and the United Kingdom,
- Slovakia and Finland,
- Slovakia and Sweden,
- Slovakia and the United Kingdom,
- Finland and Sweden,
- Finland and the United Kingdom,
- Sweden and the United Kingdom.'

8. Annex 9 is amended as follows:

- (a) Section 'L. LATVIA' is replaced by the following:

'L. LATVIA

The average annual cost of benefits shall be calculated by taking into consideration the benefits in kind (health services) administered by the State Compulsory Health Insurance Agency.;

- (b) Section 'R. AUSTRIA' is amended as follows:

point 2 is replaced by the following:

'2. the benefits provided by hospitals for which a Landesgesundheitsfonds (regional health fund) is responsible;'

9. Annex 10 is amended as follows:

- (a) Section 'A. BELGIUM' is amended as follows:

- (i) point 1 is replaced by the following:

'1. For the purposes of applying Article 14 of the Regulation and Articles 11(1)(a) and (2) and 12a, 13 and 14 of the implementing Regulation:

Office national de sécurité sociale, Bruxelles — Rijksdienst voor Sociale Zekerheid, Brussel (National Social Security Office, Brussels).;

- (ii) point 3(b) is replaced by the following:

'3b. For the purposes of applying Articles 14e and 14f of the Regulation and Article 12b of the implementing Regulation:

Service public fédéral de sécurité sociale, Bruxelles — Federale Overheidsdienst Sociale Zekerheid, Brussel (Social Security Federal Public Service, Brussels).;

- (iii) point 4 is replaced by the following:

'4. For the purposes of applying Article 17 of the Regulation, and:

— Article 11(1)(b) of the implementing Regulation:

- (a) only in individual special cases:

Office national de sécurité sociale/Rijksdienst voor Sociale Zekerheid (National Social Security Office), Brussels;

(b) exceptions in the interests of particular groups of workers:

Service public fédéral de sécurité sociale, Direction générale Politique sociale/Federale Overheidsdienst Sociale Zekerheid, Directie-generaal Sociaal Beleid (Social Security Federal Public Service, Social Policy Directorate-General), Brussels,

— Article 11a(1)(b) of the implementing Regulation:

Service public fédéral de sécurité sociale, Direction générale Indépendants/Federale Overheidsdienst Sociale Zekerheid, Directie-generaal Zelfstandigen (Social Security Federal Public Service, Self-Employment Directorate-General), Brussels.;

(iv) point 4a is replaced by the following:

‘4a. for the purposes of applying Article 17 of the Regulation when a special scheme for civil servants is involved:

Service public fédéral de sécurité sociale, Bruxelles/Federale Overheidsdienst Sociale Zekerheid, Brussel.;

(b) Section ‘D. GERMANY’ is amended as follows:

point 2 is replaced by the following:

‘2. For the purposes of applying:

— Articles 14(1)(a) and 14b(1) of the Regulation and, in the case of agreements pursuant to Article 17 of the Regulation, in conjunction with Article 11 of the implementing Regulation,

— Articles 14a(1)(a) and 14b(2) and, in the case of agreements pursuant to Article 17 of the Regulation, in conjunction with Article 11a of the implementing Regulation,

— Articles 14(2)(b), 14(3), 14a(2) to (4), and 14c(a) and, in the case of agreements pursuant to Article 17 of the Regulation, in conjunction with Article 12a of the implementing Regulation:

(i) persons insured with sickness insurance:

the institution with which they are insured, and also the customs authorities with regard to controls;

(ii) persons not insured with sickness insurance:

— employed persons:

Bundesversicherungsanstalt für Angestellte (Federal Insurance Office for Clerical Staff), Berlin, and also the customs authorities with regard to controls,

— for manual workers:

the competent pension insurance institution for manual workers, and also the customs authorities with regard to controls.;

(c) Section ‘G. SPAIN’ is replaced by the following:

‘G. SPAIN

1. For the purposes of applying Article 17 of the Regulation in individual cases and Article 6(1) (with the exception of the special agreement between mariners and the “Instituto Social de la Marina”), Article 11(1), Article 11a, Article 12a, Articles 13(2) and (3), Articles 14(1), (2) and (3) and Article 109 of the implementing Regulation:

Tesorería General de la Seguridad Social (General Social Security Fund), Madrid.

2. For the purposes of applying Article 102(2) (except in respect of mariners and unemployment benefits), Article 110 (except in respect of mariners) and Article 113(2) of the implementing Regulation:

Instituto Nacional de la Seguridad Social (National Institute of Social Security), Madrid.

3. For the purposes of applying Article 102(2) in respect of mariners (except in respect of unemployment benefits) and Article 110 of the implementing Regulation:

Instituto Social de la Marina (Institute for the Welfare of Mariners), Madrid.

4. For the purposes of applying Article 38(1), Article 70(1), Article 85(2) and Article 86(2) of the implementing Regulation, save in respect of mariners and, for the last two Articles mentioned, save in respect of persons in the special scheme for members of the armed forces:

Direcciones Provinciales del Instituto Nacional de la Seguridad Social (Provincial Directorates of the National Institute of Social Security).

5. For the purposes of applying Article 6(1) (special Agreement for mariners), Article 38(1) (in respect of mariners), Article 70(1), Article 80(2), Article 81, Article 82(2), Article 85(2) and Article 86(2) of the implementing Regulation:

Direcciones Provinciales del Instituto Social de la Marina (Provincial Directorates of the Institute for the Welfare of Mariners).

6. For the purposes of applying Article 102(2) in respect of unemployment benefits:

Servicio Público de Empleo Estatal (State Public Employment Service), INEM, Madrid.

7. For the purposes of applying Article 80(2), Article 81 and Article 82(2) of the implementing Regulation, in respect of unemployment benefits, except for mariners:

Direcciones Provinciales del Servicio Público de Empleo Estatal (Provincial Directorates of the State Public Employment Service), INEM, Madrid.

8. For the purposes of applying Article 85(2) and Article 86(2) of the implementing Regulation relating to family benefits in respect of persons in the special scheme for members of the armed forces:

Dirección General de Personal del Ministerio de Defensa (Directorate-General for Human Resources, Ministry of Defence), Madrid.

9. Special scheme for civil servants: For the purposes of applying Articles 14e, 14f and 17 of the Regulation and Article 12a of the implementing Regulation:

Mutualidad General de Funcionarios Civiles del Estado, Servicios Centrales (General Mutual Insurance Scheme for State Civil Servants, Central Services), Madrid.

10. Special scheme for members of the armed forces: For the purposes of applying Articles 14e, 14f and 17 of the Regulation and Article 12a of the implementing Regulation:

Instituto Social de las Fuerzas Armadas (Social Insurance Institute of the Armed Forces), Madrid.

11. Special scheme for officials of the administration of justice: For the purposes of applying Articles 14e, 14f and 17 of the Regulation and Article 12a of the implementing Regulation:

Mutualidad General Judicial (General Mutual Insurance Scheme for the Judiciary), Madrid.;

(d) Section 'J. ITALY' is amended as follows:

- (i) point 1 is replaced by the following:

'1. For the purposes of applying Article 6(1) of the implementing Regulation:

Ministero del Lavoro e delle politiche sociali (Ministry of Labour and Social Policy), Roma.;

- (ii) point 3 is replaced by the following:

'3. For the purposes of applying Articles 11a and 12 of the implementing Regulation:

for medical practitioners:

Ente nazionale di previdenza ed assistenza medici (National Welfare and Assistance Office for Medical Practitioners);

for pharmacists:

Ente nazionale di previdenza ed assistenza farmacisti (National Welfare and Assistance Office for Pharmacists);

for veterinarians:

Ente nazionale di previdenza ed assistenza veterinari (National Welfare and Assistance Office for Veterinarians);

for nurses, medical auxiliaries and children's nurses:

Cassa nazionale di previdenza ed assistenza a favore degli infermieri professionali, assistenti sanitari, vigilatrici d'infanzia (National Welfare and Assistance Fund for Nurses, Medical Auxiliaries and Children's Nurses);

for sales agents and representatives:

Ente nazionale di assistenza per gli agenti e rappresentanti di commercio (National Welfare and Assistance Office for Sales Agents and Representatives);

for biologists:

Ente nazionale di previdenza ed assistenza a favore dei biologi (National Welfare and Assistance Office for Biologists);

for industrial consultants:

Ente nazionale di previdenza dei periti industriali (National Welfare and Assistance Office for Industrial Consultants);

for psychologists:

Ente nazionale di previdenza ed assistenza psicologi (National Welfare and Assistance Office for Psychologists);

for journalists:

Istituto nazionale di previdenza dei giornalisti italiani "Giovanni Amendola" (Giovanni Amendola National Welfare Institute for Italian Journalists);

for actuaries, chemists, agronomists, foresters and geologists:

Ente di previdenza ed assistenza pluricategoriale degli agronomi e forestali, degli attuari, dei chimici e dei geologi (National Multi-Sectoral Welfare and Assistance Office for Actuaries, Chemists, Agronomists, Foresters and Geologists);

for agricultural technicians and consultants:

Ente nazionale di previdenza per gli addetti e per gli impiegati in agricoltura (National Welfare and Assistance Office for Agricultural Technicians and Scientists);

for engineers and architects:

Cassa nazionale di previdenza ed assistenza per gli ingegneri ed architetti (National Welfare Fund for Engineers and Architects);

for surveyors:

Cassa nazionale di previdenza ed assistenza a favore dei geometri (National Welfare and Assistance Fund for Surveyors);

for solicitors and barristers:

Cassa nazionale di previdenza ed assistenza forense (National Welfare and Assistance Fund for Lawyers);

for economists:

Cassa nazionale di previdenza ed assistenza a favore dei dottori commercialisti (National Welfare and Assistance Fund for Economists);

for accountants:

Cassa nazionale di previdenza ed assistenza a favore dei ragionieri e periti commerciali (National Welfare and Assistance Fund for Accountants);

for employment experts:

Ente nazionale di previdenza ed assistenza per i consulenti del lavoro (National Welfare and Assistance Office for Employment Experts);

for notaries:

Cassa nazionale notariato (National Fund for Notaries);

for customs agents:

Fondo di previdenza a favore degli spedizionieri doganali (Welfare Fund for Customs Agents).';

(e) Section 'K. CYPRUS' is replaced by the following:

'K. CYPRUS:

1. For the purpose of applying Articles 14c, 14d(3) and 17 of the Regulation and Articles 6(1), 10b, 11(1), 11a(1), 12a, 13(2) and (3), 14(1), (2) and (3), 38(1), 70(1), 80(2), 81, 82(2), 85(2), 86(2), 91(2) and 109 of the implementing Regulation:

- Υπηρεσίες Κοινωνικών Ασφαλίσεων, Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων, Λευκωσία (Department of Social Insurance Services, Ministry of Labour and Social Insurance, Nicosia),
- Υπηρεσία Χορηγιών και Επιδομάτων, Υπουργείο Οικονομικών, Λευκωσία (Grants and Benefits Services, Ministry of Finance, Nicosia).

2. For the purpose of applying Articles 8, 102(2) and 110 of the implementing Regulation (for cash benefits):

- Υπηρεσίες Κοινωνικών Ασφαλίσεων, Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων, Λευκωσία (Department of Social Insurance, Services, Ministry of Labour and Social Insurance, Nicosia),
- Υπηρεσία Χορηγιών και Επιδομάτων, Υπουργείο Οικονομικών, Λευκωσία (Grants and Benefits Service, Ministry of Finance, Nicosia).

3. For the purpose of applying Articles 8, 102(2), 110 and 113(2) of the implementing Regulation (for benefits in kind) and Articles 36 and 63 of the Regulation:

- Υπουργείο Υγείας, Λευκωσία (Ministry of Health, Nicosia).';

(f) Section 'L. LATVIA' is replaced by the following:

'L. LATVIA

For the purposes of applying:

(a) Articles 14(1), 14a(1), 14a(4), 14b(1), 14d(3) and 17 of the Regulation:

Valsts sociālās apdrošināšanas aģentūra, Rīga (State Social Insurance Agency, Riga);

(b) Articles 10b, 11(1), 11a(1), 13(2) and (3), 14(1), (2) and (3), 82(2) and 109 of the implementing Regulation:

Valsts sociālās apdrošināšanas aģentūra, Rīga (State Social Insurance Agency, Riga);

(c) 102(2) of the implementing Regulation (in conjunction with Articles 36 and 63 of the Regulation):

Veselības obligātās apdrošināšanas valsts aģentūra, Rīga (State Compulsory Health Insurance Agency, Riga);

(d) Article 70(2) of the Regulation:

Valsts sociālās apdrošināšanas aģentūra, Rīga (State Social Insurance Agency, Riga).';

(g) Section 'Q. NETHERLANDS' is amended as follows:

point 2 is deleted. The present point 3 becomes point 2 and the present point 4 becomes point 3;

(h) Section 'S. POLAND' is amended as follows:

(i) point 3 is replaced by the following:

'3. For the purposes of applying Articles 6(1), 10b, 13(2) and (3) and 14 of the implementing Regulation:

(a) benefits in kind:

Narodowy Fundusz Zdrowia, Warszawa (National Health Fund, Warsaw);

(b) other benefits:

(i) for employed and self-employed persons with the exception of self-employed farmers:

field offices of Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) with territorial jurisdiction over the official seat of the insured person's employer (or of the self-employed person);

(ii) for self-employed farmers:

regional branches of Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) with territorial jurisdiction over the farmer's place of insurance.;

(ii) a new point 13 is added as follows:

'13. For the purposes of applying Article 109 of the implementing Regulation:

the field offices of the Social Insurance Institution (Zakład Ubezpieczeń Społecznych) with territorial jurisdiction over the place of residence of the employed person.;

(i) Section 'V. SLOVAKIA' is amended as follows:

point 12 is replaced by the following:

'12. For the purposes of applying Article 102(2) of the implementing Regulation:

(a) with respect to reimbursements referred to in Articles 36 and 63 of the Regulation:

Úrad pre dohľad nad zdravotnou starostlivosťou (Health Care Supervision Authority), Bratislava;

(b) in connection with the reimbursement referred to in Article 70 of the Regulation:

Sociálna poisťovňa (Social Insurance Agency), Bratislava.;

(j) Section 'X. SWEDEN' is amended as follows:

point 7 is replaced by the following:

'7. For the purpose of applying Article 102(2) of the implementing Regulation:

(a) Försäkringskassan (National Social Insurance Agency);

(b) Inspektionen för arbetslöshetsförsäkringen, IAF (the Unemployment Insurance Board).'

COMMISSION REGULATION (EC) No 208/2006**of 7 February 2006****amending Annexes VI and VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for biogas and composting plants and requirements for manure****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽¹⁾, and in particular Article 32(1) thereof,

Whereas:

- (1) Regulation (EC) No 1774/2002 provides for measures to ensure that manure and products derived there from are used or disposed of in such a way as not to pose a risk to public or animal health.
- (2) Chapter II of Annex VI to Regulation (EC) No 1774/2002 sets out specific requirements for the approval of biogas and composting plants using animal by-products.
- (3) Following the opinion of the European Food Safety Authority (EFSA) of 7 September 2005 on the safety vis-à-vis biological risks of biogas and composting treatment standards of animal by-products, it is appropriate to amend Chapter II of Annex VI to Regulation (EC) No 1774/2002 by allowing authorisation of other process parameters.
- (4) Chapter III of Annex VIII to Regulation (EC) No 1774/2002 sets out requirements for manure,

processed manure and processed manure products and lays down the processing and control parameters manure has to undergo to fulfil the requirements for processed manure and processed manure products.

- (5) Following the opinion of EFSA of 7 September 2005 on the biological safety of heat treatment of manure, it is appropriate to amend the relevant requirements of Chapter III of Annex VIII to take account of that opinion.
- (6) Regulation (EC) No 1774/2002 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes VI and VIII to Regulation (EC) No 1774/2002 are amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2006. However, the requirements in Annex VI, chapter II, point C(13a) and in Annex VIII, chapter III, point (II)(A)(5)(c) to Regulation (EC) No 1774/2002 shall apply from 1 January 2007.

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

Done at Brussels, 7 February 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 416/2005 (OJ L 66, 12.3.2005, p. 10).

ANNEX

Annexes VI and VIII to Regulation (EC) No 1774/2002 are amended as follows:

1. In Annex VI, Chapter II is amended as follows:

(a) Points A(1) and (2) are replaced by the following:

‘1. A biogas plant must be equipped with:

(a) a pasteurisation/hygienisation unit, which cannot be by-passed, with:

(i) installations for monitoring temperature against time;

(ii) recording devices to record continuously the results of the monitoring measurements referred to in (i);
and

(iii) an adequate safety system to prevent insufficient heating;

(b) adequate facilities for the cleaning and disinfecting of vehicles and containers upon leaving the biogas plant.

However, a pasteurisation/hygienisation unit shall not be mandatory for biogas plants that transform only:

(i) animal by-products that have undergone processing Method 1;

(ii) Category 3 material that has undergone pasteurisation/hygienisation elsewhere; or

(iii) animal by-products which may be used as raw material without processing.

If the biogas plant is located on premises where farmed animals are kept and does not only use manure which accrues from those animals, the plant shall be located at an adequate distance from the area where such animals are kept and there must be, in any case, total physical separation between that plant and those animals and their feed and bedding, with fencing where necessary.

2. A composting plant must be equipped with:

(a) a closed composting reactor, which cannot be by-passed, with:

(i) installations for monitoring temperature against time;

(ii) recording devices to record, where appropriate continuously, the results of the monitoring measurements referred to in (i); and

(iii) an adequate safety system to prevent insufficient heating;

(b) adequate facilities for cleaning and disinfecting of vehicles and containers transporting untreated animal by-products.

However, other types of composting systems may be allowed provided they:

(i) ensure adequate measures to control vermin;

(ii) are managed in such a way that all the material in the system achieves the required time and temperature parameters, including, where appropriate, continuous monitoring of the parameters;

(iii) comply with all other requirements of this Regulation.

If the composting plant is located on premises where farmed animals are kept and does not only use manure which accrues from those animals, the composting plant shall be located at an adequate distance from the area where animals are kept and there must, in any case, be total physical separation between that composting plant and the animals and their feed and bedding, with fencing where necessary.'

(b) Point B(11) is replaced by the following:

'11. Digestion residues and compost must be handled and stored at the biogas respective composting plant in such way as to prevent recontamination.'

(c) Point C(12) is replaced by the following:

'12. Category 3 material used as raw material in a biogas plant equipped with a pasteurisation/hygienisation unit must be submitted to the following minimum requirements:

- (a) maximum particle size before entering the unit: 12 mm;
- (b) minimum temperature in all material in the unit: 70 °C; and
- (c) minimum time in the unit without interruption: 60 minutes.

However, category 3 milk, colostrums and milk products may be used without pasteurisation/hygienisation as raw material in a biogas plant, if the competent authority does not consider them to present a risk of spreading any serious transmissible disease.'

(d) Point C(13) is replaced by the following:

'13. Category 3 material used as raw material in a composting plant must be submitted to the following minimum requirements:

- (a) maximum particle size before entering the composting reactor: 12 mm;
- (b) minimum temperature in all material in the reactor: 70 °C; and
- (c) minimum time in the reactor at 70 °C (all material): 60 minutes.'

(e) The following Point C(13a) is inserted:

'13a. However, the competent authority may authorise the use of other standardised process parameters provided an applicant demonstrates that such parameters ensure minimising of biological risks. That demonstration shall include a validation, which shall be carried out in accordance with points (a) to (f):

- (a) Identification and analysis of possible hazards, including the impact of input material, based on a full definition of the processing conditions.
- (b) A risk assessment, which evaluates how the specific processing conditions referred to in (a) are achieved in practice under normal and atypical situations.

(c) Validation of the intended process by measuring the reduction of viability/infectivity of:

(i) endogenous indicator organisms during the process, where the indicator is:

- consistently present in the raw material in high numbers,
- not less heat resistant to the lethal aspects of the treatment process, but also not significantly more resistant than the pathogens for which it is being used to monitor,
- relatively easy to quantify and relatively easy to identify and to confirm;

or

(ii) a well-characterised test organism or virus, during exposure, introduced in a suitable test body into the starting material.

(d) The validation of the intended process referred to in (c) must demonstrate that the process achieves the following overall risk reduction:

(i) for thermal and chemical processes by:

- reduction of 5 log₁₀ of *Enterococcus faecalis* or *Salmonella Senftenberg* (775W, H₂S negative),
- reduction of infectivity titre of thermo resistant viruses such as parvovirus by at least 3 log₁₀, whenever they are identified as a relevant hazard;

and

(ii) as regards chemical processes also by:

- reduction of resistant parasites such as eggs of *ascaris* sp. by at least 99,9 % (3 log₁₀) of viable stages.

(e) Designing a complete control programme including procedures for monitoring the functioning of the process referred to in (c).

(f) Measures ensuring continuous monitoring and supervision of the relevant process parameters fixed in the control programme when operating the plant.

Details on the relevant process parameters used in a biogas or composting plant as well as other critical control points must be recorded and maintained so that the owner, operator or their representative and the competent authority can monitor the operation of the plant. Records must be made available to the competent authority on request.

Information relating to a process authorised under this point must be made available to the Commission on request.'

(f) In point C(14), point (b) shall be replaced by the following:

'(b) considers that the residues or compost are unprocessed material.'

(g) Point D(15) is replaced by the following:

'15. Representative samples of the digestion residues or compost taken during or immediately after processing at the biogas or composting plant in order to monitor the process must comply with the following standards:

Escherichia coli: $n = 5$, $c = 1$, $m = 1\ 000$, $M = 5\ 000$ in 1 g;

or

Enterococaceae: $n = 5$, $c = 1$, $m = 1\ 000$, $M = 5\ 000$ in 1 g;

and

Representative samples of the digestion residues or compost taken during or on withdrawal from storage at the biogas or composting plant must comply with the following standards:

Salmonella: absence in 25 g; $n = 5$; $c = 0$; $m = 0$; $M = 0$

where:

n = number of samples to be tested;

m = threshold value for the number of bacteria; the result is considered satisfactory if the number of bacteria in all samples does not exceed m ;

M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more samples is M or more; and

c = number of samples the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other samples is m or less.

Digestion residues or compost, which does not comply with the requirements set out in this Chapter shall be reprocessed, in the case of *Salmonella* handled or disposed of in accordance with the instructions of the competent authority.'

2. Annex VIII, Chapter III, Point II.A.(5) is replaced by the following:

'5. The placing on the market of processed manure and processed manure products shall be subject to the following conditions set out in points (a) to (e):

(a) They must come from a technical plant, a biogas plant or a composting plant approved by the competent authority in accordance with this Regulation.

(b) They must have been subjected to a heat treatment process of at least 70 °C for at least 60 minutes and they must have been subjected to reduction in spore-forming bacteria and toxic formation.

(c) However, the competent authority may authorise the use of other standardised process parameters than those described in (b) provided an applicant demonstrates that such parameters ensure minimising of biological risks. This demonstration shall include a validation, which shall be carried out as follows:

(i) Identification and analysis of possible hazards including the impact of input material, based on a full definition of the processing conditions, and a risk assessment, which evaluates how the specific processing conditions are achieved in practice under normal and atypical situations.

(ii) Validation of the intended process

(ii-1) by measuring the reduction of viability/infectivity of endogenous indicator organisms during the process, where the indicator is:

- consistently present in the raw material in high numbers,
- not less heat resistant to the lethal aspects of the treatment process, but also not significantly more resistant than the pathogens for which it is being used to monitor,
- relatively easy to quantify and relatively easy to identify and confirm;

or

(ii-2) by measuring the reduction of viability/infectivity, during exposure, of a well-characterised test organism or virus introduced in a suitable test body into the starting material.

(iii) The validation referred to in point (ii) must demonstrate that the process achieves the following overall risk reduction:

- for thermal and chemical processes by reduction of *Enterococcus faecalis* by at least 5 log₁₀ and by reduction of infectivity titre of thermo resistant viruses such as *parvovirus*, where they are identified as a relevant hazard, by at least 3 log₁₀,
- for chemical processes also by reduction of resistant parasites such as eggs of *ascaris* sp. by at least 99,9 % (3 log₁₀) of viable stages.

(iv) Designing a complete control programme including procedures for monitoring the process.

(v) Measures ensuring continuous monitoring and supervision of the relevant process parameters fixed in the control programme when operating the plant.

Details on the relevant process parameters used in a plant as well as other critical control points must be recorded and maintained so that the owner, operator or their representative and the competent authority can monitor the operation of the plant. Records must be made available to the competent authority on request.

Information relating to a process authorised under this point must be made available to the Commission on request.

(d) Representative samples of the manure taken during or immediately after processing at the plant in order to monitor the process must comply with the following standards:

Escherichia coli: $n = 5$, $c = 5$, $m = 0$, $M = 1\,000$ in 1 g;

or

Enterococaceae: $n = 5$, $c = 5$, $m = 0$, $M = 1\,000$ in 1 g;

and

Representative samples of the manure taken during or on withdrawal from storage at the technical, biogas or composting plant must comply with the following standards:

Salmonella: absence in 25 g: $n = 5$; $c = 0$; $m = 0$; $M = 0$

where:

n = number of samples to be tested;

m = threshold value for the number of bacteria; the result is considered satisfactory if the number of bacteria in all samples does not exceed m ;

M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more samples is M or more; and

c = number of samples the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other samples is m or less.

Processed manure or processed manure products not complying with the above requirements shall be regarded as unprocessed;

- (e) They must be stored in such a way that once processed contamination or secondary infection and dampness is minimised. They must therefore be stored in:
- (i) well-sealed and insulated silos, or
 - (ii) properly sealed packs (plastic bags or "big bags").'
-

COMMISSION REGULATION (EC) No 209/2006**of 7 February 2006****amending Regulations (EC) No 809/2003 and (EC) No 810/2003 as regards the extension of the validity of the transitional measures for composting and biogas plants under Regulation (EC) No 1774/2002 of the European Parliament and of the Council****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽¹⁾, and in particular Article 32(1) thereof,

Whereas:

(1) Regulation (EC) No 1774/2002 lays down health rules concerning animal by-products not intended for human consumption. In view of the strict nature of those rules, transitional measures have been granted.

(2) Commission Regulation (EC) No 809/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the processing standards for Category 3 material and manure used in composting plants ⁽²⁾ provides for certain transitional measures in order to give industry time to adjust and develop alternative processing standards for Category 3 material and manure used in composting plants until 31 December 2005.

(3) Commission Regulation (EC) No 810/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for Category 3 material and manure used in biogas plants ⁽³⁾ provides for certain transitional measures in order to give industry time to adjust and develop alternative processing standards for Category 3 material and manure used in biogas plants until 31 December 2005.

(4) The parameters to be imposed following the opinion of the European Food Safety Authority (EFSA) of 7 September 2005 differ from the processing standards which Member States may authorise until 31 December 2005 pursuant to Regulations (EC) No 809/2003 and (EC) No 810/2003. Also, it will take some time for the Member States to implement the new validation procedure provided for in Commission Regulation (EC) No 208/2006 of 7 February 2006 amending Annexes VI and VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for biogas and composting plants and requirements for manure ⁽⁴⁾.

(5) The transitional measures provided for in Regulations (EC) No 809/2003 and (EC) No 810/2003 should therefore be extended for a further period of time to enable the Member States to authorise operators to continue to apply national rules for the processing standards for Category 3 materials and manure used in composting and biogas plants.

(6) Regulations (EC) No 809/2003 and (EC) No 810/2003 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1(1), Article 3(2) and Article 4, of Regulation (EC) No 809/2003, '31 December 2005' is replaced by '31 December 2006'.

Article 2

In Article 1(1), Article 3(2) and Article 4, of Regulation (EC) No 810/2003, '31 December 2005' is replaced by '31 December 2006'.

⁽¹⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 416/2005 (OJ L 66, 12.3.2005, p. 10).

⁽²⁾ OJ L 117, 13.5.2003, p. 10. Regulation as amended by Regulation (EC) No 12/2005 (OJ L 5, 7.1.2005, p. 3).

⁽³⁾ OJ L 117, 13.5.2003, p. 12. Regulation as amended by Regulation (EC) No 12/2005.

⁽⁴⁾ See page 25 of this Official Journal.

Article 3

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, 7 February 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

COMMISSION REGULATION (EC) No 210/2006**of 7 February 2006****fixing the aid for tomatoes for processing for the 2006/07 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the 2004/05 marketing year and the quantities for which aid applications for the 2005/06 marketing year were submitted.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

(1) Article 3(3) of Commission Regulation (EC) No 1535/2003 of 29 August 2003 laying down detailed rules for the implementation of Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables ⁽²⁾ stipulates that the Commission is to publish the amount of the aid for tomatoes for processing before 31 January.

(2) For the Member States of the Community as constituted on 30 April 2004, compliance with the national and Community thresholds for processing tomatoes referred to in Article 5(1) of Regulation (EC) No 2201/96 is examined on the basis of the quantities aided in the three preceding marketing years for which definitive data are available for all the Member States in question.

(3) Pursuant to Article 4 of Commission Regulation (EC) No 416/2004 of 5 March 2004 laying down transitional measures for the application of Council Regulation (EC) No 2201/96 and Regulation (EC) No 1535/2003 by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union ⁽³⁾, compliance with national and Community thresholds for tomato processing in the case of the Member States which acceded to the European Union on 1 May 2004 is examined on the basis of the quantities actually aided in

(4) The quantity of tomatoes processed under the aid scheme to be considered when examining compliance with the national and Community thresholds is 978 544 tonnes above the Community threshold. In the case of those Member States which have exceeded their processing threshold, the aid for tomatoes for processing for the 2006/07 marketing year must thus be adjusted in relation to the level set in Article 4(2) of Regulation (EC) No 2201/96, in accordance with Article 5(2) and (4) of that Regulation and Article 3(2) of Regulation (EC) No 416/2004.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2006/07 marketing year, the aid for tomatoes under Article 2 of Regulation (EC) No 2201/96 shall be:

(a) EUR 34,50 per tonne in the Czech Republic, Greece, France, Cyprus, Hungary, Malta, Poland, Portugal, and Slovakia;

(b) EUR 30,43 per tonne in Italy;

(c) in Spain:

(i) EUR 34,50 per tonne for tomatoes for processing into whole peeled tomatoes,

(ii) EUR 23,35 per tonne for tomatoes intended for other processing.

⁽¹⁾ OJ L 297, 21.11.1996, p. 29. Regulation as last amended by Commission Regulation (EC) No 386/2004 (OJ L 64, 2.3.2004, p. 25).

⁽²⁾ OJ L 218, 30.8.2003, p. 14. Regulation as last amended by Regulation (EC) No 1663/2005 (OJ L 267, 12.10.2005, p. 22).

⁽³⁾ OJ L 68, 6.3.2004, p. 12. Regulation as amended by Regulation (EC) No 550/2005 (OJ L 93, 12.4.2005, p. 3).

Article 2

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, 7 February 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 211/2006**of 7 February 2006****derogating from Regulation (EC) No 1433/2003 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards operational funds, operational programmes and financial assistance**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 Article 48 thereof,

Whereas:

- (1) Articles 13 and 14 of Commission Regulation (EC) No 1433/2003 ⁽²⁾ set as 15 December the final date by which the competent national authority is to take decisions on programmes and funds, and amendments thereto, respectively, following submissions by the producer organisations in accordance with Articles 11 and 14 of that Regulation. However, the Member States may, for duly justified reasons, defer the 15 December deadline to 20 January of the year following that in which the application is submitted.
- (2) In view of the administrative complexity of this task, even using the option of deferring the deadline until 20 January, some Member States have been unable to meet their obligation to take decisions on applications for the current year by that date. For 2006, therefore, provision should be made for derogations from certain provisions of Regulation (EC) No 1433/2003.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

Article 1

1. Notwithstanding Article 13(2) of Regulation (EC) No 1433/2003, for operational programmes for the year 2006 only, Member States may, for duly justified reasons, take a decision on operational programmes and funds not later than 10 February following the date of the application.
2. Notwithstanding Article 14(3) of Regulation (EC) No 1433/2003, for operational programmes for the year 2006 only, Member States may, for duly justified reasons, take a decision on applications to amend operational programmes not later than 10 February following the date of the application.
3. Notwithstanding Article 16(2) of Regulation (EC) No 1433/2003, for operational programmes for the year 2006 only, the implementation of operational programmes approved in accordance with the derogations provided for in paragraphs 1 or 2 of this Article shall commence not later than 15 February following their approval.
4. Notwithstanding Article 17 of Regulation (EC) No 1433/2003, for operational programmes for the year 2006 only, the Member States, where they apply the derogations provided for in paragraphs 1 or 2 of this Article, shall notify the producer organisations on 10 February at the latest of the approved amount of aid and shall communicate to the Commission not later than 15 February the total amount of aid approved for all operational programmes.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 7 February 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽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 203, 12.8.2003, p. 25. Regulation as last amended by Regulation (EC) No 2190/2004 (OJ L 373, 21.12.2004, p. 21).

COMMISSION DIRECTIVE 2006/16/EC**of 7 February 2006****amending Council Directive 91/414/EEC to include oxamyl as active substance****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Health and finalised on 15 July 2005 in the format of the Commission review report for oxamyl.

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) Commission Regulations (EC) No 451/2000 ⁽²⁾ and (EC) No 703/2001 ⁽³⁾ lay down the detailed rules for the implementation of the second stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list includes oxamyl.

(2) For oxamyl, the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulations (EC) No 451/2000 and (EC) No 703/2001 for a range of uses proposed by the notifier. Moreover, those Regulations designate the Rapporteur Member States which have to submit the relevant assessment reports and recommendations to the European Food Safety Authority (EFSA) in accordance with Article 8(1) of Regulation (EC) No 451/2000. For oxamyl the Rapporteur Member State was Ireland and all relevant information was submitted on 25 August 2003.

(3) The assessment report has been peer reviewed by the Member States and the EFSA within its Working Group Evaluation and presented to the Commission on 14 January 2005 in the format of the EFSA Scientific Report for oxamyl ⁽⁴⁾. This report has been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal

(4) It has appeared from the various examinations made that plant protection products containing oxamyl may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) 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 oxamyl in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing this active substance can be granted in accordance with the provisions of that Directive.

(5) Without prejudice to that conclusion, it is appropriate to obtain further information on certain specific points. Article 6(1) of Directive 91/414/EEC provides that inclusion of a substance in Annex I may be subject to conditions. Therefore it is appropriate to require that oxamyl should be subjected to further testing for confirmation of the risk assessment for some issues and that such studies should be presented by the notifier.

(6) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 ⁽⁵⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I.

(7) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2006/6/EC (OJ L 12, 18.1.2006, p. 21).

⁽²⁾ OJ L 55, 29.2.2000, p. 25. Regulation as last amended by Regulation (EC) No 1044/2003 (OJ L 151, 19.6.2003, p. 32).

⁽³⁾ OJ L 98, 7.4.2001, p. 6.

⁽⁴⁾ EFSA Scientific Report (2005) 26, 1-78, Conclusion on the peer review of the pesticide risk assessment of the active substance Oxamyl (finalised: 14 January 2005).

⁽⁵⁾ OJ L 366, 15.12.1992, p. 10. Regulation as last amended by Regulation (EC) No 2266/2000 (OJ L 259, 13.10.2000, p. 27).

- (8) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of six months after inclusion to review existing authorisations of plant protection products containing oxamyl to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should vary, replace or withdraw, as appropriate, existing authorisations, in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (9) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (10) 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

Member States shall adopt and publish, by 31 January 2007 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 February 2007.

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

Article 3

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing oxamyl as an active substance by 31 January 2007.

By that date, they shall in particular verify that the conditions in Annex I to that Directive relating to oxamyl are met, with the exception of those identified in part B of the entry concerning that active substance, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13 of that Directive.

2. By derogation from paragraph 1, for each authorised plant protection product containing oxamyl 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 30 July 2006 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 and taking into account part B of the entry in Annex I to that Directive concerning oxamyl. 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 oxamyl as the only active substance, where necessary, amend or withdraw the authorisation by 30 July 2010 at the latest; or
- (b) in the case of a product containing oxamyl as one of several active substances, where necessary, amend or withdraw the authorisation by 30 July 2010 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 August 2006.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 7 February 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

The following entry shall be added at the end of the table in Annex I to Directive 91/414/EEC

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
117	Oxamyl CAS No 23135-22-0 CIPAC No 342	N,N-dimethyl-2-methylcarbamoyloxyiminio-2-(methylthio) acetamide	970 g/kg	1 August 2006	31 July 2016	PART A Only uses as nematocide and insecticide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on oxamyl, and in particular Appendices I and II thereto, as finalised in the Standing Committee on the Food Chain and Animal Health on 15 July 2005 shall be taken into account. In this overall assessment, — Member States must pay particular attention to the protection of birds and mammals, earthworms, aquatic organisms, surface water, and groundwater in vulnerable situations. Conditions of authorisation should include risk mitigation measures, where appropriate. — Member States must pay particular attention to the operator safety. Conditions of authorisation should include protective measures, where appropriate. The concerned Member States shall request the submission of further studies to confirm the risk assessment for ground water contamination in acidic soils, birds and mammals and earthworms. They shall ensure that the notifiers at whose request oxamyl has been included in this Annex provide such studies to the Commission within two years from the entry into force of this Directive.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 30 January 2006

amending and extending Decision 2001/923/EC establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles' programme)

(2006/75/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third sentence of Article 123(4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the European Central Bank ⁽²⁾,

Whereas:

(1) In accordance with Article 13(3)(a) of Council Decision 2001/923/EC ⁽³⁾, the Commission is to send to the European Parliament and to the Council by 30 June 2005 a report, which shall be independent of the programme manager, evaluating the relevance, the efficiency and the effectiveness of the programme and a communication on whether this programme should be continued and adapted, accompanied by an appropriate proposal.

(2) The evaluation report provided for in Article 13 of that Decision was issued on 30 November 2004. It concludes that the programme has been achieving its objectives and recommends that the programme be continued.

(3) A financial reference amount, within the meaning of point 34 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council

and the Commission on budgetary discipline and improvement of the budgetary procedure ⁽⁴⁾ is included in the Decision for the entire duration of the programme, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty.

(4) The continuation of the programme reflects the need for continuing vigilance, training and technical assistance necessary to sustain the protection of the euro against counterfeiting.

(5) The efficiency of the programme in protecting the euro could be enhanced if the technical support were enlarged also to provide, with the involvement of Europol, for financial support for cooperation in cross-border operations and it could benefit, in duly justified cases, from greater flexibility in the proportion of the costs the Community may bear and in the number of projects one Member State may present.

(6) Decision 2001/923/EC should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

Amendments

Decision 2001/923/EC is hereby amended as follows:

1. the last sentence of Article 1(2) shall be replaced by the following:

'It shall run from 1 January 2002 to 31 December 2006.'

⁽¹⁾ Opinion delivered on 13 October 2005 following non-compulsory consultation (not yet published in the Official Journal).

⁽²⁾ OJ C 161, 1.7.2005, p. 11.

⁽³⁾ OJ L 339, 21.12.2001, p. 50.

⁽⁴⁾ OJ C 172, 18.6.1999, p. 1.

2. the following point shall be added to Article 2(2):

‘(e) an aim to publish the results achieved, as part of the exchange of information, experience and good practices.’;

3. the following point shall be added to Article 3(3):

‘(d) on a secondary basis financial support for cooperation in cross-border operations when such support is not available from other European institutions and bodies.’;

4. the first subparagraph of Article 6 shall be replaced by the following:

‘The financial reference amount for the implementation of the Community action programme for the period from 1 January 2002 to 31 December 2005 shall be EUR 4 million.

The financial reference amount for the implementation of the Community action programme for the period from 1 January 2006 to 31 December 2006 shall be EUR 1 million.’;

5. in Article 10(1), the introductory phrase shall be replaced by the following:

‘The Community shall, in duly justified cases, bear up to 80 % of the cost of the operational support referred to in Article 3 by way of co-financing, in particular.’;

6. in Article 11 ‘70 %’ shall be replaced by ‘80 %’;

7. Article 12 shall be amended as follows:

(a) the second subparagraph of paragraph 1 shall be replaced by the following:

‘Member States may present one or, exceptionally, two projects a year concerning the workshops, meetings and seminars referred to in the second subparagraph of Article 3(2). Projects in connection with placements, exchanges or assistance may also be presented.’;

(b) the following subparagraph shall be added to paragraph 1:

‘In case more than one proposal are presented by one Member State, coordination is carried out by the national competent authority defined in Article 2(b) fourth indent of Regulation (EC) No 1338/2001.’;

(c) in paragraph 2, point (e) shall be replaced by the following:

‘(e) the intrinsic quality of the project in terms of its conception, organisation, presentation, objectives and cost-effectiveness ratio’;

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

‘(h) compatibility with work being carried out or planned as part of EU action in the field of combating currency counterfeiting’.

Article 2

Applicability

This Decision shall have effect in the participating Member States as defined in the first indent of Article 1 of Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro ⁽¹⁾.

Article 3

Entry into force

This Decision shall take effect on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2006.

Done at Brussels, 30 January 2006.

For the Council
The President
U. PLASSNIK

⁽¹⁾ OJ L 139, 11.5.1998, p. 1. Regulation as last amended by Regulation (EC) No 2169/2005 (OJ L 346, 29.12.2005, p. 1).

COUNCIL DECISION

of 30 January 2006

extending to the non-participating Member States the application of Decision 2006/75/EC amending and extending Decision 2001/923/EC establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles' programme)

(2006/76/EC)

THE COUNCIL OF THE EUROPEAN UNION,

taken to guarantee the same level of protection for the euro in the Member States where the euro is not their official currency,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

HAS DECIDED AS FOLLOWS:

Having regard to the proposal from the Commission,

Article 1

Having regard to the opinion of the European Parliament ⁽¹⁾,

The application of Decision 2006/75/EC shall be extended to Member States other than the participating Member States as defined in the first indent of Article 1 of Regulation (EC) No 974/98.

Whereas:

Article 2

- (1) When adopting Decision 2006/75/EC ⁽²⁾ the Council indicated that it should apply in the participating Member States as defined in the first indent of Article 1 of Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro ⁽³⁾.

This Decision shall take effect on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 30 January 2006.

- (2) However, the exchange of information and staff and the assistance and training measures implemented under the Pericles programme should be uniform throughout the Community and the requisite steps should therefore be

For the Council
The President
U. PLASSNIK

⁽¹⁾ Opinion delivered on 13 October 2005 (not yet published in the OJ).

⁽²⁾ See page 40 of this Official Journal.

⁽³⁾ OJ L 139, 11.5.1998, p. 1. Regulation as last amended by Regulation (EC) No 2169/2005 (OJ L 346, 29.12.2005, p. 1).

COMMISSION

COMMISSION DECISION

of 23 December 2005

Commission Decision setting up a High Level Group on Competitiveness, Energy and the Environment

(2006/77/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) Article 2 of the Treaty establishing the European Community assigned the Community and the Member States the task of promoting a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection, equality between men and women, sustainable and non-inflationary growth, a high degree of competitiveness and convergence of economic performance, a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States.
- (2) In accordance with the Communication from the Commission entitled 'Implementing the Community Lisbon Programme: a policy framework to strengthen EU manufacturing — towards a more integrated approach for industrial policy' ⁽¹⁾, the Commission announced the intention to call upon the advice of a High Level Group on competitiveness, energy and the environment, in particular regarding the basic and intermediate product industries.
- (3) The High Level Group should be designed to contribute to examining the links between industrial, energy and environmental policies and ensuring the coherence of individual initiatives, whilst improving both sustainability and competitiveness; and contribute, through the balanced participation of relevant stakeholders, to creating a stable and predictable regulatory framework where competitiveness, energy and environment go hand in hand, notably building upon input from research in this field.
- (4) The High Level Group should bring together representatives of the Commission, Member States, European Parliament and relevant stakeholders notably industry

and civil society, *inter alia*, consumers, trade unions, NGOs and research/academia.

- (5) The High Level Group on competitiveness, energy and the environment therefore has to be set up and its terms of reference and structures detailed,

HAS DECIDED AS FOLLOWS:

Article 1

A High Level Group hereafter referred to as 'the group' is hereby set up by the Commission.

Article 2

Mandate

The group's mandate is to address issues where competitiveness, energy and environmental policies interrelate. The mandate is given for two years: it may be extended by Commission Decision.

The group will provide advice, in the most appropriate format, addressed to policy makers at Community and national level, industry and civil society organisations.

Article 3

Composition — appointment

1. The members of the group shall be appointed by the Commission from high level persons with competence and responsibility in the areas of industry, energy, and the environment.
2. The group shall be composed of up to 28 members.
3. The following provision shall apply:
 - the members are appointed for their expertise in a personal capacity. Each member of the group shall nominate a personal representative to a preparatory sub-group hereafter referred to as 'sherpa' sub-group,

⁽¹⁾ COM(2005) 474 final of 5.10.2005.

- members of the group shall remain in office until such time as they resign, are replaced or their mandate ends,
- members who are no longer able to contribute effectively to the group's deliberations, who resign or who do not respect the conditions set up in the first point of this Article or Article 287 of the Treaty establishing the European Community may be replaced for the remaining period of their mandate,
- the names of members appointed individually are published on the Internet site of DG Enterprise and Industry and/or in the *Official Journal of the European Union*, series C. The names of members are collected, processed and published in accordance with the provision of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regards to processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽¹⁾.

Article 4

Operation

1. The group is chaired by the Commission.
2. The 'sherpa' sub-group will prepare the discussions, position papers and advice for actions and/or policy measures to be endorsed by the group; it will work in close contact with the Commission services.
3. The group will seek input from experts and stakeholders through ad hoc arrangements, and may set up a limited number of ad hoc groups to examine specific questions under the terms of reference established by the group; the ad hoc groups shall be disbanded as soon as these have been fulfilled.
4. The Commission may ask experts or observers with specific competence on a subject on the agenda to participate in the group or ad hoc groups' deliberations if this is useful and/or necessary.
5. Confidential information obtained by participating in the group or ad hoc groups' deliberations process should not be divulged.

6. The group, the 'sherpa' sub-group and the ad hoc groups normally meet on Commission's premises in accordance with the procedures and schedule established by it. The Commission provides secretarial services.

7. The group will decide on the items to be included on the agenda for discussion.

8. The Commission may publish, in the original language of the document concerned, any résumé, conclusions, or partial conclusion or working document of the group.

Article 5

Meeting expenses

The Commission shall reimburse travel and subsistence expenses for members, 'sherpas', experts and observers in connection with the group's activities in accordance with the provisions in force at the Commission. The members of the group, 'sherpa' sub-group and ad hoc groups shall not be paid for their duties.

Meeting expenses are reimbursed within the limits of the appropriations allocated to the department concerned under the annual procedures for allocating resources.

Article 6

Entry into force

The decision shall take effect on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 23 December 2005.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

COMMISSION DECISION

of 31 January 2006

concerning a financial contribution by the Community for the implementation of an epidemiological survey and bluetongue surveillance measures in the context of the emergency measures taken to combat this disease in Portugal in 2004 and 2005

*(notified under document number C(2006) 166)***(Only the Portuguese text is authentic)**

(2006/78/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, and in particular Article 3(2a) thereof,

Whereas:

- (1) On 24 November 2004, outbreaks of bluetongue appeared in Portugal. The emergence of this disease may represent a serious risk to the Community's livestock population.
- (2) In order to prevent the spread of the disease as rapidly as possible, the Community should contribute financially to the eligible expenditure incurred by Portugal in the context of the emergency measures taken to combat the disease, as provided for in Decision 90/424/EEC. Therefore, on 15 September 2005 Commission Decision 2005/660/EC concerning a financial contribution by the Community in the context of the emergency measures taken to combat bluetongue in Portugal in 2004 and 2005 ⁽²⁾ was adopted.
- (3) The Commission has adopted various decisions in order to demarcate the protection and surveillance zones and to set out the conditions governing movements of animals from these zones, the last one being Decision 2005/393/EC of 23 May 2005 on protection and surveillance zones in relation to bluetongue and conditions applying to movements from or through these zones ⁽³⁾.
- (4) Since autumn 2004 the exceptional weakness of rainfalls in Portugal has seriously affected the fodder supply and consequently the possibilities of animal feeding, causing

additional costs for the farmers. This situation is of particular consequence in Portugal since holdings specialising in bovine and ovine births are located in the areas affected by the restrictions on animal movements, while those specialising in fattening, which are the natural outlet for animals raised on such holdings, are located outside those areas.

- (5) Other measures were put in place by Portugal in collaboration with Spain to control the epidemic by carrying out epidemiological surveys and disease surveillance measures, including laboratory tests for serological and virological surveillance in the framework of pre-movement testing of animals and entomological surveillance.
- (6) Portugal and Spain have provided evidence of cooperation between both Member States to avoid the spread of the disease by carrying out disease surveillance measures.
- (7) In accordance with Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽⁴⁾, veterinary and plant health measures undertaken in accordance with Community rules are financed by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. The auditing of those measures falls within Articles 8 and 9 of that Regulation.
- (8) The payment of the financial contribution from the Community should be subject to the condition that the actions planned have actually been carried out and that the authorities supply all the necessary information within the time limits laid down.
- (9) On 25 February 2005, Portugal submitted an initial estimation of the costs incurred in the context of the other emergency measures, including epidemiological surveillance measures taken to combat the disease. This estimation of epidemiological surveillance measures amounts to EUR 4 303 336.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 244, 20.9.2005, p. 28.

⁽³⁾ OJ L 130, 24.5.2005, p. 22. Decision as last amended by Decision 2005/828/EC (OJ L 311, 26.11.2005, p. 37).

⁽⁴⁾ OJ L 160, 26.6.1999, p. 103.

- (10) Pending on-the-spot checks carried on by the Commission, it is now necessary to fix the first instalment of the Community financial contribution. That first instalment should be equal to 50 % of the Community contribution, established on the basis of the estimated eligible expenditure of epidemiological surveillance measures. It is also appropriate to fix the maximum amounts to be reimbursed for the cost of tests and traps used in the framework of these measures.
- (11) Portugal has fulfilled all their technical and administrative obligations with regard to the measures provided for in Article 3 of Decision 90/424/EEC.
- (12) 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

Granting of a financial contribution from the Community to Portugal

1. In the context of the emergency measures taken to combat bluetongue in 2004 and 2005, Portugal shall be entitled to a financial contribution from the Community amounting to 50 % of the expenditure incurred for the costs of the laboratory tests for serological and virological surveillance and for the costs of entomological surveillance, including the purchase of traps.

2. The maximum amounts of the costs to be reimbursed to Portugal for the tests and the traps referred to in paragraph 1 shall not exceed:

- (a) for serological surveillance, Elisa test: EUR 2,5 per test;
- (b) for virological surveillance, RT.PCR test: EUR 15 per test;
- (c) for entomological surveillance, trap: EUR 160 per trap.

3. The financial contribution from the Community shall exclude value added tax.

Article 2

Payment arrangements

Subject to the results of the on-the-spot checks carried out in accordance with Article 9(1) of Decision 90/424/EEC, an initial

instalment of EUR 600 000 shall be paid, as part of the Community financial contribution provided for in Article 1.

That payment shall be made on the basis of supporting documents submitted by Portugal relating to the laboratory tests and the purchase of traps referred to in Article 1(1).

Article 3

Payment conditions and supporting documents

1. The financial contribution from the Community as referred to in Article 1 shall be paid on the basis of:

- (a) an application containing the data specified in the Annex submitted within the time limit set out in paragraph 2 of this Article;
- (b) the supporting documents referred to in Article 2, including an epidemiological report and a financial report;
- (c) the results of any on-the-spot checks carried out in accordance with Article 9(1) of Decision 90/424/EEC.

The documents referred to in point (b) shall be made available for on-the-spot checks referred to in point (c).

2. The application referred to in paragraph 1(a) shall be submitted in computerised form within sixty calendar days following the date of notification of this Decision. If that time limit is not observed, the financial contribution from the Community shall be reduced by 25 % for every month of delay.

Article 4

Addressee

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 31 January 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

Data referred to in Article 3(1)(a)

Costs incurred		
Nature of action	Number	Amount (not including VAT)
ELISA Tests		
RT.PCR Tests		
Other virological Tests		
Traps		
Total		

COMMISSION DECISION

of 31 January 2006

amending Decisions 2005/759/EC and 2005/760/EC as regards an extension of their period of application*(notified under document number C(2006) 187)***(Text with EEA relevance)**

(2006/79/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, and in particular Article 10(4) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽²⁾, and in particular Article 18(7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽³⁾, and in particular Article 22(6) thereof,

Having regard to Regulation (EC) No 998/2003 of 26 May 2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC ⁽⁴⁾, and in particular Article 18 thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in poultry and birds, causing mortality and disturbances which can

quickly take epizootic proportions liable to present a serious threat to animal and public health and to reduce sharply the profitability of poultry farming. There is a risk that the disease agent might be introduced via international trade in live birds other than poultry, including birds accompanying their owners (pet birds).

- (2) Following the outbreak of avian influenza, caused by a highly pathogenic H5N1 virus strain, in south-eastern Asia starting in December 2003, the Commission adopted several protection measures in relation to avian influenza. Those measures included in particular Commission Decision 2005/759/EC of 27 October 2005 concerning certain protection measures in relation to highly pathogenic avian influenza in certain third countries and the movement from third countries of birds accompanying their owners ⁽⁵⁾ and Commission Decision 2005/760/EC of 27 October 2005 concerning certain protection measures in relation to highly pathogenic avian influenza in certain third countries for the import of captive birds ⁽⁶⁾.

- (3) Since new cases of avian influenza have been reported in certain member countries of the World Organisation for Animal Health (OIE), the restrictions concerning the movements of pet birds and imports of other birds from certain areas at risk should be continued. Therefore it is appropriate to extend the application of Decisions 2005/759/EC and 2005/760/EC.

- (4) Decisions 2005/759/EC and 2005/760/EC should therefore be amended accordingly.

- (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,

⁽¹⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽²⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by the 2003 Act of Accession.

⁽³⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1) corrected by OJ L 191, 28.5.2004, p. 1.

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

⁽⁵⁾ OJ L 285, 28.10.2005, p. 52. Decision as amended by Decision 2005/862/EC (OJ L 317, 3.12.2005, p. 19).

⁽⁶⁾ OJ L 285, 28.10.2005, p. 60. Decision as amended by Decision 2005/862/EC.

HAS ADOPTED THIS DECISION:

measures. They shall immediately inform the Commission thereof.

Article 1

In Article 5 of Decision 2005/759/EC '31 January 2006' is replaced by '31 May 2006'.

Article 4

This Decision is addressed to the Member States.

Article 2

In Article 6 of Decision 2005/760/EC '31 January 2006' is replaced by '31 May 2006'.

Done at Brussels, 31 January 2006.

Article 3

The Member States shall immediately take the necessary measures to comply with this Decision and publish those

For the Commission

Markos KYPRIANOU

Member of the Commission

COMMISSION DECISION

of 1 February 2006

granting certain Member States the derogation provided for in Article 3(2) of Council Directive 92/102/EEC on the identification and registration of animals

*(notified under document number C(2006) 172)***(Only the Czech, French, Italian, Polish, Portuguese and Slovakian text is authentic)**

(2006/80/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals ⁽¹⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) Article 3(2) of Directive 92/102/EEC provides for the possibility to authorise Member States to exclude from the list of holdings required by Article 3(1) natural persons who keep one single pig which is intended for their own use or consumption, or to take account of particular circumstances, provided that this animal is subjected to the controls laid down in that Directive before any movement.
- (2) The authorities of the Czech Republic, France, Poland and Slovakia have requested this authorisation as regards holdings with one single pig and have given the appropriate assurances in respect of veterinary controls.
- (3) Therefore the Czech Republic, France, Poland and Slovakia should be authorised to apply the derogation.
- (4) Commission Decision 95/80/EC ⁽²⁾ grants Portugal the derogation provided for in Article 3(2) of Directive 92/102/EEC on the identification and registration of animals.
- (5) Commission Decision 2005/458/EC ⁽³⁾ grants Italy the derogation provided for in Article 3(2) of Directive 92/102/EEC.

(6) It is appropriate to list in a single decision the Member States having been granted the derogation provided for in Article 3(2) of Directive 92/102/EEC.

(7) Decisions 95/80/EC and 2005/458/EC should therefore be repealed and replaced by this Decision.

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

HAS ADOPTED THIS DECISION:

Article 1

The Member States listed in the annex to this Decision are authorised to apply the derogation provided for in Article 3(2) of Directive 92/102/EEC as regards holdings with one single pig.

Article 2

Decisions 95/80/EC and 2005/458/EC are hereby repealed.

Article 3

This Decision is addressed to the Czech Republic, to the French Republic, to the Italian Republic, to the Polish Republic, to the Portuguese Republic and to the Slovak Republic.

Done at Brussels, 1 February 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 355, 5.12.1992, p. 32. Directive as last amended by Regulation (EC) No 21/2004 (OJ L 5, 9.1.2004, p. 8).

⁽²⁾ OJ L 65, 23.3.1995, p. 32.

⁽³⁾ OJ L 160, 23.6.2005, p. 31.

ANNEX

Member States authorised to apply the derogation provided for in Article 3(2) of Directive 92/102/EEC as regards holdings with one single pig.

The Czech Republic

France

Italy

Poland

Portugal

Slovakia
