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<sup>(1)</sup> Text with EEA relevance

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

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<sup>(1)</sup> Text with EEA relevance

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION REGULATION (EU) No 1053/2010

of 18 November 2010

**amending Regulation (EC) No 494/98 as regards administrative sanctions in cases of failure to prove the identification of an animal****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 <sup>(1)</sup>, and in particular Article 10(e) thereof,

Whereas:

- (1) Commission Regulation (EC) No 494/98 of 27 February 1998 laying down detailed rules for the implementation of Council Regulation (EC) No 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals <sup>(2)</sup> was adopted on the basis of Article 10(e) of Council Regulation (EC) No 820/97 of 21 April 1997 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products <sup>(3)</sup>. That Regulation was repealed and replaced by Regulation (EC) No 1760/2000.
- (2) Article 1(2) of Regulation (EC) No 494/98 provides that if the keeper of an animal cannot prove its identification within 2 working days, the animal is to be destroyed without delay under the supervision of the veterinary authorities and without compensation from the competent authority.
- (3) Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official

controls on products of animal origin intended for human consumption <sup>(4)</sup> lays down specific rules for the organisation of official controls on products of animal origin.

- (4) That Regulation provides that the official veterinarian is to verify that animals are not slaughtered unless the slaughterhouse operator has been provided with and checked relevant food chain information.
- (5) In addition, Regulation (EC) No 854/2004 provides that the official veterinarian may allow animals to undergo slaughter in the slaughterhouse even if the relevant food chain information is not available. In that case, however, all relevant food chain information must be supplied before the carcase is approved for human consumption. Pending a final judgement, such carcasses and related offal must be stored separately from other meat.
- (6) Regulation (EC) No 854/2004 also provides that when relevant food chain information is not available within 24 hours of an animal's arrival at the slaughterhouse, all meat from the animal is to be declared unfit for human consumption. If the animal has not yet been slaughtered, it is to be killed separately from other animals.
- (7) Accordingly, the risks posed by unidentified animals for human health are reduced by the provisions laid down in Regulation (EC) No 854/2004. The destruction of animals within the framework of Regulation (EC) No 494/98 has therefore now primarily a deterrent effect, promoting identification of animals for purposes other than food safety.
- (8) Animals of unknown origin may affect the animal health status of the areas where they have been held.

<sup>(1)</sup> OJ L 204, 11.8.2000, p. 1.<sup>(2)</sup> OJ L 60, 28.2.1998, p. 78.<sup>(3)</sup> OJ L 117, 7.5.1997, p. 1.<sup>(4)</sup> OJ L 139, 30.4.2004, p. 206.

- (9) Experience gained in the application of Regulation (EC) No 494/98 has shown that the strict time limit of 2 days is not sufficient to properly evaluate the identity of unidentified animals. Member States should have the necessary administrative discretion to evaluate the situation on the basis of a risk analysis and to apply proportionate sanctions.
- (10) Regulation (EC) No 494/98 should therefore be amended accordingly.
- (11) The Committee on Agricultural Funds has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EC) No 494/98, paragraph 2 is replaced by the following:

‘2. If the keeper of an animal cannot prove its identification and traceability, the competent authority shall, where appropriate, on the basis of an assessment of the animal health and food safety risks, order the destruction of the animal without compensation.’

*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, 18 November 2010.

*For the Commission*  
*The President*  
José Manuel BARROSO

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**COMMISSION REGULATION (EU) No 1054/2010****of 18 November 2010****amending Regulation (EC) No 391/2007 laying down detailed rules for the implementation of Council Regulation (EC) No 861/2006 as regards the expenditure incurred by Member States in implementing the monitoring and control systems applicable to the Common Fisheries Policy**

THE EUROPEAN COMMISSION,

extended deadline should be applicable as from 22 June 2010, the date on which the first Commission financing decision of 2010 was adopted.

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

Having regard to Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea <sup>(1)</sup>, and in particular Article 31 thereof,

(6) Where vessels and aircraft are not used 100 % for fishery control, reimbursement should be made at a rate which reflects percentage use of the item.

(7) A contract between the relevant administration and the supplier should be included in a request for pre-financing only if the nature of the project makes such contract necessary.

Whereas:

(1) The Union has been financing Member States actions in the field of fisheries control and enforcement since 1990 pursuant to the objectives of the Common Fisheries Policy set out in particular by Council Regulation (EC) No 2371/2002 <sup>(2)</sup>.

(8) Regulation (EC) No 391/2007 should therefore be amended accordingly.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

(2) Regulation (EC) No 861/2006 provides, amongst other actions, for Union financial measures for expenditure on fisheries control, inspection and surveillance for the period 2007 to 2013. Commission Regulation (EC) No 391/2007 <sup>(3)</sup> establishes detailed rules for the implementation of such measures.

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 391/2007 is amended as follows:

(3) In view of the principle of sound financial management, Member States must have clear indications on the rules to be followed in order to benefit from Union financial assistance when incurring expenditure in the area of fisheries control and enforcement.

(1) Article 4 is replaced by the following:

*'Article 4***Commitment of expenditure**

(4) Rules applicable to the Union financial contribution to national control programmes should be simplified and clarified.

1. Member States shall enter into legal and budgetary commitments for actions considered eligible for a financial contribution under the decision provided for in Article 21 of Regulation (EC) No 861/2006 within 12 months of the end of the year in which they were notified of such decision.

(5) In the case of certain large investments, Member States may require more time than is currently allowed to enter into legal and budgetary commitment, and in the interest of reducing future problems with reimbursements, an

2. Notwithstanding paragraph 1, Member States shall enter into legal and budgetary commitments for projects concerning the purchase or modernisation of vessels and aircrafts within 24 months of the end of the year in which they were notified of the decision provided for in Article 21 of Regulation (EC) No 861/2006.

<sup>(1)</sup> OJ L 160, 14.6.2006, p. 1.<sup>(2)</sup> OJ L 358, 31.12.2002, p. 59.<sup>(3)</sup> OJ L 97, 12.4.2007, p. 30.

3. Paragraph 2 shall apply as from 22 June 2010, the date on which the first Commission financing decision of 2010 was adopted.;

(2) in Article 6, paragraph 2 is replaced by the following:

'2. Expenditure incurred on the purchase and modernisation of aircraft and vessels shall be eligible to the extent that it complies with Annex III and it is used for monitoring and control of fishing activities, as declared by the Member State concerned, for at least 25 % of the time. In cases where the vessels or aircraft are used less than 100 % of the time for monitoring and control of fishing

activities, reimbursement shall be made at a rate which reflects the percentage use.;

(3) in Article 10, paragraph 2 is replaced by the following:

'2. Where the nature of the project is such that a contract between the relevant administration and the supplier is required, the request by the Member State shall be accompanied by a certified copy of that contract.'

#### *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, 18 November 2010.

*For the Commission*

*The President*

José Manuel BARROSO

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**COMMISSION REGULATION (EU) No 1055/2010****of 18 November 2010****establishing a prohibition of fishing for anglerfish in VIIIc, IX and X; EU waters of CECAF 34.1.1 by vessels flying the flag of France**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy <sup>(1)</sup>, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required <sup>(2)</sup>, lays down quotas for 2010.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2010.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2010 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***Entry into force**

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

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

Done at Brussels, 18 November 2010.

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

Fokion FOTIADIS

*Director-General for Maritime Affairs and Fisheries*

<sup>(1)</sup> OJ L 343, 22.12.2009, p. 1.

<sup>(2)</sup> OJ L 21, 26.1.2010, p. 1.

## ANNEX

|              |                                            |
|--------------|--------------------------------------------|
| No           | 2/T&Q                                      |
| Member State | France                                     |
| Stock        | ANF/8C3411                                 |
| Species      | Anglerfish ( <i>Lophiidae</i> )            |
| Zone         | VIIIc, IX and X; EU waters of CECAF 34.1.1 |
| Date         | 21.1.2010                                  |

**COMMISSION REGULATION (EU) No 1056/2010****of 18 November 2010****establishing a prohibition of fishing for spurdog/dogfish in EU waters of IIa and IV by vessels flying the flag of France**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy <sup>(1)</sup>, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required <sup>(2)</sup>, lays down quotas for 2010.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2010.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2010 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***Entry into force**

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

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

Done at Brussels, 18 November 2010.

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

Lowri EVANS

*Director-General for Maritime Affairs and Fisheries*

<sup>(1)</sup> OJ L 343, 22.12.2009, p. 1.

<sup>(2)</sup> OJ L 21, 26.1.2010, p. 1.

## ANNEX

|              |                                              |
|--------------|----------------------------------------------|
| No           | 43/T&Q                                       |
| Member State | France                                       |
| Stock        | DGS/2AC4-C                                   |
| Species      | Spurdog/dogfish ( <i>Squalus acanthias</i> ) |
| Zone         | EU waters of IIa and IV                      |
| Date         | 30.9.2010                                    |

**COMMISSION REGULATION (EU) No 1057/2010****of 18 November 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,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 <sup>(2)</sup>, 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 19 November 2010.

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

Done at Brussels, 18 November 2010.

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

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.<sup>(2)</sup> 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 <sup>(1)</sup> | Standard import value |
|---------------------------------------------------|-----------------------------------|-----------------------|
| 0702 00 00                                        | AL                                | 54,4                  |
|                                                   | IL                                | 95,1                  |
|                                                   | MA                                | 72,1                  |
|                                                   | MK                                | 63,0                  |
|                                                   | ZZ                                | 71,2                  |
| 0707 00 05                                        | AL                                | 59,4                  |
|                                                   | EG                                | 150,8                 |
|                                                   | JO                                | 182,1                 |
|                                                   | MK                                | 59,4                  |
|                                                   | TR                                | 125,3                 |
|                                                   | ZZ                                | 115,4                 |
| 0709 90 70                                        | MA                                | 73,3                  |
|                                                   | TR                                | 144,9                 |
|                                                   | ZZ                                | 109,1                 |
| 0805 20 10                                        | MA                                | 63,8                  |
|                                                   | ZA                                | 141,4                 |
|                                                   | ZZ                                | 102,6                 |
| 0805 20 30, 0805 20 50, 0805 20 70,<br>0805 20 90 | HR                                | 62,8                  |
|                                                   | IL                                | 76,8                  |
|                                                   | MA                                | 61,9                  |
|                                                   | TN                                | 78,6                  |
|                                                   | TR                                | 62,4                  |
|                                                   | UY                                | 58,6                  |
|                                                   | ZZ                                | 66,9                  |
| 0805 50 10                                        | AR                                | 39,0                  |
|                                                   | CL                                | 79,2                  |
|                                                   | MA                                | 68,0                  |
|                                                   | TR                                | 66,5                  |
|                                                   | UY                                | 57,1                  |
|                                                   | ZZ                                | 62,0                  |
| 0806 10 10                                        | BR                                | 259,1                 |
|                                                   | TR                                | 134,3                 |
|                                                   | US                                | 294,1                 |
|                                                   | ZA                                | 79,2                  |
|                                                   | ZZ                                | 191,7                 |
| 0808 10 80                                        | AR                                | 75,7                  |
|                                                   | AU                                | 237,7                 |
|                                                   | BR                                | 49,6                  |
|                                                   | CL                                | 78,5                  |
|                                                   | CN                                | 82,6                  |
|                                                   | MK                                | 27,2                  |
|                                                   | NZ                                | 96,7                  |
|                                                   | US                                | 96,5                  |
|                                                   | ZA                                | 105,1                 |
|                                                   | ZZ                                | 94,4                  |
| 0808 20 50                                        | CL                                | 78,3                  |
|                                                   | CN                                | 82,5                  |
|                                                   | US                                | 160,9                 |
|                                                   | ZZ                                | 107,2                 |

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

**COMMISSION REGULATION (EU) No 1058/2010****of 18 November 2010****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of 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) <sup>(1)</sup>, and in particular Article 143 thereof,

Having regard to Council Regulation (EC) No 614/2009 of 7 July 2009 on the common system of trade for ovalbumin and lactalbumin <sup>(2)</sup>, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 <sup>(3)</sup> lays down detailed rules for implementing the system of additional import duties and fixes representative prices for poultrymeat and egg products and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for

egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin. The representative prices should therefore be published.

(3) In view of the situation on the market, this amendment should be applied as soon as possible.

(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 I to Regulation (EC) No 1484/95 is replaced by 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, 18 November 2010.

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

Jean-Luc DEMARTY  
*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 181, 14.7.2009, p. 8.

<sup>(3)</sup> OJ L 145, 29.6.1995, p. 47.

## ANNEX

**to the Commission Regulation of 18 November 2010 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

## ‘ANNEX I

| CN code    | Description of goods                                                                                    | Representative price<br>(EUR/100 kg) | Security under<br>Article 3(3)<br>(EUR/100 kg) | Origin <sup>(1)</sup> |
|------------|---------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------|-----------------------|
| 0207 12 10 | Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen | 118,0                                | 0                                              | AR                    |
| 0207 12 90 | Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen | 123,9                                | 0                                              | BR                    |
|            |                                                                                                         | 123,8                                | 0                                              | AR                    |
| 0207 14 10 | Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen                                   | 202,5                                | 29                                             | BR                    |
|            |                                                                                                         | 254,2                                | 14                                             | AR                    |
|            |                                                                                                         | 326,9                                | 0                                              | CL                    |
| 0207 14 50 | Fowls of the species <i>Gallus domesticus</i> , breasts, frozen                                         | 180,5                                | 9                                              | BR                    |
| 0207 14 60 | Fowl of the species <i>Gallus domesticus</i> , legs, frozen                                             | 103,9                                | 12                                             | BR                    |
| 0207 27 10 | Turkeys, boneless cuts, frozen                                                                          | 258,2                                | 12                                             | BR                    |
|            |                                                                                                         | 401,4                                | 0                                              | CL                    |
| 0408 11 80 | Egg yolks                                                                                               | 315,7                                | 0                                              | AR                    |
| 0408 91 80 | Eggs, not in shell, dried                                                                               | 339,6                                | 0                                              | AR                    |
| 1602 32 11 | Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked                                | 280,9                                | 2                                              | BR                    |
| 3502 11 90 | Egg albumin, dried                                                                                      | 543,9                                | 0                                              | AR                    |

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). The code “ZZ” represents “other origins”.

# DECISIONS

## COUNCIL DECISION 2010/694/CFSP

of 17 November 2010

**concerning the temporary reception by Member States of the European Union of certain Palestinians**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

(1) On 27 October 2009, the Council adopted Common Position 2009/787/CFSP concerning the temporary reception by Member States of the European Union of certain Palestinians <sup>(1)</sup>, which provided for an extension of the validity of their national permits for entry into, and stay in, the territory of the Member States referred to in Common Position 2002/400/CFSP of 21 May 2002 concerning the temporary reception by Member States of the European Union of certain Palestinians <sup>(2)</sup> for a further period of 12 months.

(2) On the basis of an evaluation of the application of Common Position 2002/400/CFSP, the Council considers it appropriate that the validity of those permits be extended for a further period of 12 months,

### *Article 1*

The Member States referred to in Article 2 of Common Position 2002/400/CFSP shall extend the validity of the national permits for entry and stay granted pursuant to Article 3 of that Common Position for a further period of 12 months.

### *Article 2*

The Council shall evaluate the application of Common Position 2002/400/CFSP within 6 months of the adoption of this Decision.

### *Article 3*

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

Done at Brussels, 17 November 2010.

*For the Council*

*The President*

D. REYNERS

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<sup>(1)</sup> OJ L 281, 28.10.2009, p. 6.

<sup>(2)</sup> OJ L 138, 28.5.2002, p. 33.

## COMMISSION DECISION

of 17 November 2010

**amending the Annexes to Decision 93/52/EEC as regards the recognition of Estonia, Latvia and the Autonomous Community of the Balearic Islands in Spain as officially free of brucellosis (*B. melitensis*) and amending Annexes I and II to Decision 2003/467/EC as regards the declaration of Estonia as officially tuberculosis-free and officially brucellosis-free as regards bovine herds**

(notified under document C(2010) 7856)

(Text with EEA relevance)

(2010/695/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine <sup>(1)</sup>, and in particular Annex A(I)(4) and Annex A(II)(7) thereto,

Having regard to Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals <sup>(2)</sup>, and in particular Section II of Chapter 1 of Annex A thereto,

Whereas:

- (1) Directive 91/68/EEC defines the animal health conditions governing trade in the Union in ovine and caprine animals. It lays down the conditions whereby Member States or regions thereof may be recognised as being officially brucellosis-free.
- (2) Commission Decision 93/52/EEC of 21 December 1992 recording the compliance by certain Member States or regions with the requirements relating to brucellosis (*B. melitensis*) and according them the status of a Member State or region officially free of the disease <sup>(3)</sup> lists, in the Annexes thereto, the Member States and regions thereof which are recognised as officially free of brucellosis (*B. melitensis*) in accordance with Directive 91/68/EEC.
- (3) Estonia and Latvia have submitted to the Commission documentation demonstrating compliance with the conditions laid down in Directive 91/68/EEC to be recognised as officially free of brucellosis (*B. melitensis*) for the entire territory of the respective Member State.
- (4) Following evaluation of the documentation submitted by Estonia and Latvia, both Member States should be recognised as being officially free of that disease. Annex I to Decision 93/52/EEC should therefore be amended accordingly.

- (5) Spain has submitted to the Commission documentation demonstrating for the Autonomous Community of the Balearic Islands compliance with the conditions laid down in Directive 91/68/EEC in order for that region in Spain to be recognised as officially free of brucellosis (*B. melitensis*).
- (6) Following evaluation of the documentation submitted by Spain, the Autonomous Community of the Balearic Islands should be recognised as being officially free of that disease. Annex II to Decision 93/52/EEC should therefore be amended accordingly.
- (7) Directive 64/432/EEC applies to trade within the Union in bovine animals and swine. It lays down the conditions whereby a Member State may be declared officially tuberculosis-free and officially brucellosis-free as regards bovine herds.
- (8) Annexes I and II to Commission Decision 2003/467/EC of 23 June 2003 establishing the official tuberculosis, brucellosis and enzootic-bovine-leukosis-free status of certain Member States and regions of Member States as regards bovine herds <sup>(4)</sup> list the Member States which are declared respectively officially tuberculosis-free and officially brucellosis-free.
- (9) Estonia has submitted to the Commission documentation demonstrating compliance with the conditions for the officially tuberculosis-free and officially brucellosis-free status laid down in Directive 64/432/EEC for the entire territory of that Member State.
- (10) Following evaluation of the documentation submitted by Estonia, that Member State should be declared officially tuberculosis-free and officially brucellosis-free. Annexes I and II to Decision 2003/467/EC should therefore be amended accordingly.
- (11) Decisions 93/52/EEC and 2003/467/EC should therefore be amended accordingly.
- (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,

<sup>(1)</sup> OJ L 121, 29.7.1964, p. 1977/64.

<sup>(2)</sup> OJ L 46, 19.2.1991, p. 19.

<sup>(3)</sup> OJ L 13, 21.1.1993, p. 14.

<sup>(4)</sup> OJ L 156, 25.6.2003, p. 74.

HAS ADOPTED THIS DECISION:

*Article 1*

The Annexes to Decision 93/52/EEC are amended in accordance with Annex I to this Decision.

*Article 2*

Annexes I and II to Decision 2003/467/EC are amended in accordance with Annex II to this Decision.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 17 November 2010.

*For the Commission*

John DALLI

*Member of the Commission*

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## ANNEX I

The Annexes to Decision 93/52/EEC are amended as follows:

1. Annex I is replaced by the following:

## ‘ANNEX I

**Officially brucellosis (*B. melitensis*) free Member States**

| ISO code | Member State    |
|----------|-----------------|
| BE       | Belgium         |
| CZ       | Czech Republic  |
| DK       | Denmark         |
| DE       | Germany         |
| EE       | Estonia         |
| IE       | Ireland         |
| LV       | Latvia          |
| LT       | Lithuania       |
| LU       | Luxembourg      |
| HU       | Hungary         |
| NL       | Netherlands     |
| AT       | Austria         |
| PL       | Poland          |
| RO       | Romania         |
| SI       | Slovenia        |
| SK       | Slovakia        |
| FI       | Finland         |
| SE       | Sweden          |
| UK       | United Kingdom’ |

2. Annex II is amended as follows:

(a) the following title is inserted:

**‘Officially brucellosis (*B. melitensis*) free regions of Member States’;**

(b) the entry for Spain is replaced by the following:

‘In Spain:

— Autonomous Community of the Balearic Islands,

— Autonomous Community of the Canary Islands: Provinces of Santa Cruz de Tenerife, Las Palmas.’.

## ANNEX II

Annexes I and II to Decision 2003/467/EC are amended as follows:

1. In Annex I, Chapter 1 is replaced by the following:

**'CHAPTER 1****Officially tuberculosis-free Member States**

| ISO code | Member State   |
|----------|----------------|
| BE       | Belgium        |
| CZ       | Czech Republic |
| DK       | Denmark        |
| DE       | Germany        |
| EE       | Estonia        |
| FR       | France         |
| LU       | Luxembourg     |
| NL       | Netherlands    |
| AT       | Austria        |
| PL       | Poland         |
| SI       | Slovenia       |
| SK       | Slovakia       |
| FI       | Finland        |
| SE       | Sweden'        |

2. In Annex II, Chapter 1 is replaced by the following:

**'CHAPTER 1****Officially brucellosis-free Member States**

| ISO code | Member State   |
|----------|----------------|
| BE       | Belgium        |
| CZ       | Czech Republic |
| DK       | Denmark        |
| DE       | Germany        |
| EE       | Estonia        |
| IE       | Ireland        |
| FR       | France         |
| LU       | Luxembourg     |
| NL       | Netherlands    |
| AT       | Austria        |
| PL       | Poland         |
| SI       | Slovenia       |
| SK       | Slovakia       |
| FI       | Finland        |
| SE       | Sweden'        |









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