

Official Journal

of the European Union

L 63



English edition

Legislation

Volume 52

7 March 2009

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I

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

REGULATIONS

COUNCIL REGULATION (EC) No 179/2009

of 5 March 2009

amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EC) No 301/2007 of 19 March 2007 amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾ suspended totally, for a period of two years, the autonomous Common Customs Tariff duties for monitors using liquid crystal display technology, with a diagonal measurement of the screen of 48,5 cm or less and a screen aspect ratio of 4:3 or 5:4 and classifiable under CN code 8528 59 90.
- (2) That suspension measure expired on 31 December 2008.
- (3) On consumer benefit grounds, to ensure rational development of production and an expansion of consumption within the Community and to promote trade between Member States and third countries, it is in the interest of the Community to extend the current autonomous duty suspension for two years starting from 1 January 2009 and to increase the diagonal measurement of the screen to 55,9 cm (22 inches) and to add the additional aspect ratios of 1:1 and 16:10.
- (4) For the same reasons, it is also in the interest of the Community to provide for a suspension for two years starting from 1 January 2009 for black and white or other monochrome monitors with a diagonal measurement of the screen not exceeding 77,5 cm (30,5 inches) and with the same aspect ratios as for colour monitors.
- (5) Council Regulation (EEC) No 2658/87 ⁽²⁾ should therefore be amended accordingly.

- (6) As the suspensions provided for in this Regulation are an extension of the suspension introduced by Regulation (EC) No 301/2007 that expired on 31 December 2008 and since it is not in the interest of the Community that there be any interruption of the tariff treatment of the monitors covered by the suspension, this Regulation should apply from 1 January 2009,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2658/87 is hereby amended as follows:

1. in Part Two, Section XVI, Chapter 85, of Annex I, the text in column 3 for CN code 8528 59 10 shall be replaced by the following:

‘14 (*)

(*) Customs duty autonomously suspended, until 31 December 2010, for black and white or other monochrome monitors, using liquid crystal display technology, equipped with either digital visual interface (DVI) or a video graphics array (VGA) connector or both with a diagonal measurement of the screen not exceeding 77,50 cm (i.e. 30,5 inches), with an aspect ratio of 1:1, 4:3, 5:4 or 16:10, with a pixel resolution exceeding 1,92 mega pixels, and with a dot pitch not exceeding 0,3 mm. (TARIC code 8528 59 10 10)’;

2. in Part Two, Section XVI, Chapter 85, of Annex I, the text in column 3 for CN code 8528 59 90 shall be replaced by the following:

‘14 (*)

(*) Customs duty autonomously suspended, until 31 December 2010, for colour monitors, using liquid crystal display technology, with a diagonal measurement of the screen not exceeding 55,9 cm (i.e. 22 inches), with an aspect ratio of 1:1, 4:3, 5:4 or 16:10. (TARIC code 8528 59 90 40)’.

⁽¹⁾ OJ L 81, 22.3.2007, p. 11.

⁽²⁾ OJ L 256, 7.9.1987, p. 1.

Article 2

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

It shall apply from 1 January 2009.

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

Done at Brussels, 5 March 2009.

For the Council
The President
M. ŘÍMAN

COMMISSION REGULATION (EC) No 180/2009**of 6 March 2009****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 March 2009.

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

Done at Brussels, 6 March 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	148,7
	JO	82,9
	MA	73,7
	TN	134,4
	TR	92,7
	ZZ	106,5
0707 00 05	JO	166,9
	MA	78,7
	MK	133,4
	TR	148,4
	ZZ	131,9
0709 90 70	JO	249,0
	MA	55,9
	TR	118,2
	ZZ	141,0
0709 90 80	EG	96,9
	ZZ	96,9
0805 10 20	EG	45,5
	IL	58,0
	MA	47,2
	TN	55,4
	TR	62,9
	ZZ	53,8
0805 50 10	EG	49,6
	MA	61,0
	TR	50,0
	ZZ	53,5
0808 10 80	AR	106,6
	CA	100,4
	CL	104,8
	CN	69,4
	MK	24,2
	NZ	95,4
	US	124,0
	ZZ	89,3
0808 20 50	AR	77,8
	CL	115,4
	CN	65,0
	US	111,8
	ZA	107,3
	ZZ	95,5

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 181/2009**of 6 March 2009****closing intervention buying-in of butter at fixed price until 31 August 2009**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 105/2008 of 5 February 2008 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter ⁽²⁾, and in particular the Article 12(2) thereof,

Whereas:

- (1) On the basis of the communications submitted by Member States on 5 March 2009 in accordance with Article 12(1) of Regulation (EC) No 105/2008, the total quantity of butter offered for intervention at fixed price since 1 March 2009 has exceeded the limit of 30 000 tonnes fixed in Article 13 of Regulation (EC) No 1234/2007. Therefore, the intervention buying-in of butter at fixed price has to be closed until 31 August 2009, a single percentage has to be fixed for the quantities received by the competent authorities of the Member States on 4 March 2009 and the offers received by the competent authorities of the Member States on and after 5 March 2009 have to be rejected.
- (2) In accordance with Article 3(5) of Regulation (EC) No 105/2008 the butter offered for intervention has to be

packaged and delivered in blocks of at least 25 kg net. Therefore, quantities of butter which have been multiplied by a single percentage should be rounded down to the closest multiple of 25 kg.

- (3) Intervention agencies have to notify sellers swiftly following publication of the single percentage and the closing of buying-in at fixed price. This Regulation should therefore enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The intervention buying-in of butter at fixed price is closed until 31 August 2009.

The total quantity of the offers of butter for intervention which were received from each seller by the competent authorities of the Member States in accordance with Article 12(1) of Regulation (EC) No 105/2008 on 4 March 2009 shall be accepted, multiplied by a single percentage of 65,0821 % and then rounded down to the closest multiple of 25 kg.

Offers received by the competent authorities of the Member States on and after 5 March 2009 until 31 August 2009 shall be rejected.

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, 6 March 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 32, 6.2.2008, p. 3.

COMMISSION REGULATION (EC) No 182/2009**of 6 March 2009****amending Regulation (EC) No 1019/2002 on marketing standards for olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Articles 113(1)(a) and 121(a) in conjunction with Article 4 thereof,

Whereas:

- (1) It is desirable to clarify that the name under which olive oils and olive-pomace oils are sold should be one of the descriptions laid down by the common organisation of agricultural markets. Supplementary information on each of the categories of oil defined should also appear on the labelling, but not necessarily close to the name under which the product is sold. For goods containing olive oil, neither the labelling of the description, nor, therefore, of the supplementary information should be required.
- (2) Commission Regulation (EC) No 1019/2002 ⁽²⁾ established optional arrangements for the labelling of the origin of olive oil although the aim was a system involving the compulsory labelling of the origin for extra virgin and virgin olive oil, in order to reflect the fact that, as a result of agricultural traditions and local extraction and blending practices such oils may be of quite different taste and quality depending on their geographical origin. Optional arrangements implemented since then proved not to be sufficient to avoid consumer misleading as to the real characteristics of virgin oils to this regard. In addition, since 2002, Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽³⁾ established traceability rules, applicable since 1 January 2005. The experience gained by operators and administrations in this matter allows making the labelling of the origin compulsory for extra virgin and virgin olive oil.
- (3) In the Community, a significant share of extra virgin and virgin olive oils is composed of blends of oils originating from various Member States and third countries. Simple provisions should be laid down for the labelling of the origin of such blends. Such simple rules make it possible deleting the former provisions on labelling of a 'predominant origin', complex to implement, difficult to control and potentially misleading.
- (4) Certain terms describing the organoleptic characteristics referring to taste and/or smell of extra virgin and virgin olive oils have been recently defined by the International Olive Council (IOC) in its revised method for the organoleptic assessment of virgin olive oils. The use of such terms on the labelling of extra virgin and virgin olive oils should be reserved to oils that have been assessed following the corresponding method of analysis. Transitional arrangements are needed for certain operators presently using the reserved terms.
- (5) Several Member States have maintained national regulations prohibiting the production of blends of olive oil with other seed oils for internal consumption purposes so as to preserve their traditions and a certain production quality at national level. The provisions of Regulation (EC) No 1019/2002 do not apply to tuna and sardines, covered respectively by Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito ⁽⁴⁾ and by Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines ⁽⁵⁾. For reasons of clarity, these aspects should be clearly mentioned in Regulation (EC) No 1019/2002.
- (6) Regulation (EC) No 1019/2002 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1019/2002 is amended as follows:

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 155, 14.6.2002, p. 27.

⁽³⁾ OJ L 31, 1.2.2002, p. 1.

⁽⁴⁾ OJ L 163, 17.6.1992, p. 1.

⁽⁵⁾ OJ L 212, 22.7.1989, p. 79.

1. Article 1(1) is replaced by the following:

‘1. Without prejudice to Directive 2000/13/EC and Council Regulation (EC) No 510/2006 (*), this Regulation lays down specific standards for retail-stage marketing of the olive oils and olive-pomace oils referred to in points 1(a) and (b), 3 and 6 of Annex XVI to Regulation (EC) No 1234/2007.

(*) OJ L 93, 31.3.2006, p. 12.’

2. Article 3 is amended as follows:

- (a) the following paragraph is inserted before the first paragraph:

‘Descriptions in accordance with Article 118 of Regulation (EC) No 1234/2007 shall be considered as the name under which the product is sold as referred to in Article 3(1)(1) of Directive 2000/13/EC.’

- (b) in the first paragraph, which becomes the second paragraph, the introductory words are replaced by the following:

‘The labelling of oils as referred to in Article 1(1) shall bear, in clear and indelible lettering, in addition to the description referred to in the first paragraph, but not necessarily close to it, the following information on the category of oil.’

3. Article 4 is amended as follows:

- (a) in paragraph 1, the first subparagraph is replaced by the following first and second subparagraphs:

‘Extra virgin olive oil and virgin olive oil as defined in points 1(a) and (b) of Annex XVI to Regulation (EC) No 1234/2007 shall bear a designation of origin on the labelling.

Products defined in points 3 and 6 of Annex XVI to Regulation (EC) No 1234/2007 shall not bear any designation of origin on the labelling.’

- (b) paragraph 2 is replaced by the following:

‘2. Designations of origin referred to in paragraph 1 shall only consist of:

- (a) in the case of olive oils originating, in accordance with the provisions of paragraphs 4 and 5, from one Member State or third country, a reference to the Member State, to the Community or to the third country, as appropriate; or,
- (b) in the case of blends of olive oils originating, in accordance with the provisions of paragraphs 4

and 5, from more than one Member State or third country, one of the following mentions, as appropriate:

- (i) “blend of Community olive oils” or a reference to the Community;
- (ii) “blend of non-Community olive oils” or a reference to non-Community origin;
- (iii) “blend of Community and non-Community olive oils” or a reference to Community and non-Community origin; or
- (c) a protected designation of origin or a protected geographical indication referred to in Regulation (EC) No 510/2006, in accordance with the provisions of the product specification concerned.’

- (c) paragraph 6 is deleted;

4. Article 5 is amended as follows:

- (a) Point (c) is replaced by the following:

‘(c) indications of organoleptic properties referring to taste and/or smell may appear only for extra virgin and virgin olive oils; the terms referred to in paragraph 3.3 of Annex XII to Regulation (EEC) No 2568/91 may appear on the labelling only if they are based on the results of an assessment carried out following the method provided for in Annex XII to Regulation (EEC) No 2568/91.’

- (b) The following second paragraph is added:

‘Products sold under trademarks whose registration was applied for no later than 1 March 2008 and which contain at least one of the terms referred to in paragraph 3.3 of Annex XII to Regulation (EEC) No 2568/91 may not comply with the requirements of Article 5(c) of Regulation (EC) No 1019/2002 until 1 November 2011.’

5. Article 6 is amended as follows:

- (a) In paragraph 1, the following third subparagraph is added:

‘Member States may prohibit the production in their territory of blends of olive oil and other vegetable oils referred to in the first subparagraph for internal consumption. However, they may not prohibit the marketing on their territory of such blends coming from other countries and they may not prohibit the production on their territory of such blends for marketing in another Member State or for exportation.’

- (b) In paragraph 2, the first subparagraph is replaced by the following:

‘With the exception of tuna in olive oil referred to in Council Regulation (EEC) No 1536/92 (*) and sardines in olive oil referred to in Council Regulation (EEC) No 2136/89 (**), where the presence of oils as referred to in Article 1(1) of this Regulation in a foodstuff, other than those referred to in paragraph 1 of this Article, is highlighted on the labelling elsewhere than in the list of ingredients, using words, images or graphics, the trade description of the foodstuff shall be directly followed by the percentage of oils as referred to in Article 1(1) of this Regulation relative to the total net weight of the foodstuff.

(*) OJ L 163, 17.6.1992, p. 1.

(**) OJ L 212, 22.7.1989, p. 79.’

- (c) Paragraph 3 is replaced by the following:

‘3. The descriptions referred to in the first paragraph of Article 3 can be replaced by the words “olive oil” on the labelling of products referred to in paragraphs 1 and 2 of this Article.

However, where olive-pomace oil is present, the words “olive oil” shall be replaced by the words “olive-pomace oil”.

- (d) The following paragraph 4 is added:

‘4. The information referred to in the second paragraph of Article 3 is not required on the labelling of products referred to in paragraphs 1 and 2 of this Article.’;

6. point (b) of Article 8(2) is replaced by the following:

‘(b) an operators’ organisation in that Member State referred to in Article 125 of Regulation (EC) No 1234/2007;;

7. the first subparagraph of Article 9(2) is replaced by the following:

‘For the purpose of verifying indications as referred to in Articles 4, 5 and 6, the Member States concerned may introduce arrangements for approving establishments whose packaging facilities are situated in their territory.’

Article 2

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

It shall apply from 1 July 2009.

By way of derogation from the second paragraph, products which have been legally manufactured and labelled in the Community or legally imported into the Community and put into free circulation before 1 July 2009 may be marketed until all stocks are used up.

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

Done at Brussels, 6 March 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 183/2009**of 6 March 2009****amending Annex VI to Council Regulation (EC) No 1234/2007 as regards the adjustment of the quotas for the 2009/2010 marketing year in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 59(1), in conjunction with Article 4 thereof,

Whereas:

(1) Annex VI to Regulation (EC) No 1234/2007 lays down the national and regional quotas for the production of sugar, isoglucose and inulin syrup. For the 2009/2010 marketing year those quotas should be adjusted taking into account the result from the application of Article 3 of Council Regulation (EC) No 320/2006 of 20 February 2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community and amending Regulation (EC) No 1290/2005 on the financing of the common agricultural policy ⁽²⁾.

(2) The possible supplementary isoglucose quotas which might be allocated at a later date for the 2009/2010

marketing year upon requests by undertakings approved in Italy, Lithuania, and Sweden should be taken into account in the next adjustment of the quotas set out in Annex VI to Regulation (EC) No 1234/2007 before the end of February 2010.

(3) Annex VI to Regulation (EC) No 1234/2007 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex VI to Regulation (EC) No 1234/2007 is replaced by the text set out in 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*.

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

Done at Brussels, 6 March 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 58, 28.2.2006, p. 42.

ANNEX

‘ANNEX VI

NATIONAL AND REGIONAL QUOTAS
from the 2009/2010 marketing year onwards

(in tonnes)

Member States or regions (1)	Sugar (2)	Isoglucose (3)	Inulin syrup (4)
Belgium	676 235,0	114 580,2	0
Bulgaria	0	89 198,0	
Czech Republic	372 459,3		
Denmark	372 383,0		
Germany	2 898 255,7	56 638,2	
Ireland	0		
Greece	158 702,0	0	
Spain	498 480,2	53 810,2	
France (metropolitan)	2 956 786,7		0
French overseas departments	480 244,5		
Italy	508 379,0	32 492,5	
Latvia	0		
Lithuania	90 252,0		
Hungary	105 420,0	220 265,8	
Netherlands	804 888,0	0	0
Austria	351 027,4		
Poland	1 405 608,1	42 861,4	
Portugal (mainland)	0	12 500,0	
Autonomous Region of the Azores	9 953,0		
Romania	104 688,8	0	
Slovenia	0		
Slovakia	112 319,5	68 094,5	
Finland	80 999,0	0	
Sweden	293 186,0		
United Kingdom	1 056 474,0	0	
TOTAL	13 336 741,2	690 440,8	0'

COMMISSION REGULATION (EC) No 184/2009**of 6 March 2009****amending for the 104th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan,⁽¹⁾ and in particular the first indent of Article 7(1) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 10 December 2008, the Sanctions Committee of the United Nations Security Council decided to amend the list of natural and legal persons, groups and entities to whom the freezing of funds and economic resources should apply, adding four natural persons to the list given the information related to their association with Al-Qaida. The statements of reasons regarding the amendments have been provided to the Commission.

(3) Annex I should be amended accordingly.

(4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately.

(5) Since the UN list does not provide the current addresses for some of the natural persons concerned, a notice should be published in the Official Journal so that the persons concerned can contact the Commission and that the Commission can subsequently communicate the grounds on which this Regulation is based to the natural persons concerned, provide them with the opportunity to comment on these grounds and review this Regulation in view of the comments and possible available additional information,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 6 March 2009.

For the Commission

Eneko LANDÁBURU

Director-General for External Relations

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

The following entries shall be added under the heading 'Natural persons':

- (1) Haji Muhammad **Ashraf** (*alias* Haji M. Ashraf). Date of birth: 1.3.1965. Nationality: Pakistani. Passport No: A-374184 (Pakistan). Date of designation referred to in Article 2a(4)(b): 10.12.2008.
 - (2) Mahmoud Mohammad Ahmed **Bahaziq** (*alias* (a) Bahaziq Mahmoud, (b) Abu Abd al-Aziz, (c) Abu Abdul Aziz, (d) Shaykh Sahib). Date of birth: (a) 17.8.1943, (b) 1943, (c) 1944. Place of birth: India. Nationality: Saudi Arabian. National identification No: 4-6032-0048-1 (Saudi Arabia). Date of designation referred to in Article 2a(4)(b): 10.12.2008.
 - (3) Zaki-ur-Rehman **Lakhvi** (*alias* (a) Zakir Rehman Lakvi, (b) Zaki Ur-Rehman Lakvi, (c) Kaki Ur-Rehman, (d) Zakir Rehman, (e) Abu Waheed Irshad Ahmad Arshad, (f) Chachajee). Address: (a) Barahkoh, P.O. DO, Tehsil and District Islamabad, Pakistan (location as at May 2008), (b) Chak No. 18/IL, Rinala Khurd, Tehsil Rinala Khurd, District Okara, Pakistan (previous location). Date of birth: 30.12.1960. Place of birth: Okara, Pakistan. Nationality: Pakistani. National identification No: 61101-9618232-1 (Pakistan). Date of designation referred to in Article 2a(4)(b): 10.12.2008.
 - (4) Muhammad **Saeed** (*alias* (a) Hafiz Muhammad, (b) Hafiz Saeed, (c) Hafiz Mohammad Sahib, (d) Hafez Mohammad Saeed, (e) Hafiz Mohammad Sayeed, (f) Hafiz Mohammad Sayid, (g) Tata Mohammad Syeed, (h) Mohammad Sayed, (i) Hafiz Ji). Address: House No 116E, Mohalla Johar, Lahore, Tehsil, Lahore City, Lahore District, Pakistan (location as of May 2008). Date of birth: 5.6.1950. Place of birth: Sargodha, Punjab, Pakistan. Nationality: Pakistani. National identification No: 3520025509842-7 (Pakistan). Date of designation referred to in Article 2a(4)(b): 10.12.2008.
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II

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

DECISIONS

CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

of 25 February 2009

appointing Judges and Advocates-General to the Court of Justice of the European Communities

(2009/176/EC, Euratom)

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

HAVE DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European
Community, and in particular Article 223 thereof,

1. The following are hereby appointed Judges to the Court of
Justice of the European Communities for the period from
7 October 2009 to 6 October 2015:

Mr Lars BAY LARSEN

Having regard to the Treaty establishing the European Atomic
Energy Community, and in particular Article 139 thereof,

Mr Aindrias Ó CAOIMH

Whereas:

Mr Endre JUHÁSZ

Mr Jean-Jacques KASEL

(1) The terms of office of Messrs Vassilios SKOURIS, Allan
ROSAS, Koen LENAERTS, Uno LÖHMUS, Lars BAY LARSEN,
Ms Rosario SILVA DE LAPUERTA, Messrs Jerzy
MAKARCZYK, Endre JUHÁSZ, Marko ILEŠIĆ, Ján KLUČKA,
Aindrias Ó CAOIMH, Ms Camelia TOADER, Mr Jean-
Jacques KASEL, Judges, and those of Messrs Luís Miguel
POIARES PESSOA MADURO, Dámaso RUIZ-
JARABO COLOMER, Ms Juliane KOKOTT and
Ms Eleanor SHARPSTON, Advocates-General of the
Court of Justice of the European Communities, expire
on 6 October 2009.

Mr Koen LENAERTS

Mr Uno LÖHMUS

Mr Allan ROSAS

Mr Marek SAFJAN

Ms Rosario SILVA DE LAPUERTA

(2) A partial replacement of the members of the Court of
Justice of the European Communities should take place
for the period from 7 October 2009 to 6 October 2015.
However, in the absence of a proposal, the appointment
of two judges cannot take place until a later date,

Mr Vassilios SKOURIS

Mr Daniel ŠVÁBY.

2. The following are hereby appointed Advocates-General to the Court of Justice of the European Communities for the period from 7 October 2009 to 6 October 2015:

Mr Niilo JÄÄSKINEN

Ms Juliane KOKOTT

Mr Dámaso RUIZ-JARABO COLOMER

Ms Eleanor SHARPSTON.

Article 2

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

Done at Brussels, 25 February 2009.

The President
M. VICENOVÁ

COMMISSION

COMMISSION DECISION

of 31 October 2008

implementing Council Directive 2006/88/EC as regards surveillance and eradication programmes and disease-free status of Member States, zones and compartments

(notified under document number C(2008) 6264)

(Text with EEA relevance)

(2009/177/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals⁽¹⁾, and in particular the first subparagraph of Article 44(1), the first subparagraph of Article 44(2), Article 44(3), Article 49(1), Article 50(2)(a), Articles 50(3), 51(2), 59(2) and 61(3) and Article 64 thereof,

Whereas:

- (1) Directive 2006/88/EC lays down minimum preventive measures aimed at increasing the awareness and preparedness of the competent authorities, aquaculture production business operators and others related to this industry, for diseases in aquaculture animals, and minimum control measures to be applied in the event of a suspicion of, or an outbreak of certain diseases in aquatic animals. It repeals and replaces, from 1 August 2008, Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products⁽²⁾.
- (2) Article 44(1) of Directive 2006/88/EC provides that, where a Member State not known to be infected but not declared free of one or more of the non-exotic diseases listed in Part II of Annex IV thereto draws up a surveillance programme for achieving disease-free status for one or more of those diseases, it is to submit that programme for approval in accordance with the regulatory procedure.
- (3) Article 44(1) of Directive 2006/88/EC also provides that where that surveillance programme is to cover individual

compartments or zones which comprise less than 75 % of the territory of the Member State and the zone or compartment consists of a water catchment area not shared with another Member State or third country, a different procedure, including the model forms to be submitted to the Standing Committee on the Food Chain and Animal Health (the Committee), is to be followed, as provided for in Article 50(2) of Directive 2006/88/EC.

- (4) Article 44(2) of Directive 2006/88/EC provides that, where a Member State known to be infected by one or more of the non-exotic diseases listed in Part II of Annex IV thereto draws up an eradication programme for one or more of those disease, it is to submit that programme for approval in accordance with the regulatory procedure.
- (5) Where a Member State wishes to achieve the disease-free status of one or more of the non-exotic diseases listed in Part II of Annex IV to that Directive for its whole territory pursuant to Article 49(1) of Directive 2006/88/EC, it is to submit the evidence in order to be declared disease-free in accordance with the regulatory procedure.
- (6) Article 50(1) of Directive 2006/88/EC provides that a Member State may declare a zone or compartment within its territory free of one or more of the non-exotic diseases listed in Part II of Annex IV thereto under certain conditions. A Member State making such a declaration is to submit it to the Committee in accordance with the procedure laid down in paragraph 2 of that Article.
- (7) In addition, Article 50(3) of Directive 2006/88/EC provides that where that zone or compartment comprises more than 75 % of the territory of the Member State or consists of a water catchment area shared with another Member State or third country, the procedure laid down in Article 50(2) of that Directive is to be replaced by the regulatory procedure.

⁽¹⁾ OJ L 328, 24.11.2006, p. 14.

⁽²⁾ OJ L 46, 19.2.1991, p. 1.

- (8) It is necessary to lay down detailed provisions to specify in which cases surveillance programmes and disease-free status declarations should be approved in accordance with the regulatory procedure.
- (9) Lists of Member States, zones or compartments subject to surveillance or eradication programmes approved in accordance with the regulatory procedure, or for which disease-free status has been approved, should be drawn up.
- (10) Model forms for the submission of surveillance programmes for approval and for declarations of such programmes should be laid down. A model form for Member States to report on the evolution of certain eradication programmes and certain surveillance programmes should also be drawn up. In addition, a model form for the submission of applications for disease-free status for approval and declarations of such status, should be laid down.
- (11) Annex V to Commission Decision 2008/425/EC of 25 April 2008 laying down the standard requirements for the submission by Member States of national programmes for the eradication, control and monitoring of certain animal diseases and zoonoses for Community financing ⁽¹⁾ includes the detailed analysis of the cost of the programmes for which Member States wish to receive a financial contribution. In the interests of consistency of Community legislation, the model form for the submission of eradication programmes for approval pursuant to Directive 2006/88/EC should comply with the model set out in that Annex.
- (12) Annual information from Member States is needed to assess the evolution of approved surveillance programmes, as well as of approved eradication programmes not subject to Community funding. For that purpose, a report should be submitted each year to the Commission. Since eradication programmes subject to Community funding fall within the scope of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽²⁾, Member States are to report the technical and financial issues of those programmes in accordance with that Decision.
- (13) Declarations of surveillance programmes and declarations of disease-free status submitted by the Member States to the Committee should be accessible to the Commission and to the other Member States by electronic means. An Internet-based information page is technically the most feasible solution, as it ensures easy access to such declarations.
- (14) Pursuant to Directive 91/67/EEC, the following decisions approved disease-free zones, fish farms and programmes for the purpose of obtaining disease-free status: Commission Decision 2002/308/EC of 22 April 2002 establishing lists of approved zones and approved farms with regard to one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) ⁽³⁾, Commission Decision 2002/300/EC of 18 April 2002 establishing the list of approved zones with regard to *Bonamia ostreae* and/or *Marteilia refringens* ⁽⁴⁾, Commission Decision 2003/634/EC of 28 August 2003 approving programmes for the purpose of obtaining the status of approved zones and of approved farms in non-approved zones with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) in fish ⁽⁵⁾, and Commission Decision 94/722/EC of 25 October 1994 approving the programme concerning bonamiosis and marteiliosis submitted by France ⁽⁶⁾.
- (15) The criteria for disease-free status in Directive 2006/88/EC are equivalent to those laid down in Directive 91/67/EEC, as regards the approval of the entire territory of Member States, continental zones and farms in non-approved zones.
- (16) Therefore, continental zones and farms approved pursuant to Directive 91/67/EEC should not be required to be declared to the Committee in accordance with Directive 2006/88/EC. They should also be included in the list of zones and compartments accessible on the Internet-based pages established by this Decision.
- (17) However, the concept of coastal zone is not provided for in Directive 2006/88/EC. Areas approved as disease-free coastal zones pursuant to Directive 91/67/EEC should therefore be reassessed by the Member States and a new application, or if appropriate a new declaration, should be submitted pursuant to Directive 2006/88/EC.
- (18) Decisions 2002/300/EC and 2002/308/EC should therefore be repealed from 1 August 2009, thereby allowing Member States sufficient time to submit new declarations or applications as regards those coastal zones.

⁽¹⁾ OJ L 159, 18.6.2008, p. 1.

⁽²⁾ OJ L 224, 18.8.1990, p. 19.

⁽³⁾ OJ L 106, 23.4.2002, p. 28.

⁽⁴⁾ OJ L 103, 19.4.2002, p. 24.

⁽⁵⁾ OJ L 220, 3.9.2003, p. 8.

⁽⁶⁾ OJ L 288, 9.11.1994, p. 47.

- (19) The distinction between surveillance and eradication programmes is not provided for in Directive 91/67/EEC. However, since the requirements applicable to such programmes are equivalent, the programmes approved pursuant to Decisions 2003/634/EC and 94/722/EC should be regarded as complying with Directive 2006/88/EC. For the purpose of identifying which of those programmes should be regarded as surveillance or eradication programmes and included in the relevant lists set out in this Decision, the Member States should provide information on those programmes to the Commission by 30 April 2009.
- (20) 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:

SECTION 1

SUBMISSION OF SURVEILLANCE PROGRAMMES AND DISEASE-FREE STATUS DECLARATIONS FOR APPROVAL

Article 1

Conditions for submission of surveillance programmes for approval

1. Surveillance programmes shall only be submitted for approval, as provided in the first subparagraph of Article 44(1) of Directive 2006/88/EC, if they cover:

- (a) the whole territory of a Member State;
- (b) compartments or groups thereof, comprising more than 75 % of the coastal area of the Member State concerned as regards diseases which only affect salt water species;
- (c) zones and compartments, or groups thereof, comprising more than 75 % of the continental area of the Member State concerned as regards diseases which only affect fresh water species;
- (d) zones and compartments, or groups thereof, comprising more than 75 % of the continental area and coastal area of the Member State concerned as regards diseases which affect both fresh water and salt water species; or
- (e) zones and compartments, which consist of water catchment areas shared with another Member State or third country.

2. For the purpose of this Decision, a compartment or group of compartments of a coastal area shall be considered to cover more than 75 % of the coastal area of a Member State when it covers more than 75 % of the coastline, measured along the baseline of the coast.

Article 2

Conditions for the submission of disease-free status declarations for approval

Disease-free status declarations shall only be submitted for approval, as provided for in Article 50(3) of Directive 2006/88/EC, if the declaration complies with one of the conditions set out in Article 1(1) of this Decision.

SECTION 2

LISTS OF MEMBER STATES, ZONES AND COMPARTMENTS SUBJECT TO APPROVED SURVEILLANCE AND ERADICATION PROGRAMMES AND DISEASE-FREE AREAS

Article 3

Member States, zones and compartments subject to approved surveillance programmes

Member States, zones and compartments subject to a surveillance programme approved in accordance with the first subparagraph of Article 44(1) of Directive 2006/88/EC are listed in the second and fourth column of the table in Part A of Annex I to this Decision as regards the diseases specified in that table.

Article 4

Member States, zones and compartments subject to approved eradication programmes

Member States, zones and compartments subject to an eradication programme approved in accordance with the first subparagraph of Article 44(2) of Directive 2006/88/EC are listed in the second and fourth column of the table in Part B of Annex I to this Decision as regards the diseases specified in that table.

Article 5

Disease-free Member States, zones and compartments

Member States declared disease-free in accordance with Article 49(1) of Directive 2006/88/EC, and zones and compartments declared disease-free in accordance of Article 50(3) of that Directive, are listed in the second and fourth column of the table in Part C of Annex I to this Decision as regards the diseases specified in that table.

SECTION 3

MODEL FORMS FOR SUBMISSIONS OF DECLARATIONS AND APPLICATIONS*Article 6***Model forms for surveillance programmes**

1. Submissions for the approval of surveillance programmes, as provided for in the first subparagraph of Article 44(1) of Directive 2006/88/EC, shall be in conformity with the model forms set out in Annexes II and III to this Decision.

2. Submissions for declarations of surveillance programmes, provided for in the fourth subparagraph of Article 44(1) of Directive 2006/88/EC, shall be in conformity with the model form set out in Annex II to this Decision.

*Article 7***Model form for eradication programmes**

Submissions for the approval of eradication programmes, as provided for in the first subparagraph of Article 44(2) of Directive 2006/88/EC, shall be in conformity with the model form set out in Annex V to Decision 2008/425/EC.

*Article 8***Model forms for the submission for disease-free status**

1. Submissions of documentation for the approval of disease-free status, as provided for in Article 49(1) and Article 50(3) of Directive 2006/88/EC, shall be in conformity with the model forms set out in Annexes IV and V to this Decision.

2. Submissions of declarations of disease-free status of zones or compartments, as provided for in Article 50(2) of Directive 2006/88/EC, shall be in conformity with the model forms set out in Annexes IV and V to this Decision.

3. By way of derogation from paragraphs 1 and 2, when disease-free status is to be achieved in accordance with Articles 49(1)(a), (b) or point 1 of Part I of Annex V to Directive 2006/88/EC, Member States shall not be required to submit the model forms set out in Annex V to this Decision.

SECTION 4

OBLIGATIONS FOR REPORTS AND INTERNET-BASED INFORMATION*Article 9***Reporting**

By 30 April each year at the latest, Member States shall submit a report to the Commission on:

(a) surveillance programmes approved in accordance with the first subparagraph of Article 44(1) of Directive 2006/88/EC;

(b) eradication programmes not subject to Community funding and approved in accordance with the first subparagraph of Article 44(2) of that Directive.

The report shall be in conformity with the model form set out in Annex VI to this Decision.

*Article 10***Internet-based information pages**

1. Member States shall establish and keep up-to-date Internet-based information pages in order to make:

(a) declarations of surveillance programmes submitted to the Standing Committee on the Food Chain and Animal Health (the Committee), in accordance with the fourth subparagraph of Article 44(1) and Article 50(2) of Directive 2006/88/EC, accessible to the Commission and the other Member States;

(b) declarations of disease-free status submitted to the Committee, in accordance with Article 50(2) of that Directive, accessible to the Commission and the other Member States;

(c) publicly available the list of zones or compartments declared subject to an approved surveillance programme or disease-free, in accordance with Article 50(2) of that Directive.

2. When Member States publish on the Internet-based information pages the declarations referred to in points (a) and (b) of paragraph 1, they shall immediately notify the Commission thereof.

3. Member States shall communicate to the Commission the Internet addresses of the Internet-based information pages provided for in paragraph 1.

SECTION 5

TRANSITIONAL PROVISIONS*Article 11***Transitional provisions as regards disease-free areas**

1. Continental zones recognised as approved with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) by Decision 2002/308/EC and listed in Annex I thereto shall be regarded as zones complying with the requirements for disease-free zones set out in Annex V to Directive 2006/88/EC.

2. Fish farms recognised as approved with regard to VHS and IHN by Decision 2002/308/EC and listed in Annex II thereto shall be regarded as compartments complying with the requirements for disease-free compartments set out in Annex V to Directive 2006/88/EC.

3. Continental zones and fish farms referred to in paragraphs 1 and 2 of this Article shall be included in the list of zones and compartments established in accordance with Article 10(1)(c).

4. By way of derogation from Article 50(2) of Directive 2006/88/EC, Member States shall not be required to submit declarations to the Committee, as regards the continental zones and fish farms referred to in paragraphs 1 and 2 of this Article.

Article 12

Transitional provisions as regards approved programmes

1. By way of derogation from Article 44 of Directive 2006/88/EC, Member States shall not be required to submit surveillance and eradication programmes which were approved for the purpose of obtaining approved zone status with regard to:

(a) VHS and IHN by Decision 2003/634/EC;

(b) bonamiosis and marteiliosis by Decision 94/722/EC.

2. By 30 April 2009 at the latest, the Member States concerned shall submit to the Commission a report on the programmes referred to in paragraph 1, which shall contain at least:

(a) information on the geographical demarcation of the programmes;

(b) the information required under Annex VI for the previous four years of implementation of the programmes.

SECTION 6

FINAL PROVISIONS

Article 13

Repeal

Decisions 2002/300/EC and 2002/308/EC are repealed with effect from 1 August 2009.

Article 14

Application

This Decision shall apply from 1 November 2008.

Article 15

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 31 October 2008.

For the Commission

Androulla VASSILIOU

Member of the Commission

ANNEX I

PART A

Member States, zones and compartments subject to approved surveillance programmes

Disease	Member State	Code	Geographical demarcation of the area under a surveillance programme (Member State, zones or compartments)
Viral haemorrhagic septicaemia (VHS)			
Infectious haematopoietic necrosis (IHN)			
Koi herpes virus (KHV) disease			
Infectious salmon anaemia (ISA)			
Infection with <i>Marteilia refringens</i>			
Infection with <i>Bonamia ostreae</i>			
White spot disease			

PART B

Member States, zones and compartments subject to approved eradication programmes

Disease	Member State	Code	Geographical demarcation of the area under an eradication programme (Member State, zones or compartments)
Viral haemorrhagic septicaemia (VHS)			
Infectious haematopoietic necrosis (IHN)			
Koi herpes virus (KHV) disease			
Infectious salmon anaemia (ISA)			
Infection with <i>Marteilia refringens</i>			
Infection with <i>Bonamia ostreae</i>			
White spot disease			

PART C

Member States, zones and compartments declared disease-free

Disease	Member State	Code	Geographical demarcation of the disease-free area (Member State, zones or compartments)
Viral haemorrhagic septicaemia (VHS)	Denmark	DK	The water catchment areas and the coastal areas of: — Hansted Å — Slette Å — Hovmølle Å — Bredkær Bæk — Grenå — Vandløb til Kilen — Treå — Resenkær Å — Alling Å — Klostermølle Å — Kastbjerg — Hvidbjerg Å — Villestrup Å — Knidals Å — Korup Å — Spang Å — Sæby Å — Simested Å — Elling Å — Skals Å — Uggerby Å — Jordbro Å — Lindenberg Å — Fåremølle Å — Øster Å — Flynder Å — Hasseris Å — Damhus Å — Binderup Å — Karup Å — Vidkær Å — Gudenåen — Dybvad Å — Halkær Å — Bjørnsholm Å — Storåen — Trend Å — Århus Å — Lerkenfeld Å — Bygholm Å — Vester Å — Grejs Å — Lønnerup med tilløb — Ørum Å — Fiskbæk Å
	Ireland	IE	All continental and coastal areas within its territory, except: 1. Cape Clear Island
	Cyprus	CY	All continental areas within its territory
	Finland	FI	All continental and coastal areas within its territory, except: 1. the Province of Åland; 2. the municipalities of Uusikaupunki, Pyhärinta and Rauma
	Sweden	SE	Whole territory
	The United Kingdom	UK	All continental and coastal areas within its territory, except: 1. the catchment areas of the River Ouse from its sources to its normal tidal limit at Naburn Lock and Weir; and 2. a buffer zone consisting of the waters of the Humber Estuary from the normal tidal limits at Barmby Barrage, Naburn Lock and Weir, the Railway Bridge at Ulleskelf, Chapel Haddlesey Weir and Long Sandall Lock to a line drawn due north from the jetty at Whitgift All continental and coastal areas within Northern Ireland, Guernsey, the Isle of Man and Jersey

Disease	Member State	Code	Geographical demarcation of the disease-free area (Member State, zones or compartments)
Infectious haematopoietic necrosis (IHN)	Denmark	DK	Whole territory
	Ireland	IE	Whole territory
	Cyprus	CY	All continental areas within its territory
	Finland	FI	Whole territory
	Sweden	SE	Whole territory
	The United Kingdom	UK	All continental and coastal areas within Great Britain, Northern Ireland, Guernsey, the Isle of Man and Jersey
Koi herpes virus (KHV) disease			
Infectious salmon anaemia (ISA)	Belgium	BE	Whole territory
	Bulgaria	BG	Whole territory
	Czech Republic	CZ	Whole territory
	Denmark	DK	Whole territory
	Germany	DE	Whole territory
	Estonia	EE	Whole territory
	Ireland	IE	Whole territory
	Greece	EL	Whole territory
	Spain	ES	Whole territory
	France	FR	Whole territory
	Italy	IT	Whole territory
	Cyprus	CY	Whole territory
	Latvia	LV	Whole territory
	Lithuania	LT	Whole territory
	Luxembourg	LU	Whole territory
	Hungary	HU	Whole territory
	Malta	MT	Whole territory
	Netherlands	NL	Whole territory
	Austria	AT	Whole territory
	Poland	PL	Whole territory
	Portugal	PT	Whole territory
	Romania	RO	Whole territory
	Slovenia	SI	Whole territory
	Slovakia	SK	Whole territory
	Finland	FI	Whole territory
	Sweden	SE	Whole territory
	United Kingdom	UK	Whole territory

Disease	Member State	Code	Geographical demarcation of the disease-free area (Member State, zones or compartments)
Infection with <i>Marteilia refringens</i>	Ireland	IE	The whole territory
	The United Kingdom	UK	The whole coastline of Great Britain, Northern Ireland, Guernsey, Herm and the Isle of Man The whole coastline of Northern Ireland The whole coastline of Guernsey and Herm The coastal area of the States of Jersey: the area consists of the intertidal and immediate coastal area between the mean high-water mark on the Island of Jersey and an imaginary line drawn three nautical miles from the mean low-water mark of the Island of Jersey. The area is situated in the Normano-Breton Gulf, on the south side of the English Channel The whole coastline of the Isle of Man
Infection with <i>Bonamia ostreae</i>	Ireland	IE	The whole coastline of Ireland, except: 1. Cork Harbour 2. Galway Bay 3. Ballinakill Harbour 4. Clew Bay 5. Achill Sound 6. Loughmore, Blacksod Bay 7. Lough Foyle 8. Lough Swilly
	The United Kingdom	UK	The whole coastline of Great Britain, except: 1. the south coast of Cornwall from the Lizard to Start Point; 2. the coast of Dorset, Hampshire and Sussex from Portland Bill to Selsey Bill; 3. the area along the coast of North Kent and Essex from North Foreland to Felixstowe; 4. the area along the coast in south-west Wales from Wooltack Point to St Govan's Head, including Milford Haven and the tidal waters of the East and West Cleddau River; 5. the area containing the waters of Loch Sunart east of a line drawn south-south-east from the northernmost tip of Maclean's Nose to Auliston Point; 6. the area containing West Loch Tarbert north east of a line drawn east south east at Ardpatrik Point NR 734 578 to North Dunskeig Bay at NR 752 568 The whole coastline of Northern Ireland, except: 1. Lough Foyle The whole coastline of Guernsey, Herm and the Isle of Man The coastal area of the States of Jersey: the area consists of the intertidal and immediate coastal area between the mean high-water mark on the Island of Jersey and an imaginary line drawn three nautical miles from the mean low-water mark of the Island of Jersey. The zone is situated in the Normano-Breton Gulf, on the south side of the English Channel
White spot disease			

ANNEX II

Model for submission of surveillance programmes for approval and for declarations of surveillance programmes

Requirements/information to be submitted	Information/further explanation and justification
1. Identification of the programme	
1.1. Declaring Member State	
1.2. Competent authority (address, fax, e-mail)	
1.3. Reference of this document	
1.4. Date sent to the Commission	
2. Type of communication	
2.1. ☐ Declaration for surveillance programme	
2.2. ☐ Application for surveillance programme	
3. National legislation ⁽¹⁾	
4. Diseases	
4.1. Fish	☐ VHS ☐ IHN ☐ ISA ☐ KHV
4.2. Molluscs	☐ <i>Marteilia refringens</i> ☐ <i>Bonamia ostreae</i>
4.3. Crustaceans	☐ White spot disease
5. General information on the programmes	
5.1. Competent authority ⁽²⁾	
5.2. Organisation, supervision of all stakeholders involved in the programme ⁽³⁾	
5.3. An overview of the structure of the aquaculture industry in the area in question, including types of production and species kept	
5.4. The notification to the competent authority of the suspicion and confirmation of the disease(s) in question has been compulsory since when (date)?	
5.5. Early detection system in place throughout the Member State, enabling the competent authority to undertake effective disease investigation and reporting since when (date)? ⁽⁴⁾	

Requirements/information to be submitted	Information/further explanation and justification
5.6. Source of aquaculture animals of species susceptible to the disease in question entering in the Member State, zone or compartments for farming	
5.7. Guidelines on good hygiene practice ⁽⁵⁾	
5.8. Epidemiological situation of the disease in at least the previous four years before the commencement of the programme ⁽⁶⁾	
5.9. Description of the submitted programme ⁽⁷⁾	
5.10. Duration of the programme	
6. Area covered ⁽⁸⁾	
6.1. ☐ Member State	
6.2. ☐ Zone (entire water catchment area) ⁽⁹⁾	
6.3. ☐ Zone (part of water catchment area) ⁽¹⁰⁾ Identify and describe the artificial or natural barrier that delimits the zone and justify its capability to prevent the upward migration of aquatic animals from the lower stretches of the water catchment area	
6.4. ☐ Zone (more than one water catchment area) ⁽¹¹⁾	
6.5. ☐ Compartment independent of the surrounding health status ⁽¹²⁾	
Identify and describe for each farm the water supply ⁽¹³⁾	☐ Well, borehole or spring ☐ Water treatment plant inactivating the relevant pathogen ⁽¹⁴⁾
Identify and describe for each farm natural or artificial barriers and justify its capability to prevent that aquatic animals enter each farm in a compartment from the surrounding watercourses	
Identify and describe for each farm the protection against flooding and infiltration of water from the surrounding watercourses	
6.6. ☐ Compartment dependent on the surrounding health status ⁽¹⁵⁾	
☐ One epidemiological unit due to geographical localisation and distance from other farms/farming areas ⁽¹⁶⁾	
☐ All farms comprising the compartment fall within a common biosecurity system ⁽¹⁷⁾	
☐ Any additional requirements ⁽¹⁸⁾	
6.7. Farms or mollusc farming areas covered by the programme (registration numbers and geographical situation)	

Requirements/information to be submitted	Information/further explanation and justification
7. Measures of the submitted programme	
7.1. Summary of the measures under the programme	
First year ☐ Testing ☐ Harvesting for human consumption or further processing ☐ Immediate ☐ Delayed ☐ Removal and disposal ☐ Immediate ☐ Delayed ☐ Other measures (specify)	Last year ☐ Testing ☐ Harvesting for human consumption or further processing ☐ Immediate ☐ Delayed ☐ Removal and disposal ☐ Immediate ☐ Delayed ☐ Other measures (specify)
7.2. Description of the measures of the programme ⁽¹⁹⁾	
Target population/species	
Used tests and sampling schemes. Laboratories involved in the programme ⁽²⁰⁾	
Rules on movements of animals	
Measures in case of a positive result ⁽²¹⁾	
Control and supervision on the implementation of the programme and reporting	

-
- (¹) National legislation in force applicable to the surveillance programme.
- (²) A description shall be provided of the structure, competencies, duties and powers of the competent authority involved.
- (³) A description shall be provided of the competent authorities in charge of the supervision and coordination of the programme and the different operators involved.
- (⁴) The early detection systems shall in particular ensure the rapid recognition of any clinical signs consistent with the suspicion of a disease, emerging disease, or unexplained mortality in farms or mollusc farming areas, and in the wild, and the rapid communication of the event to the competent authority with the aim of activating diagnostic investigation with minimum delay. The early detection system shall include at least the following:
- (a) broad awareness, among the personnel employed in aquaculture businesses or involved in the processing of aquaculture animals, of any signs consistent with the presence of a disease, and training of veterinarians or aquatic animals health specialists in detecting and reporting unusual disease occurrence;
 - (b) veterinarians or aquatic animal health specialists trained in recognising and reporting suspicious disease occurrence;
 - (c) access by the competent authority to laboratories with the facilities for diagnosing and differentiating listed and emerging diseases.
- (⁵) A description shall be provided in accordance with Article 9 of Directive 2006/88/EC.
- (⁶) Information shall be given using the table laid down in Part A of Annex III. Only applicable to surveillance programmes to be approved by the Commission.
- (⁷) A concise description of the programme shall be given with the main objectives, the main measures, the target population, the areas of implementation and the definition of a positive case.
- (⁸) The area covered shall be clearly identified and described in a map, which must be attached as an Annex to the application.
- (⁹) An entire water catchment area from its sources to its estuary.
- (¹⁰) Part of a water catchment area from the source(s) to a natural or artificial barrier that prevents the upward migration of aquatic animals from the lower stretches of the water catchment area.
- (¹¹) More than one water catchment area, including their estuaries, due to the epidemiological link between the catchment areas through the estuary.
- (¹²) Compartments comprising one or more farms or mollusc farming areas where the health status regarding a specific disease is independent of the health status of surrounding natural waters regarding that disease.
- (¹³) A compartment which is independent of the health status of surrounding waters, shall be supplied with water:
- (a) through a water treatment plant inactivating the relevant pathogen in order to reduce the risk of the introduction of the disease to an acceptable level; or
 - (b) directly from a well, a borehole or a spring. Where such water supply is situated outside the premises of the farm, the water shall be supplied directly to the farm, and channelled through a pipe.
- (¹⁴) Technical information shall be provided to demonstrate that the relevant pathogen is inactivated in order to reduce the risk of the introduction of the disease to an acceptable level.
- (¹⁵) Compartments comprising one or more farms or mollusc farming areas where the health status regarding a specific disease is dependent on the health status of surrounding natural waters regarding that disease.
- (¹⁶) A description shall be provided of the geographical localisation and the distance from other farms/farming areas that makes it possible to consider the compartment as one epidemiological unit.
- (¹⁷) A description shall be provided of the common biosecurity system.
- (¹⁸) Each farm or mollusc farming area in a compartment which is dependent on the health status of surrounding waters shall be subject to additional measures imposed by the competent authority, when considered necessary to prevent the introduction of diseases. Such measures may include the establishment of a buffer zone around the compartment in which a monitoring programme is carried out, and the establishment of additional protection against the intrusion of possible pathogen carriers or vectors.
- (¹⁹) A comprehensive description needs to be provided unless reference can be made to Community legislation. The national legislation in which the measures are laid down shall be referred to.
- (²⁰) Describe diagnostic methods and sampling schemes. When OIE or EU standards are applied, refer to them. If not, describe them. Name the laboratories involved in the programme (national reference laboratory or designated laboratories).
- (²¹) A description is provided of the measures as regards positive animals (immediate or delayed harvesting for human consumption, immediate or delayed removal and disposal, measures to avoid the spread of the pathogen when harvesting, further processing or removal and disposal, a procedure for the disinfection of the infected farms or mollusc farming areas, a procedure for restocking with healthy animals in farms or farming areas which have been depopulated and creation of surveillance zone around the infected farm or farming area, etc.).
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2. Data on testing farms or farming areas

Disease: Year:

Member State, zone or compartment ^(a)	Total number of farms or mollusc farming areas ^(b)	Total number of farms or mollusc farming areas under the programme	Number of farms or mollusc farming areas checked ^(c)	Number of positive farms or mollusc farming areas ^(d)	Number of new positive farms or mollusc farming areas ^(e)	Number of farms or mollusc farming areas depopulated	% positive farms or mollusc farming areas depopulated	Animals removed and disposed of ^(f)	Target indicators		
									% farms or mollusc farming areas coverage	% positive farms or mollusc farming areas	% new positive farms or mollusc farming areas
1	2	3	4	5	6	7	$8 = (7/5) \times 100$	9	$10 = (4/3) \times 100$	$11 = (5/4) \times 100$	$12 = (6/4) \times 100$
Total											

^(a) Member State, zone or compartment as defined in Point 6 of Annex II.

^(b) Total number of farms or mollusc farming areas existing in the Member State, zone or compartment as defined in Point 6 of Annex II.

^(c) Check means to perform a farm/mollusc farming area level test under the programme for the respective disease with the purpose of upgrading the health status of the farm/mollusc farming area. In this column a farm/mollusc farming area must not be counted twice even if it has been checked more than once.

^(d) Farms or mollusc farming areas with at least one positive animal during the period independent of the number of times the farms or mollusc farming areas have been checked.

^(e) Farms or mollusc farming areas in which the health status for the past reporting period was, either category I, category II, category III or category IV in accordance with Part A of Annex III to Directive 2006/88/EC but which have had during this period of reference at least one positive animal for the disease in question.

^(f) In the case of programmes submitted before 1 August 2008, farms or mollusc farming areas which were not positive to the disease in question in the previous period and have at least one positive animal in this period. Animals × 1 000 or total weight of animals removed and disposed of.

PART B

Model for information to be submitted in relation to submissions for approval of surveillance programmes on targets (one table for each year of implementation)

1. Targets related to testing animals

Member State, zone or compartment ^(a)

Disease: Year:

Farm or mollusc farming area ^(b)	Number of samplings	Number of clinical inspections	Water temperature at sampling/inspection	Species at sampling	Species sampled	Number of animals sampled (total and by species)	Number of tests
Total							

^(a) Member State, zone or compartment as defined in Point 6 of Annex II.

(b) When the number of farms/mollusc farming areas is limited or no farms/mollusc farming areas are present in whole or parts of the Member State, zone or compartment subject to the submission, and sampling therefore is carried out in wild populations, the geographical situation of the sampling must be given.

2. Targets on testing farms or farming areas

Disease: Year:

Member State, zone or compartment ^(a)	Total number of farms or mollusc farming areas ^(b)	Total number of farms or mollusc farming areas under the programme	Number of farms or mollusc farming areas expected to be checked ^(c)	Number of expected positive farms or mollusc farming areas ^(d)	Number of expected new positive farms or mollusc farming areas ^(e)	Number of farms or mollusc farming areas expected to be depopulated	% positive farms or mollusc farming areas expected to be depopulated	Target indicators		
								Expected % farms or mollusc farming areas coverage	% positive farms or mollusc farming areas	% new positive farms or mollusc farming areas
1	2	3	4	5	6	7	$8 = (7/5) \times 100$	$9 = (4/3) \times 100$	$10 = (5/4) \times 100$	$11 = (6/4) \times 100$
Total										

^(a) Member State, zone or compartment as defined in Point 6 of Annex II.

^(b) Total number of farms or mollusc farming areas existing in the Member State, zone or compartment as defined in Point 6 of Annex II.

^(c) Check means to perform a farm/mollusc farming area level test under the programme for the respective disease with the purpose of upgrading the health status of the farm/mollusc farming area. In this column a farm/mollusc farming area must not be counted twice even if it has been checked more than once.

^(d) Farms or mollusc farming areas with at least one positive animal during the period independent of the number of times the farms or mollusc farming areas have been checked.

^(e) Farms or mollusc farming areas in which the health status for the past reporting period was, either category I, category II, category III or category IV in accordance with Part A of Annex III to Directive 2006/88/EC but which have had during this period of reference at least one positive animal for the disease in question.

ANNEX IV

Model for submissions of applications for and declarations of disease-free status

Requirements/information needed	Information/further explanation and justification
1. Identification of the programme	
1.1. Declaring Member State	
1.2. Competent authority (address, fax, e-mail)	
1.3. Reference of this document	
1.4. Date sent to the Commission	
2. Type of communication	
2.1. ☐ Declaration of disease-free status	
2.2. ☐ Submission of application for disease-free status	
3. National legislation ⁽¹⁾	
4. Diseases	
4.1. Fish	☐ VHS ☐ IHN ☐ ISA ☐ KHV
4.2. Molluscs	☐ infection with <i>Marteilia refringens</i> ☐ infection with <i>Bonamia ostreae</i>
4.3. Crustaceans	☐ White spot disease
5. Grounds for disease-free status	
5.1. ☐ No susceptibles ⁽²⁾	
5.2. ☐ Pathogen not viable ⁽³⁾	
5.3. ☐ Historic free-status ⁽⁴⁾	
5.4. ☐ Targeted surveillance ⁽⁵⁾	

6. General information

6.1. Competent authority ⁽⁶⁾	
6.2. Organisation, supervision of all stakeholders involved in the programme to achieve disease-free status ⁽⁷⁾	
6.3. An overview of the structure of the aquaculture industry in the area in question (disease-free Member State, zone or compartment) including types of production and species kept	
6.4. The notification to the competent authority of the suspicion and confirmation of the disease(s) in question has been compulsory since when (date)?	
6.5. Early detection system in place throughout the Member State, enabling the competent authority to undertake effective disease investigation and reporting since when (date)? ⁽⁸⁾	
6.6. Source of aquaculture animals of species susceptible to the disease in question entering in the Member State, zone or compartments for farming	
6.7. Guidelines on good hygiene practice ⁽⁹⁾	

7. Area covered

7.1. ☐ Member State	
7.2. ☐ Zone (entire water catchment area) ⁽¹⁰⁾	
7.3. ☐ Zone (part of water catchment area) ⁽¹¹⁾ Identify and describe the artificial or natural barrier that delimits the zone and justify its capability to prevent the upward migration of aquatic animals from the lower stretches of the water catchment area	
7.4. ☐ Zone (more than one water catchment area) ⁽¹²⁾	
7.5. ☐ Compartment independent of the surrounding health status ⁽¹³⁾	
Identify and describe for each farm the water supply ⁽¹⁴⁾	☐ Well, borehole or spring ☐ Water treatment plant inactivating the relevant pathogen ⁽¹⁵⁾
Identify and describe for each farm natural or artificial barriers and justify its capability to prevent that aquatic animals enter each farm in a compartment from the surrounding watercourses	
Identify and describe for each farm the protection against flooding and infiltration of water from the surrounding watercourses	

7.6. ☐ Compartment dependent on the surrounding health status ⁽¹⁶⁾		
☐ One epidemiological unit due to geographical localisation and distance from other farms/farming areas ⁽¹⁷⁾		
☐ All farms comprising the compartment fall within a common biosecurity system ⁽¹⁸⁾		
☐ Any additional requirements ⁽¹⁹⁾		
8. Geographical demarcation ⁽²⁰⁾		
8.1. Farms or mollusc farming areas covered (registration numbers and geographical situation)		
8.2. ☐ Non-free buffer zone ⁽²¹⁾	Geographical demarcation ⁽¹⁹⁾	
	Farms or mollusc farming areas covered (registration numbers, geographical situation and health status ⁽²²⁾)	
	Type of health surveillance	
8.3. ☐ Non-free zones or compartments ⁽²³⁾	Geographical demarcation ⁽¹⁹⁾	
	Farms or mollusc farming areas covered (registration numbers, geographical situation and health status ⁽¹⁵⁾)	
8.4. ☐ Extension of disease-free zone to other Member States ⁽²⁴⁾	Geographical demarcation ⁽¹⁹⁾	
8.5. ☐ Existing disease-free zones/ compartments in the vicinity	Geographical demarcation ⁽¹⁹⁾	
	Farms or mollusc farming areas covered (registration numbers and geographical situation)	
9. Farms or mollusc farming areas which commence or recommence their activities ⁽²⁵⁾		
9.1. ☐ New farm		
9.2. ☐ Recommencing farm	☐ Health history of farm known to competent authority	
	☐ Not subject to animal health measures in respect of listed diseases	
	☐ Farm cleaned, disinfected and, as necessary, fallowed	

- (¹) National legislation in force applicable to the declaration of and application for disease-free status
- (²) Applicable if none of the species susceptible to the disease(s) in question is present in the Member State, zone or compartment, and where relevant in its water source.
- (³) Applicable if the pathogen is known not to be able to survive in the Member State, zone or compartment, and where relevant in its water source. Provide the scientific information supporting the inability of the pathogen to survive in the Member State, zone or compartment.
- (⁴) Applicable if susceptible species are present, but where there has not been any observed occurrence of the disease for at least a period of 10 years before the date of declaration of or application for the disease-free status, despite conditions that are conducive to its clinical expression, and if it complies *mutatis mutandis* with the requirements laid down in Part I.1 of Annex V to Directive 2006/88/EC. This ground for disease-free status must be declared or applied for by 1 November 2008. Provide detailed information on the compliance with Part I.1 of Annex V to Directive 2006/88/EC.
- (⁵) Applicable if targeted surveillance complying with Community requirements has been in place for at least a period of two years without the detection of the disease agent on farm, or in mollusc farming areas that rear any of the susceptible species. Where there are parts of the Member State, zone or compartment in which the number of farms or mollusc farming areas is limited, but in which there are wild populations of susceptible species, information on the targeted surveillance in those wild populations shall be given.
Describe diagnostic methods and sampling schemes. When OIE or EU standards are applied, reference must be made to them. If not, describe them. Name the laboratories involved in the programme (national reference laboratory or designated laboratories).
- (⁶) A description shall be provided of the structure, competencies, duties and powers of the competent authority involved.
- (⁷) A description shall be provided of the competent authority in charge of the supervision and coordination of the programme and the different operators involved.
- (⁸) The early detection systems shall in particular ensure the rapid recognition of any clinical signs consistent with the suspicion of a disease, emerging disease, or unexplained mortality in farms or mollusc farming areas, and in the wild, and the rapid communication of the event to the competent authority with the aim of activating diagnostic investigation with minimum delay. The early detection system shall include at least the following:
- (a) broad awareness, among the personnel employed in aquaculture businesses or involved in the processing of aquaculture animals, of any signs consistent with the presence of a disease, and training of veterinarians of aquatic animals health specialists in detecting and reporting unusual disease occurrence;
 - (b) veterinarians or aquatic animal health specialists trained in recognising and reporting suspicious disease occurrence;
 - (c) access by the competent authority to laboratories with the facilities for diagnosing and differentiating listed and emerging diseases.
- (⁹) A description shall be provided in accordance with Article 9 of Directive 2006/88/EC.
- (¹⁰) An entire water catchment area from its sources to its estuary.
- (¹¹) Part of a water catchment area from the source(s) to a natural or artificial barrier that prevents the upward migration of aquatic animals from the lower stretches of the water catchment area.
- (¹²) More than one water catchment area, including their estuaries, due to the epidemiological link between the catchment areas through the estuary.
- (¹³) Compartments comprising one or more farms or mollusc farming areas where the health status regarding a specific disease is independent of the health status regarding that disease of surrounding natural waters.
- (¹⁴) A compartment which is independent of the health status of surrounding waters, shall be supplied with water:
- (a) through a water treatment plant inactivating the relevant pathogen in order to reduce the risk of the introduction of the disease to an acceptable level; or
 - (b) directly from a well, a borehole or a spring. Where such water supply is situated outside the premises of the farm, the water shall be supplied directly to the farm, and be channelled through a pipe.
- (¹⁵) Provide technical information to demonstrate that the relevant pathogen is inactivated in order to reduce the risk of the introduction of the disease to an acceptable level.
- (¹⁶) Compartments comprising one or more farms or mollusc farming areas where the health status regarding a specific disease is dependent on the health status of surrounding natural waters regarding that disease.
- (¹⁷) A description shall be provided of the geographical localisation and the distance from other farms/farming areas that makes it possible to consider the compartment as one epidemiological unit.
- (¹⁸) A description shall be provided of the common biosecurity system.
- (¹⁹) Each farm or mollusc farming area in a compartment which is dependent on the health status of surrounding waters shall be subject to additional measures imposed by the competent authority, when considered necessary to prevent the introduction of diseases. Such measures may include the establishment of a buffer zone around the compartment in which a monitoring programme is carried out, and the establishment of additional protection against the intrusion of possible pathogen carriers or vectors.
- (²⁰) The geographical demarcation shall be clearly described and identified on a map, which must be attached as an Annex to the declaration/application. Any substantial modification in the geographical demarcation of the zone or compartment to be declared free must be subjected to a new application.
- (²¹) In connection with a zone or a compartment dependent on the health status of surrounding waters, a buffer zone in which a monitoring programme is carried out shall be established, as appropriate. The demarcation of the buffer zones shall be such that it protects the disease-free zone from passive introduction of the disease. (Part II.1.5 of Annex V to Directive 2006/88/EC).
- (²²) Health status in accordance with Part A of Annex III to Directive 2006/88/EC.
- (²³) Relevant in cases of declaration of disease-free Member States, where minor areas of the Member State are not considered disease-free.
- (²⁴) Where a zone extends to more than one Member State, it may not be declared a disease-free zone unless the conditions set out in points 1.3, 1.4 and 1.5 of Part II of Annex V to Directive 2006/88/EC apply to all areas of that zone. In that case both Member States concerned shall apply for approval for the part of the zone situated in their territory.
- (²⁵) In accordance with Part II.4 of Annex V to Directive 2006/88/EC.

^{b)} When the number of farms/mollusc farming areas is limited or no farms/mollusc farming areas are present in whole or parts of the Member State, zone or compartment subject to the application or declaration, and sampling therefore is done in wild populations, the geographical situation of the sampling should be given.

2. Data on testing farms or farming areas

Disease: Year:

Member State, zone or compartment ^(a)	Total number of farms or mollusc farming areas ^(b)	Total number of farms or mollusc farming areas under the programme	Number of farms or mollusc farming areas checked ^(c)	Number of positive farms or mollusc farming areas ^(d)	Number of new positive farms or mollusc farming areas ^(e)	Number of farms or mollusc farming areas depopulated	% positive farms or mollusc farming areas depopulated	Animals removed and disposed of ^(f)	Target indicators		
									% farms or mollusc farming areas coverage	% positive farms or mollusc farming areas	% new positive farms or mollusc farming areas
									10 = (4/3) × 100	11 = (5/4) × 100	12 = (6/4) × 100
1	2	3	4	5	6	7	8 = (7/5) × 100	9			
Total											

^(a) Member State, zone or compartment as defined in point 7 of Annex IV.
^(b) Total number of farms or mollusc farming areas existing in the Member State, zone or compartment as defined in point 7 of Annex IV.
^(c) Check means to perform a farm/mollusc farming area level test under the programme to achieve disease-free status for the respective disease with the purpose of upgrading the health status of the farm/mollusc farming area. In this column a farm/mollusc farming area must not be counted twice even if it has been checked more than once.
^(d) Farms or mollusc farming areas with at least one positive animal during the period independent of the number of times the farms or mollusc farming areas have been checked.
^(e) Farms or mollusc farming areas in which the health status for the past reporting period was, either category I, category II, category III or category IV in accordance with Part A of Annex III to Directive 2006/88/EC but which have had during this period of reference at least one positive animal for the disease in question.
In the case of programmes submitted before 1 August 2008, farms or mollusc farming areas which were not positive to the disease in question in the previous period and have at least one positive animal in this period.
^(f) Animals × 1 000 or total weight of animals removed and disposed of.

(b) When the number of farms/farming areas is limited or no farms/farming areas are present in whole or parts of the Member State, zone or compartment subject to the application, and sampling therefore is carried out in wild populations, the geographical situation of the sampling must be given.

2. Report on testing farms or farming areas

Disease: Year:

Member State, zone or compartment ^(a)	Total number of farms or mollusc farming areas ^(b)	Total number of farms or mollusc farming areas under the programme	Number of farms or mollusc farming areas checked ^(c)	Number of positive farms or mollusc farming areas ^(d)	Number of new positive farms or mollusc farming areas ^(e)	Number of farms or mollusc farming areas depopulated	% positive farms or mollusc farming areas depopulated	Animals removed and disposed of ^(f)	Target indicators		
									% farms or mollusc farming areas coverage	% positive farms or mollusc farming areas	% new positive farms or mollusc farming areas
1	2	3	4	5	6	7	$8 = (7/5) \times 100$	9	$10 = (4/3) \times 100$	$11 = (5/4) \times 100$	$12 = (6/4) \times 100$
Total											

^(a) Member State, zone or compartment as defined in point 6 of Annex II.
^(b) Total number of farms or mollusc farming areas existing in the Member State, zone or compartment as defined in point 6 of Annex II.
^(c) Check means to perform a farm/mollusc farming area level test under the programme for the respective disease with the purpose of upgrading the health status of the farm/mollusc farming area. In this column a farm/mollusc farming area must not be counted twice even if it has been checked more than once.
^(d) Farms or mollusc farming areas with at least one positive animal during the period independent of the number of times the farms or mollusc farming areas have been checked.
^(e) Farms or mollusc farming areas in which the health status for the past reporting period was, either Category I, Category II, Category III or Category IV in accordance with Part A of Annex III to Directive 2006/88/EC but which have had during this period of reference at least one positive animal for the disease in question.
In the case of programmes submitted before 1 August 2008, farms or mollusc farming areas which were not positive to the disease in question in the previous period and have at least one positive animal in this period.
^(f) Animals × 1 000 or total weight of animals removed and disposed of.