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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 90/2011

of 3 February 2011

laying down detailed rules for implementing the system of export licences in the poultrymeat sector

(codification)

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) ⁽¹⁾, and in particular Article 161(3), Article 170 and Article 192(2), in conjunction with Article 4, thereof,

Whereas:

- (1) Commission Regulation (EC) No 633/2004 of 30 March 2004 laying down detailed rules for implementing the system of export licences in the poultrymeat sector ⁽²⁾ has been substantially amended several times ⁽³⁾. In the interests of clarity and rationality the said Regulation should be codified.
- (2) Specific implementing rules should be laid down for export licences in the poultrymeat sector which should, in particular, include provisions for the submission of applications and the information which must appear on the applications and licences, in addition to those contained in Commission Regulation (EC) No 376/2008 of 23 April 2008 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁴⁾.
- (3) In order to assure proper administration of the system of export licences, the rate of the security for export licences

under that system should be fixed. In view of the risk of speculation inherent in the system in the poultrymeat sector, export licences should not be transferable and precise conditions governing access by traders to the said system should be laid down.

- (4) Article 169 of Regulation (EC) No 1234/2007 provides that compliance with the obligations arising from agreements concluded during the Uruguay Round of multilateral trade negotiations regarding the export volume shall be ensured on the basis of the export licences. Therefore, a detailed schedule for the lodging of applications and for the issuing of licences should be laid down.

- (5) In addition, the decision regarding applications for export licences should be notified only after a period of consideration. This period would allow the Commission to appreciate the quantities applied for as well as the expenditure involved and, if appropriate, to take specific measures applicable in particular to the applications which are pending. It is in the interest of traders to allow the licence application to be withdrawn after the acceptance coefficient has been fixed.

- (6) The Commission should have precise information concerning applications for licences and the use of licences issued, in order to be able to manage the licence system. In the interests of efficient administration, Member States should use the information systems in accordance with Commission Regulation (EC) No 792/2009 of 31 August 2009 laying down detailed rules for the Member States' notification to the Commission of information and documents in implementation of the common organisation of the markets, the direct payments' regime, the promotion of agricultural products and the regimes applicable to the outermost regions and the smaller Aegean islands ⁽⁵⁾.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 100, 6.4.2004, p. 8.

⁽³⁾ See Annex IX.

⁽⁴⁾ OJ L 114, 26.4.2008, p. 3.

⁽⁵⁾ OJ L 228, 1.9.2009, p. 3.

- (7) In the case of applications concerning quantities equal to or less than 25 tonnes, the export licence should be issued immediately if the trader requests it. However, such licences should be restricted to short-term commercial transactions in order to prevent the mechanism provided for in this Regulation from being circumvented.
- (8) In order to ensure an exact follow up of the quantities to be exported, a derogation from the rules regarding the tolerances laid down in Regulation (EC) No 376/2008 should be laid down.
- (9) Article 167(3) of Regulation (EC) No 1234/2007 provides that for day-old chicks export refunds may be granted on the basis of an *ex post* export licence. Therefore implementing rules for such a system should be laid down with the aim of ensuring efficient verification that the obligations arising from the agreements concluded in the framework of the Uruguay Round of multilateral trade negotiations are complied with. However, it would appear unnecessary to require the lodging of a security in the case of licences applied for after exportation.
- (10) 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

All exports of products in the poultrymeat sector for which an export refund is requested, with the exception of chicks falling within CN codes 0105 11, 0105 12 and 0105 19, shall be subject to the presentation of an export licence with advance fixing of the refund, in accordance with the provisions of Articles 2 to 8.

Article 2

1. Export licences shall be valid for 90 days from their actual day of issue within the meaning of Article 22(2) of Regulation (EC) No 376/2008.
2. Applications for licences and licences shall bear, in Section 15, the description of the product and, in Section 16, the 12-digit product code of the agricultural product nomenclature for export refunds.
3. The categories of products referred to in the second subparagraph of Article 13(1) of Regulation (EC) No 376/2008, as well as the rate of the security for export licences, are set out in Annex I.

4. Applications for licences and licences shall bear, in Section 20, at least one of the entries listed in Annex II.

5. By way of derogation from paragraph 1, licences for category 6(a) referred to in Annex I shall be valid 15 days from the actual date of issue within the meaning of Article 22(2) of Regulation (EC) No 376/2008.

6. In the case of licences for products of category 6(a) referred to in Annex I it is obligatory to export to the country of destination indicated in Section 7 or to any country referred to in Annex VIII.

To this end, licence applications and licences shall contain at least one of the entries listed in Annex III.

7. In the case of licences for products of category 6(b) referred to in Annex I it is obligatory to export to the country of destination indicated in Section 7 or to any other country not referred to in Annex VIII.

To this end, licence applications and licences shall contain at least one of the entries listed in Annex IV.

Article 3

1. Applications for export licences may be lodged with the competent authorities from Monday to Friday of each week.

2. Applicants for export licences shall be natural or legal persons who, at the time applications are submitted, are able to prove to the satisfaction of the competent authorities in the Member States that they have been engaged in trade in the poultrymeat sector for at least 12 months. However, retail establishments or restaurants selling their products to end consumers may not lodge applications.

3. Export licences are issued on the Wednesday following the period referred to in paragraph 1, provided that none of the particular measures referred to in paragraph 4 have since been taken by the Commission.

4. Where the issue of export licences would or might result in the available budgetary amounts being exceeded or in the maximum quantities which may be exported with a refund being exhausted during the period concerned, in view of the limits referred to in Article 169 of Regulation (EC) No 1234/2007 or where the issue of export licences would not allow exports to continue during the remainder of the period, the Commission may:

- (a) set a single acceptance percentage for the quantities applied for;

- (b) reject applications for which licences have not yet been granted;
- (c) suspend the lodging of licence applications for a maximum period of 5 working days, extendable by the procedure referred to in Article 195(2) of Regulation (EC) No 1234/2007.

Licence applications made during the suspension period shall be invalid.

The measures provided for in the first subparagraph may be implemented or modulated by category of product and by destination.

5. The measures provided for in paragraph 4 may be adopted where export licence applications relate to quantities which exceed or might exceed the normal disposable quantities for one destination and issuing the licences requested would entail a risk of speculation, distortion of competition between operators, or disturbance of the trade concerned or of the internal market.

6. Where quantities applied for are rejected or reduced, the security shall be released immediately for all quantities for which an application was not satisfied.

7. Notwithstanding paragraph 3, where a single percentage of acceptance less than 80 % is set, the licence shall be issued at the latest by the 11th working day following publication of that percentage in the *Official Journal of the European Union*. During the 10 working days following its publication, the operator may:

- either withdraw his application, in which case the security is released immediately,
- or request immediate issuing of the licence, in which case the competent authority shall issue it without delay but no sooner than the normal issue date for the relevant week.

8. By way of derogation from paragraph 3, the Commission can set a day other than Wednesday for the issuing of export licences when it is not possible to respect this day.

Article 4

1. On application by the operator, licence applications for up to 25 tonnes of products shall not be subject to any special measures as referred to in Article 3(4) and the licences applied for shall be issued immediately.

In such cases, notwithstanding Article 2(1) and (5), the term of validity of the licences shall be limited to 5 working days from their actual day of issue within the meaning of Article 22(2) of Regulation (EC) No 376/2008 and Section 20 of licence applications and of licences shall show one of the entries listed in Annex V.

2. The Commission may, where necessary, suspend the application of this Article.

Article 5

Export licences shall not be transferable.

Article 6

1. The quantity exported within the tolerance referred to in Article 7(4) of Regulation (EC) No 376/2008 shall not give entitlement to payment of the refund.

2. In Section 22 of the licence, at least one of the entries listed in Annex VI shall be indicated.

Article 7

1. By Friday each week, Member States shall notify the Commission of the following information:

- (a) the applications for export licences as referred to in Article 1 lodged from Monday to Friday of the same week, stating whether they fall within the scope of Article 4 or not;
- (b) the quantities covered by export licences issued on the preceding Wednesday, not including those issued immediately pursuant to Article 4;
- (c) the quantities covered by export licence applications withdrawn pursuant to Article 3(7) during the preceding week.

2. The notification of the applications referred to in point (a) of paragraph 1 shall specify:

- (a) the quantity in product weight for each category referred to in Article 2(3);
- (b) the breakdown by destination of the quantity for each category in the case where the rate of refund varies according to the destination;
- (c) the rate of refund applicable;
- (d) the total amount of refund prefixed in euro per category.

3. Member States shall communicate to the Commission on a monthly basis following the expiry of validity of export licences the quantity of unused export licences.

Article 8

1. For chicks falling within CN codes 0105 11, 0105 12 and 0105 19, operators shall declare at the time when customs formalities for exports are fulfilled, that they intend to claim an export refund.

2. Not later than 2 working days after exporting, operators shall lodge with the competent authority the application for an *ex post* export licence for the chicks which have been exported. In Section 20 of the licence application and of the licence, the term *ex post* shall be indicated together with the customs office where customs formalities have been fulfilled as well as the day of export within the meaning of Article 5(1) of Commission Regulation (EC) No 612/2009 ⁽¹⁾.

By way of derogation from Article 14(2) of Regulation (EC) No 376/2008 no security shall be required.

3. Member States shall notify the Commission, by Friday each week, of the number of *ex post* export licences applied for during the current week, including 'nil' notifications. The notifications shall specify, where applicable, the details referred to in Article 7(2).

4. *Ex post* export licences shall be issued each following Wednesday, provided that none of the particular measures referred to in Article 3(4) are taken by the Commission after the export concerned. Where such measures are taken they shall apply to the exports already carried out.

This licence accords entitlement to payment of the refund applicable on the day of export within the meaning of Article 5(1) of Regulation (EC) No 612/2009.

5. Article 23 of Regulation (EC) No 376/2008 shall not apply to the *ex post* licences referred to in paragraphs 1 to 4 of this Article.

The licences shall be presented directly by the interested party to the agency in charge of the payment of export refunds. This agency shall attribute and stamp the licence.

Article 9

The notifications referred to in this Regulation, including 'nil' notifications, shall be made in accordance with Regulation (EC) No 792/2009.

Article 10

Regulation (EC) No 633/2004 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex X.

Article 11

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, 3 February 2011.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 186, 17.7.2009, p. 1.

ANNEX I

Product code of the agricultural product nomenclature for export refunds ⁽¹⁾	Category	Rate of the security (EUR/100 kg net weight)
0105 11 11 9000 0105 11 19 9000 0105 11 91 9000 0105 11 99 9000	1	—
0105 12 00 9000 0105 19 20 9000	2	—
0207 12 10 9900 0207 12 90 9990 0207 12 90 9190	3	6 ⁽²⁾ 6 ⁽³⁾ 6 ⁽⁴⁾
0207 25 10 9000 0207 25 90 9000	5	3
0207 14 20 9900 0207 14 60 9900 0207 14 70 9190 0207 14 70 9290	6(a) ⁽⁴⁾	2
0207 14 20 9900 0207 14 60 9900 0207 14 70 9190 0207 14 70 9290	6(b) ⁽⁵⁾	2
0207 27 10 9990	7	3
0207 27 60 9000 0207 27 70 9000	8	3

⁽¹⁾ Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), part 7.

⁽²⁾ For destinations shown in Annex VII.

⁽³⁾ Destinations other than those shown in Annexes VII and VIII.

⁽⁴⁾ Destinations shown in Annex VIII.

⁽⁵⁾ Destinations other than those shown in Annex VIII.

ANNEX II

Entries referred to in Article 2(4)

- *In Bulgarian:* Регламент (ЕС) № 90/2011
 - *In Spanish:* Reglamento (UE) n° 90/2011
 - *In Czech:* Nařízení (EU) č. 90/2011
 - *In Danish:* Forordning (EU) nr. 90/2011
 - *In German:* Verordnung (EU) Nr. 90/2011
 - *In Estonian:* Määrus (EL) nr 90/2011
 - *In Greek:* Κανονισμός (ΕΕ) αριθ. 90/2011
 - *In English:* Regulation (EU) No 90/2011
 - *In French:* Règlement (UE) n° 90/2011
 - *In Italian:* Regolamento (UE) n. 90/2011
 - *In Latvian:* Regula (ES) Nr. 90/2011
 - *In Lithuanian:* Reglamentas (ES) Nr. 90/2011
 - *In Hungarian:* 90/2011/EU rendelet
 - *In Maltese:* Regolament (UE) Nru 90/2011
 - *In Dutch:* Verordening (EU) nr. 90/2011
 - *In Polish:* Rozporządzenie (UE) nr 90/2011
 - *In Portuguese:* Regulamento (UE) n.º 90/2011
 - *In Romanian:* Regulamentul (UE) nr. 90/2011
 - *In Slovak:* Nariadenie (EÚ) č. 90/2011
 - *In Slovenian:* Uredba (EU) št. 90/2011
 - *In Finnish:* Asetus (EU) N:o 90/2011
 - *In Swedish:* Förordning (EU) nr 90/2011
-

ANNEX III

Entries referred to in the second subparagraph of Article 2(6)

(a) in Section 20:

- *In Bulgarian:* Категория 6a)
- *In Spanish:* Categoría 6 a)
- *In Czech:* Kategorie 6a
- *In Danish:* Kategori 6 a)
- *In German:* Kategorie 6a
- *In Estonian:* Liik 6a
- *In Greek:* Κατηγορία 6α)
- *In English:* Category 6(a)
- *In French:* Catégorie 6 a)
- *In Italian:* Categoria 6 a)
- *In Latvian:* 6.a) kategorija
- *In Lithuanian:* 6a kategorija
- *In Hungarian:* 6. a) kategória
- *In Maltese:* Kategorija 6(a)
- *In Dutch:* Categorie 6 a)
- *In Polish:* Kategoria 6 a)
- *In Portuguese:* Categoria 6 a)
- *In Romanian:* Categoria 6 a
- *In Slovak:* Kategória 6 písm. a)
- *In Slovenian:* Kategorija 6(a)
- *In Finnish:* Tuoteluokka 6a)
- *In Swedish:* Kategori 6 a)

(b) in Section 22:

- *In Bulgarian:* Задължителен износ към страни, посочени в приложение VIII към Регламент (ЕС) № 90/2011.
- *In Spanish:* Exportación obligatoria a los países mencionados en el anexo VIII del Reglamento (UE) nº 90/2011.
- *In Czech:* Vývoz povinný do zemí uvedených v příloze VIII nařízení (EU) č. 90/2011.
- *In Danish:* Udførsel obligatorisk til lande, der er anført i bilag VIII til forordning (EU) nr. 90/2011.
- *In German:* Ausfuhr nach den in Anhang VIII der Verordnung (EU) Nr. 90/2011 genannten Länder ist verbindlich.
- *In Estonian:* Kohustuslik eksport määruse (EL) nr 90/2011 VIII lisas nimetatud riiki.
- *In Greek:* Υποχρεωτική εξαγωγή σε χώρες που παρατίθενται στο παράρτημα VIII του κανονισμού (ΕΕ) αριθ. 90/2011.
- *In English:* Export obligatory to countries referred to in Annex VIII to Regulation (EU) No 90/2011.
- *In French:* Exportation obligatoire vers les pays visés à l'annexe VIII du règlement (UE) nº 90/2011.
- *In Italian:* Esportazione obbligatoria verso paesi elencati nell'allegato VIII del regolamento (UE) n. 90/2011.

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- *In Latvian:* Eksports, kas ir obligāts uz Regulas (ES) Nr. 90/2011 VIII pielikumā minētajām valstīm.
 - *In Lithuanian:* Privalomas eksportas į Reglamento (ES) Nr. 90/2011 VIII priede nurodytas šalis.
 - *In Hungarian:* Kötelező kivitel a 90/2011/EU rendelet VIII. mellékletében szereplő országokba.
 - *In Maltese:* Esportazzjoni obbligatorja lejn il-pajjiżi msemmija fl-Anness VIII tar-Regolament (UE) Nru 90/2011.
 - *In Dutch:* Verplichte uitvoer naar landen die zijn vermeld in bijlage VIII bij Verordening (EU) nr. 90/2011.
 - *In Polish:* Wywóz obowiązkowy do krajów, o których mowa w załączniku VIII do rozporządzenia (UE) nr 90/2011.
 - *In Portuguese:* Exportação obrigatória para países referidos no anexo VIII do Regulamento (UE) n.º 90/2011.
 - *In Romanian:* Export obligatoriu către țările menționate în anexa VIII la Regulamentul (UE) nr. 90/2011.
 - *In Slovak:* Vývoz je povinný do krajín, ktoré sú uvedené v prílohe VIII k nariadeniu (EÚ) č. 90/2011.
 - *In Slovenian:* Izvoz je obvezen v države, navedene v Prilogi VIII k Uredbi (EU) št. 90/2011.
 - *In Finnish:* Velvoittaa viemään asetuksen (EU) N:o 90/2011 liitteessä VIII tarkoitettuihin maihin.
 - *In Swedish:* Export obligatorisk till länderna i bilaga VIII till förordning (EU) nr 90/2011.
-

ANNEX IV

Entries referred to in the second subparagraph of Article 2(7)

(a) in Section 20:

- *In Bulgarian:* Категория 6б)
- *In Spanish:* Categoría 6 b)
- *In Czech:* Kategorie 6b
- *In Danish:* Kategori 6 b)
- *In German:* Kategorie 6b
- *In Estonian:* Liik 6b
- *In Greek:* Κατηγορία 6β)
- *In English:* Category 6(b)
- *In French:* Catégorie 6 b)
- *In Italian:* Categoria 6 b)
- *In Latvian:* 6.b) kategorija
- *In Lithuanian:* 6b kategorija
- *In Hungarian:* 6. b) kategória
- *In Maltese:* Kategorija 6(b)
- *In Dutch:* Categorie 6 b)
- *In Polish:* Kategoria 6 b)
- *In Portuguese:* Categoria 6 b)
- *In Romanian:* Categoria 6 b
- *In Slovak:* Kategória 6 písm. b)
- *In Slovenian:* Kategorija 6(b)
- *In Finnish:* Tuoteluokka 6b)
- *In Swedish:* Kategori 6 b)

(b) in Section 22:

- *In Bulgarian:* Задължителен износ към страни, които не са посочени в приложение VIII към Регламент (ЕС) № 90/2011.
- *In Spanish:* Exportación obligatoria a los países no mencionados en el anexo VIII del Reglamento (UE) nº 90/2011.
- *In Czech:* Vývoz povinný do zemí uvedených v příloze VIII nařízení (EU) č. 90/2011
- *In Danish:* Udførsel obligatorisk til lande, der ikke er anført i bilag VIII til forordning (EU) nr. 90/2011.
- *In German:* Ausfuhr nach einem der nicht in Anhang VIII der Verordnung (EU) Nr. 90/2011 genannten Länder ist verbindlich.
- *In Estonian:* Kohustuslik eksport määruse (EL) nr 90/2011 VIII lisas nimetatata riiki.
- *In Greek:* Υποχρεωτική εξαγωγή σε χώρες εκτός αυτών που παρατίθενται στο παράρτημα VIII του κανονισμού (ΕΕ) αριθ. 90/2011.
- *In English:* Export obligatory to countries not referred to in Annex VIII to Regulation (EU) No 90/2011.
- *In French:* Exportation obligatoire vers les pays autres que ceux visés à l'annexe VIII du règlement (UE) nº 90/2011.
- *In Italian:* Esportazione obbligatoria verso paesi non elencati nell'allegato VIII del regolamento (UE) n. 90/2011.

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- *In Latvian:* Eksports, kas ir obligāts uz valstīm, kas nav minētas Regulas (ES) Nr. 90/2011 VIII pielikumā.
 - *In Lithuanian:* Privalomas eksportas į Reglamento (ES) Nr. 90/2011 VIII priede nenurodytas šalis.
 - *In Hungarian:* Kötelező kivitel a 90/2011/EU rendelet VIII. mellékletében nem szereplő országokba.
 - *In Maltese:* Esportazzjoni obbligatorja lejn il-pajjiżi mhux imsemmija fl-Anness VIII tar-Regolament (UE) Nru 90/2011.
 - *In Dutch:* Verplichte uitvoer naar landen die niet zijn vermeld in bijlage VIII bij Verordening (EU) nr. 90/2011.
 - *In Polish:* Wywóz obowiązkowy do krajów niewymienionych w załączniku VIII do rozporządzenia (UE) nr 90/2011.
 - *In Portuguese:* Exportação obrigatória para países não referidos no anexo VIII do Regulamento (UE) n.º 90/2011.
 - *In Romanian:* Export obligatoriu către alte țări decât cele menționate în anexa VIII la Regulamentul (UE) nr. 90/2011.
 - *In Slovak:* Vývoz je povinný do krajín, ktoré nie sú uvedené v prílohe VIII k nariadeniu (EÚ) č. 90/2011.
 - *In Slovenian:* Izvoz je obvezen v države, ki niso navedene v Prilogi VIII k Uredbi (EU) št. 90/2011.
 - *In Finnish:* Velvoittaa viemään muihin kuin asetuksen (EU) N:o 90/2011 liitteessä VIII tarkoitettuihin maihin.
 - *In Swedish:* Export obligatorisk till länder som inte anges i bilaga VIII till förordning (EU) nr 90/2011.
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ANNEX V

Entries referred to in the second subparagraph of Article 4(1)

- *In Bulgarian:* Лицензия, валидна пет работни дни
 - *In Spanish:* Certificado válido durante cinco días hábiles
 - *In Czech:* Licence platná pět pracovních dní
 - *In Danish:* Licens, der er gyldig i fem arbejdsdage
 - *In German:* Fünf Arbeitstage gültige Lizenz
 - *In Estonian:* Litsents kehtib viis tööpäeva
 - *In Greek:* Πιστοποιητικό που ισχύει για πέντε εργάσιμες ημέρες
 - *In English:* Licence valid for 5 working days
 - *In French:* Certificat valable cinq jours ouvrables
 - *In Italian:* Titolo valido cinque giorni lavorativi
 - *In Latvian:* Licences derīguma termiņš ir piecas darba dienas
 - *In Lithuanian:* Licencijos galioja penkias darbo dienas
 - *In Hungarian:* Öt munkanapig érvényes tanúsítvány
 - *In Maltese:* Liċenza valida għal hamest ijiem tax-xogħol
 - *In Dutch:* Certificaat met een geldigheidsduur van vijf werkdagen
 - *In Polish:* Pozwolenie ważne pięć dni roboczych
 - *In Portuguese:* Certificado de exportação válido durante cinco dias úteis
 - *In Romanian:* Licență valabilă timp de cinci zile lucrătoare
 - *In Slovak:* Licencia platí päť pracovných dní
 - *In Slovenian:* Dovoljenje velja 5 delovnih dni
 - *In Finnish:* Todistus on voimassa viisi työpäivää
 - *In Swedish:* Licensen är giltig fem arbetsdagar
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ANNEX VI

Entries referred to in Article 6(2)

- *In Bulgarian:* Възстановяване, валидно за [...] тона (количество, за което е издадена лицензията).
 - *In Spanish:* Restitución válida por [...] toneladas (cantidad por la que se expida el certificado).
 - *In Czech:* Náhrada platná pro [...] tun (množství, pro které je licence vydána).
 - *In Danish:* Restitutionen omfatter [...] t (den mængde, licensen vedrører).
 - *In German:* Erstattung gültig für [...] Tonnen (Menge, für welche die Lizenz ausgestellt wurde).
 - *In Estonian:* Eksporditoetus kehtib [...] tonni kohta (kogus, millele on antud ekspordilitsents).
 - *In Greek:* Επιστροφή ισχύουσας για [...] τόνους (ποσότητα για την οποία έχει εκδοθεί το πιστοποιητικό).
 - *In English:* Refund valid for [...] tonnes (quantity for which the licence is issued).
 - *In French:* Restitution valable pour [...] tonnes (quantité pour laquelle le certificat est délivré).
 - *In Italian:* Restituzione valida per [...] t (quantitativo per il quale il titolo è rilasciato).
 - *In Latvian:* Kompensācija ir spēkā attiecībā uz [...] tonnām (daudzums, par kuru ir izsniegta licence).
 - *In Lithuanian:* Grąžinamoji išmoka galioja [...] tonoms (kiekis, kuriam išduota licencija).
 - *In Hungarian:* A visszatérítés [...] tonnára érvényes (azt a mennyiséget kell feltüntetni, amelyre az engedélyt kiadták).
 - *In Maltese:* Rifuzjoni valida għal [...] tunnelli (kwantità li għaliha tinħareġ il-liċenza).
 - *In Dutch:* Restitutie geldig voor [...] ton (hoeveelheid waarvoor het certificaat wordt afgegeven).
 - *In Polish:* Refundacja ważna dla [...] ton (ilość, dla której zostało wydane pozwolenie).
 - *In Portuguese:* Restituição válida para [...] toneladas (quantidade relativamente à qual é emitido o certificado).
 - *In Romanian:* Restituire valabilă pentru [...] tone (cantitatea pentru care a fost eliberată licența).
 - *In Slovak:* Náhrada je platná pre [...] ton (množstvo, pre ktoré bolo vydané povolenie).
 - *In Slovenian:* Nadomestilo velja za [...] ton (količina, za katero je bilo dovoljenje izdano).
 - *In Finnish:* Tuki on voimassa [...] tonnille (määrä, jolle todistus on myönnetty).
 - *In Swedish:* Ger rätt till exportbidrag för [...] ton (den kvantitet för vilken licensen utfärdats).
-

ANNEX VII

Angola	Jordan	Qatar
Bahrain	Kuwait	Saudi Arabia
Iran	Lebanon	United Arab Emirates
Iraq	Oman	Yemen

ANNEX VIII

Armenia	Kazakhstan	Tajikistan
Azerbaijan	Kyrgyzstan	Turkmenistan
Belarus	Moldova	Ukraine
Georgia	Russia	Uzbekistan

ANNEX IX

Repealed Regulation with list of its successive amendments

Commission Regulation (EC) No 633/2004
(OJ L 100, 6.4.2004, p. 8)

Commission Regulation (EC) No 1498/2004
(OJ L 275, 25.8.2004, p. 8)

Commission Regulation (EC) No 1713/2006
(OJ L 321, 21.11.2006, p. 11)

Only Article 15

Commission Regulation (EU) No 557/2010
(OJ L 159, 25.6.2010, p. 13)

Only Article 3

ANNEX X

Correlation table

Regulation (EC) No 633/2004	This Regulation
Article 1	Article 1
Article 2(1), (2) and (3)	Article 2(1), (2) and (3)
Article 2(4), introductory words	Article 2(4)
Article 2(4), first to eleventh indents	Annex II
Article 2(5)	Article 2(5)
Article 2(6), first subparagraph	Article 2(6), first subparagraph
Article 2(6), second subparagraph, introductory words	Article 2(6), second subparagraph
Article 2(6), second subparagraph, point (a), first to eleventh indents, and point (b), first to eleventh indents	Annex III
Article 2(7), first subparagraph	Article 2(7), first subparagraph
Article 2(7), second subparagraph, introductory words	Article 2(7), second subparagraph
Article 2(7), second subparagraph, point (a), first to eleventh indents, and point (b), first to eleventh indents	Annex IV
Article 3(1) to (4)	Article 3(1) to (4)
Article 3(4a)	Article 3(5)
Article 3(5)	Article 3(6)
Article 3(6)	Article 3(7)
Article 3(7)	Article 3(8)
Articles 4 and 5	Articles 4 and 5
Article 6(1)	Article 6(1)
Article 6(2), introductory words	Article 6(2)
Article 6(2), first to eleventh indents	Annex VI
Articles 7 and 8	Articles 7 and 8
Article 8a	Article 9
Article 9	—
—	Article 10
Article 10	Article 11
Annex I	Annex I
Annex Ia	Annex V
Annex III	Annex VII
Annex IV	Annex VIII
Annex V	—
Annex VI	—
—	Annex IX
—	Annex X

COMMISSION REGULATION (EU) No 91/2011**of 2 February 2011****entering a name in the register of protected designations of origin and protected geographical indications (Hofer Rindfleischwurst (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Germany's application to register the name 'Hofer Rindfleischwurst' was published in the *Official Journal of the European Union* ⁽²⁾.

(2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

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, 2 February 2011.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 138, 28.5.2010, p. 37.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.2. Meat products (cooked, salted, smoked, etc.)

GERMANY

Hofer Rindfleischwurst (PGI)

COMMISSION REGULATION (EU) No 92/2011**of 3 February 2011****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Salame Piacentino (PDO)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006 and in accordance with Article 17(2) thereof, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Salame Piacentino' registered under Commission Regulation (EC) No 1107/96 ⁽²⁾, as amended by Regulation (EC) No 1263/96 ⁽³⁾.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾, as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been notified to the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth 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, 3 February 2011.

For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ L 148, 21.6.1996, p. 1.

⁽³⁾ OJ L 163, 2.7.1996, p. 19.

⁽⁴⁾ OJ C 122, 11.5.2010, p. 17.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.2. Meat products (cooked, salted, smoked, etc.)

ITALY

Salame Piacentino (PDO)

COMMISSION REGULATION (EU) No 93/2011**of 3 February 2011****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Fontina (PDO)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006 and in accordance with Article 17(2) thereof, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Fontina' registered under Commission Regulation (EC) No 1107/96 ⁽²⁾.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union*, as required by the first subparagraph of Article 6(2) of that Regulation ⁽³⁾. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been notified to the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth 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, 3 February 2011.

For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ L 148, 21.6.1996, p. 1.

⁽³⁾ OJ C 123, 12.5.2010, p. 18.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.3. Cheeses

ITALY

Fontina (PDO)

COMMISSION REGULATION (EU) No 94/2011**of 3 February 2011****entering a name in the register of protected designations of origin and protected geographical indications [Carciofo Spinoso di Sardegna (PDO)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Carciofo Spinoso di Sardegna' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the twentieth 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, 3 February 2011.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 149, 8.6.2010, p. 9.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

ITALY

Carciofo Spinoso di Sardegna (PDO)

COMMISSION REGULATION (EU) No 95/2011**of 3 February 2011****entering a name in the register of protected designations of origin and protected geographical indications [Arancia di Ribera (PDO)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Arancia di Ribera' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, this name should be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the twentieth 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, 3 February 2011.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 135, 26.5.2010, p. 29.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6: Fruit, vegetables and cereals, fresh or processed

ITALY

Arancia di Ribera (PDO)

COMMISSION REGULATION (EU) No 96/2011**of 3 February 2011****entering a name in the register of protected designations of origin and protected geographical indications [Limone di Siracusa (PGI)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Limone di Siracusa' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the twentieth 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, 3 February 2011.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 135, 26.5.2010, p. 25.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

ITALY

Limone di Siracusa (PGI)

COMMISSION REGULATION (EU) No 97/2011**of 3 February 2011****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Welsh Beef (PGI)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006, the Commission has examined the United Kingdom's application for the approval of amendments to the specification for the protected geographical indication 'Welsh Beef' registered in accordance with Commission Regulation (EC) No 2400/96 ⁽²⁾, as amended by Regulation (EC) No 2066/2002 ⁽³⁾.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾, as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been notified to the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth 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, 3 February 2011.

For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ L 327, 18.12.1996, p. 11.

⁽³⁾ OJ L 318, 21.11.2002, p. 4.

⁽⁴⁾ OJ C 158, 18.6.2010, p. 12.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.1. Fresh meat (and offal)

UNITED KINGDOM

Welsh Beef (PGI)

COMMISSION REGULATION (EU) No 98/2011**of 3 February 2011****amending for the 144th 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 EUROPEAN COMMISSION,

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

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 Articles 7(1)(a) and 7a(5) ⁽²⁾ 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 17 January 2011 the Sanctions Committee of the United Nations Security Council decided to amend the identifying data concerning one natural person on its list of persons, groups and entities to whom the freezing of funds and economic resources should apply. On 22 January 2011 the Sanctions Committee of the United Nations Security Council decided to remove two natural persons from that list.

- (3) Annex I should therefore be amended accordingly,

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 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, 3 February 2011.

For the Commission

Catherine ASHTON

Vice-President

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

⁽²⁾ Article 7a was inserted by Regulation (EU) No 1286/2009 (OJ L 346, 23.12.2009, p. 42).

ANNEX

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

(1) The following entries under the heading 'Natural persons' are deleted:

(a) 'Ali Mohamed Abdul Aziz Al Zar'ani **Al Fakhiri** (*alias* Ibn Al-Shaykh Al-Libi). Address: Ajdabiya, Libya. Date of birth: 1963. Other information: (a) Married to Aliya al Adnan (Syrian national), (b) Apprehended in 2001.'

(b) Joko Pitono (*alias* (a) Joko Pitoyo, (b) Joko Pintono, (c) Dulmatin, (d) Dul Matin, (e) Abdul Martin, (f) Abdul Matin, (g) Amar Umar, (h) Amar Usman, (i) Anar Usman, (j) Djoko Supriyanto, (k) Jak Imron, (l) Mukhtar, (m) Novianto, (n) Topel). Date of birth: (a) 16.6.1970, (b) 6.6.1970. Place of birth: Petarukan village, Pemalang, Central Java, Indonesia. Nationality: Indonesian.

(2) The entry 'Tufail, Mohammed (aka Tufail, S.M.; aka Tufail, Sheik Mohammed); nationality: Pakistani' shall be replaced by the following:

'Mohammed **Tufail** (*alias* (a) Tufail, S.M., (b) Tufail, Sheik Mohammed). Date of birth: 5.5.1930. Nationality: Pakistani. Other information: Served as a director of Ummah Tameer e-Nau (UTN). Date of designation referred to in Article 2a(4)(b): 24.12.2001.'

COMMISSION REGULATION (EU) No 99/2011**of 3 February 2011****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) ⁽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 4 February 2011.

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

Done at Brussels, 3 February 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
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	91,2
	JO	85,0
	MA	58,0
	TN	125,1
	TR	102,9
	ZZ	92,4
0707 00 05	JO	87,5
	MA	100,1
	TR	182,6
	ZZ	123,4
0709 90 70	MA	52,1
	TR	127,0
	ZA	57,4
	ZZ	78,8
0709 90 80	EG	82,2
	ZZ	82,2
0805 10 20	AR	41,5
	BR	41,5
	EG	53,5
	IL	67,8
	MA	58,4
	TN	58,3
	TR	69,5
	ZA	41,5
0805 20 10	ZZ	54,0
	IL	171,2
	MA	63,9
	TR	79,6
	ZZ	104,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	57,1
	EG	57,7
	IL	98,7
	JM	82,9
	MA	108,1
	PK	51,1
	TR	64,1
	US	79,6
	ZZ	74,9
0805 50 10	AR	45,3
	EG	41,5
	MA	56,7
	TR	58,6
	UY	45,3
	ZZ	49,5
0808 10 80	BR	55,2
	CL	90,0
	CN	82,1
	MK	42,6
	US	114,4
	ZZ	76,9
0808 20 50	CN	49,7
	US	130,5
	ZA	120,7
	ZZ	100,3

⁽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 (EU) No 100/2011**of 3 February 2011****fixing the minimum selling price for skimmed milk powder for the 15th individual invitation to tender within the tendering procedure opened by Regulation (EU) No 447/2010**

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) ⁽¹⁾, and in particular Article 43(j), in conjunction with Article 4 thereof,

Whereas:

- (1) Commission Regulation (EU) No 447/2010 ⁽²⁾ has opened the sales of skimmed milk powder by a tendering procedure, in accordance with the conditions provided for in Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention ⁽³⁾.
- (2) In the light of the tenders received in response to individual invitations to tender, the Commission should fix a minimum selling price or should decide not to fix a

minimum selling price, in accordance with Article 46(1) of Regulation (EU) No 1272/2009.

- (3) In the light of the tenders received for the 15th individual invitation to tender, a minimum selling price should be fixed.
- (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

For the 15th individual invitation to tender for selling of skimmed milk powder within the tendering procedure opened by Regulation (EU) No 447/2010, in respect of which the time limit for the submission of tenders expired on 1 February 2011, the minimum selling price for skimmed milk powder shall be EUR 240,00/100 kg.

Article 2

This Regulation shall enter into force on 4 February 2011.

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

Done at Brussels, 3 February 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 126, 22.5.2010, p. 19.

⁽³⁾ OJ L 349, 29.12.2009, p. 1.

DECISIONS

COUNCIL IMPLEMENTING DECISION

of 7 December 2010

on granting Union financial assistance to Ireland

(2011/77/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 407/2010 of 11 May 2010 establishing a European financial stabilisation mechanism ⁽¹⁾, and in particular Article 3(3) thereof,

Whereas:

(1) Ireland has recently come under increasing pressure in financial markets, reflecting rising concerns about the sustainability of the Irish public finances in view of comprehensive public support measures to the weakened financial sector. Due to its excessive exposure to real estate and construction projects, the domestic banking system has experienced large losses in the aftermath of the collapse of those sectors. The current crisis in the economic and banking sectors has also had a dramatic impact on Ireland's public finances, compounding the impact of the recession. Falling tax revenue and an increase in cyclical expenditure, in particular due to rising unemployment, have contributed to a high general government deficit and a steep increase in debt, compared to the favourable pre-crisis positions and despite the implementation of five important fiscal consolidation packages since mid-2008. Support measures for the banking sector, including significant capital injections, have added greatly to the deterioration in the public finance position. Current market concerns primarily reflect the fact that the solvency of the Irish sovereign and the banking system have become inextricably linked in the crisis; they have led to a steep increase in Irish sovereign bond yields, while the domestic banking system is effectively cut off from international market funding.

(2) In view of this severe economic and financial disturbance caused by exceptional occurrences beyond the control of the government, the Irish authorities officially requested financial assistance from the European Union, the

Member States whose currency is the euro and the International Monetary Fund (IMF) on 21 November 2010 with a view to supporting the return of the economy to sustainable growth, ensuring a properly-functioning banking system and safeguarding financial stability in the Union and in the euro zone. On 28 November 2010, an agreement at technical level was reached in respect of a comprehensive policy package for the period 2010-2013.

(3) The draft economic and financial adjustment programme (the 'Programme') submitted to the Council and the Commission aims at restoring financial market confidence in the Irish banking sector and the sovereign, enabling the economy to return to sustainable growth. To achieve these goals, the Programme contains three main elements. First, a financial sector strategy which comprises fundamental downsizing, deleveraging and reorganisation of the banking sector, complemented by appropriate recapitalisation to the extent needed. Second, an ambitious fiscal consolidation strategy, building on the National Recovery Plan 2011-2014 published by the Irish authorities on 24 November 2010. The plan sets out detailed fiscal consolidation measures aiming at putting gross public debt on a firm downward path in the medium term. The authorities are committed to reducing the deficit to below 3 % of GDP by 2015, the revised deadline set by the Council on 7 December 2010. Third, also building on the National Recovery Plan, the Programme sets out an ambitious structural reform agenda, notably in the labour market, with a view to facilitating adjustment and strengthening the economy's growth potential. In support of this ambitious policy package, the Irish authorities are requesting financial assistance from the Union and the Member States whose currency is the euro, and bilateral loans from the United Kingdom, Sweden, Denmark and the IMF.

(4) Under the Commission's current projections for nominal GDP growth (1,4 % in 2011, 2,7 % in 2012 and 3,8 % in 2013), the fiscal adjustment path specified in Council Recommendation of 7 December 2010 with a view to bringing to an end the situation of an excessive deficit

⁽¹⁾ OJ L 118, 12.5.2010, p. 1.

in Ireland is consistent with a path for the debt-to-GDP ratio of 98,9 % in 2010, 113,5 % in 2011, 120,0 % in 2012 and 121,8 % in 2013. The debt-to-GDP ratio would therefore be stabilised in 2013 and be placed on a declining path thereafter, assuming further progress in the reduction of the deficit. Debt dynamics are affected by several below-the-line operations, which are projected to increase the debt-to-GDP ratio by 5,3 percentage points (pps.) of GDP in 2011 and 0,8 pps. of GDP in 2012, and to reduce it by 1,3 pps. of GDP in 2013. These include projected capital injections into banks in 2011, reductions in cash reserves, and differences between accrued and cash interest payments.

- (5) The assessment by the Commission, in liaison with the European Central Bank (ECB), is that Ireland needs financing of a total amount of EUR 85 billion (85 000 million) over the period from December 2010 to the end of 2013. Notwithstanding the significant fiscal adjustment, the financing gap for the sovereign may amount to EUR 50 billion over the period of the Programme. This assumes roll-over rates for maturing long-term debt of 0 % until the end of 2011, 20 % in 2012, and 80 % in 2013. Conservative roll-over assumptions are also made regarding short-term debt. The financial sector strategy contained in the Programme to restore confidence in the Irish banking system on a sustainable basis contains a banking support scheme of up to EUR 35 billion. This comprises an immediate capital injection of up to EUR 10 billion into selected banks to bring their core tier 1 capital ratio to 12 %, while also funding early measures to support deleveraging and taking account of haircuts on the additional loans to be transferred to the National Asset Management Agency (NAMA). Further provisions of contingency capital of EUR 25 billion should provide assurance that banks are able to meet current and future capital requirements. Actual funding needs may, however, be substantially lower, in particular if market conditions improve significantly and no severe unexpected banking losses materialise during the period of the Programme.
- (6) The Programme would be financed through contributions from external sources and the use of Irish financial buffers. The Union's assistance to Ireland would reach up to EUR 22,5 billion under the European financial stabilisation mechanism (EFSM) established by Regulation (EU) No 407/2010. This would be part of total support provided by Ireland's European partners amounting to EUR 45 billion. Further to the support from the EFSM, loans from Ireland's partner countries in the Union would include contributions from the European Financial Stability Facility (EUR 17,7 billion), and bilateral lending support from the United Kingdom, Sweden, and Denmark (EUR 4,8 billion in total). In addition, Ireland has requested a loan from the IMF of 19,5 billion Special Drawing Rights (equivalent to around EUR 22,5 billion) under an Extended Fund Facility. The Irish contribution would be EUR 17,5 billion, and would

come from the use of the existing Treasury cash reserve and contributions from the National Pensions Reserve Fund. The support from the EFSM needs to be supplied on terms and conditions similar to those of the IMF.

- (7) The Council should review on a regular basis the economic policies implemented by Ireland, in particular in the context of the annual reviews of Ireland's update of the stability programme and implementation of the National Reform Programme, as well as under the excessive deficit procedure.
- (8) The Union financial assistance should be managed by the Commission. The specific economic policy conditions agreed with Ireland should be laid down in a Memorandum of Understanding on Specific Economic Conditionality (the 'Memorandum of Understanding'). The detailed financial terms should be laid down in a Loan Facility Agreement.
- (9) The Commission, in consultation with the ECB, should verify at regular intervals that the economic policy conditions attached to the assistance are fulfilled, through missions and regular reporting by the Irish authorities, on a quarterly basis.
- (10) Throughout the implementation of the Programme, the Commission should provide additional policy advice and technical assistance in specific areas.
- (11) The operations which the Union financial assistance helps to finance must be compatible with Union policies and comply with the law of the Union. Interventions in support of financial institutions must be carried out in accordance with the Union's rules on competition. The Commission, working together with the ECB and the IMF, intends to involve Member States as appropriate in the design and implementation of the prudential liquidity assessment (PLAR) and in the development of the strategy for the future structure, functioning and viability of Irish credit institutions.
- (12) The assistance should be provided with a view to supporting the successful implementation of the Programme,

HAS ADOPTED THIS DECISION:

Article 1

1. The Union shall make available to Ireland a loan amounting to a maximum of EUR 22,5 billion, with a maximum average maturity of 7½ years.

2. The financial assistance shall be made available during 3 years starting from the first day after the entry into force of this Decision.

3. The Union financial assistance shall be made available by the Commission to Ireland in a maximum of 13 instalments. An instalment may be disbursed in one or several tranches. The maturities of the tranches under the first instalment may be longer than the maximum average maturity referred to in paragraph 1. In such cases, the maturities of further tranches shall be set so that the maximum average maturity referred to in paragraph 1 be achieved once all instalments have been disbursed.

4. The first instalment shall be released subject to the entry into force of the Loan Agreement and the Memorandum of Understanding. Any subsequent loan releases shall be conditional upon a favourable quarterly assessment by the Commission, in consultation with the ECB, of Ireland's compliance with the general economic policy conditions as defined by this Decision and the Memorandum of Understanding.

5. Ireland shall pay the actual cost of funding of the Union for each tranche plus a margin of 292,5 basis points, which results in conditions similar to those of the IMF support.

6. In addition, costs referred to in Article 7 of Regulation (EU) No 407/2010 shall be charged to Ireland.

7. If required in order to finance the loan, the prudent use of interest rate swaps with counterparties of the highest credit quality shall be permitted.

8. The Commission shall decide on the size and release of further instalments. The Commission shall decide on the size of the tranches.

Article 2

1. The assistance shall be managed by the Commission in a manner consistent with Ireland's undertakings and with recommendations by the Council, in particular the Recommendations addressed to Ireland in the context of the implementation of its National Reform Programme as well as in the context of the implementation of the Stability and Growth Pact.

2. The Commission, in consultation with the ECB, shall agree with the Irish authorities the specific economic policy conditions attached to the financial assistance as set out in Article 3. Those conditions shall be laid down in a

Memorandum of Understanding to be signed by the Commission and the Irish authorities consistent with the undertakings and recommendations referred to in paragraph 1. The detailed financial terms shall be laid down in a Loan Facility Agreement to be concluded with the Commission.

3. The Commission, in consultation with the ECB, shall verify at regular intervals that the economic policy conditions attached to the assistance are fulfilled, and report to the Economic and Financial Committee before disbursement of each instalment. To this end, the Irish authorities shall cooperate in full with the Commission and the ECB, and shall place all the necessary information at their disposal. The Commission shall keep the Economic and Financial Committee informed of possible refinancing of the borrowings, or restructuring of the financial conditions.

4. Ireland shall adopt and implement additional consolidation measures to ensure macro-financial stability, in case such measures will be necessary during the programme of assistance. The Irish authorities shall consult the Commission and the ECB in advance of the adoption of any such additional measures.

Article 3

1. The economic and financial adjustment programme (the 'Programme') prepared by the Irish authorities is hereby approved.

2. The disbursement of each further instalment shall be made on the basis of a satisfactory implementation of the Programme to be included in the Stability Programme of Ireland, in the National Reform Programme and, more particularly, the specific economic policy conditions laid down in the Memorandum of Understanding. These shall include, inter alia, the measures provided for in paragraphs 4 to 9 of this Article.

3. The general government deficit shall not exceed 10,6 % of projected GDP in 2011, 8,6 % of GDP in 2012 and 7,5 % of GDP in 2013, in order to place Ireland on track to reduce the deficit to below 3 % of GDP by 2015. The projected annual deficit path does not incorporate the possible direct effect of potential bank support measures in the context of the government's financial sector strategy as set out in the Memorandum of Economic and Financial Policies and specified in the Memorandum of Understanding. Further, this path is consistent with the preliminary view of the Commission (Eurostat) on the ESA95 accounting treatment of time of recording of interest payments on promissory notes payable to Anglo Irish Bank⁽¹⁾, such that a revision of that view would result in a revision of the deficit path.

⁽¹⁾ See http://epp.eurostat.ec.europa.eu/portal/page/portal/government_finance_statistics/methodology/advice_member_states

4. Ireland shall adopt the measures specified in paragraphs 7 to 9 before the end of the indicated year, with exact deadlines for the years 2011-2013 being specified in the Memorandum of Understanding. Ireland shall stand ready to take additional consolidation measures to reduce the deficit to below 3 % of GDP by 2015 in case downside risks to the deficit targets specified in paragraph 3 of this Article materialise.

5. With a view to restoring confidence in the financial sector, Ireland shall adequately recapitalise, rapidly deleverage and thoroughly restructure the banking system as set out in the Memorandum of Understanding. In that regard, Ireland shall develop and agree with the European Commission, the ECB and the IMF a strategy for the future structure, functioning and viability of the Irish credit institutions which will identify how to ensure that they are able to operate without further state support. In particular, Ireland shall:

- (a) take action to ensure that Allied Irish Banks, Bank of Ireland, Educational Building Society and Irish Life and Permanent are recapitalised in the form of equity, if needed, so as to ensure that the minimum capital requirement of 10,5 % core tier 1 capital will be maintained, depending on the results of the Prudential Capital Adequacy Review for 2011;
- (b) implement the divestiture of participations in banks acquired during the crisis within the shortest timeframe possible, in a manner compatible with financial stability and public finance considerations;
- (c) implement a specific plan for the resolution of Anglo Irish Bank and Irish Nationwide Building Society, which will seek to minimise capital losses arising from the working out of these non-viable credit institutions;
- (d) by the end of 2010, submit draft legislation to the *Oireachtas* (Parliament) on financial stabilisation and restructuring of credit institutions which will, inter alia, address burden sharing by subordinated debt bond holders;
- (e) by the end of March 2011, submit draft legislation to the *Oireachtas* on a special resolution regime for banks and building societies, and improved procedures for early intervention in distressed banks by the Central Bank of Ireland.

6. Ireland shall adopt the following measures before the end of 2010:

Adoption of a budget for 2011 including fiscal consolidation measures in a total amount of EUR 6 billion aiming at a reduction of the general government deficit within the timeframe referred to in paragraph 3. The budget shall include revenue measures to raise at least EUR 1,4 billion in 2011, including a lowering of personal income tax bands and credits or equivalent measures to yield EUR 945 000 000 in 2011; a reduction in pension tax relief and pension related deductions to yield EUR 155 000 000 in 2011; a reduction in general tax expenditures to yield EUR 220 000 000 in 2011; increases in excises and miscellaneous tax measures to raise EUR 80 000 000 in 2011. In addition, the budget shall specify that the government will outline methods to raise at least EUR 700 000 000 in one-off and other measures in 2011. The budget shall also include a reduction of current expenditure in 2011 of at least EUR 2,09 billion, including: social protection expenditure reductions; a reduction of public service employment; a reduction of existing public service pensions on a progressive basis averaging over 4 %; other expenditure savings, including cuts in goods and services spending and in other transfer payments; a reduction of at least EUR 1,8 billion in public capital expenditure against existing plans for 2011. In exceptional circumstances, other measures yielding comparable savings shall be considered, in close consultation with the Commission.

7. Ireland shall adopt the following measures during 2011, in line with specifications in the Memorandum of Understanding:

- (a) a 10 % pay reduction for new entrants to the public service. The Irish government shall also consider an appropriate adjustment, including in relation to the public service wage bill, to compensate for potential shortfalls from projected savings from administrative efficiencies and public service numbers reductions;
- (b) the adoption of a budget for 2012 including fiscal consolidation measures amounting to at least EUR 3,6 billion and aiming at a reduction of the general government deficit within the timeframe referred to in Article 3(3). The draft budget shall, in particular, include revenue measures to yield EUR 1,5 billion in a full year including, inter alia: a lowering of personal income tax bands and credits; a reduction in private pension tax relief; a reduction in general tax expenditure; a new property tax; a reform of capital gains tax and capital acquisitions tax; and, an increase in the carbon tax. The budget shall provide for a reduction of expenditure in 2012 of EUR 2,1 billion including social expenditure reductions; cuts in public sector employment; adjustments in public sector pensions and in other expenditure set out in the Programme; and reductions in capital expenditure;

- (c) the finalisation of an independent assessment of transfer of responsibility for water services provision from local authorities to a water utility, and preparation of proposals for implementation with a view to starting charging in 2012-2013;
 - (d) the adoption of legislation to increase the state pension age to 66 years in 2014, 67 in 2021, and 68 in 2028, with a view to enhancing the long-term sustainability of the public finances. Further, pension entitlements for new entrants to the public service shall be reformed with effect from 2011. This shall include a review of accelerated retirement for certain categories of public servants and an indexation of pensions to consumer prices. Pensions shall be based on career average earnings. New entrants' retirement age shall be linked to the state pension retirement age;
 - (e) the adoption of measures reinforcing a credible budgetary strategy and strengthening the budgetary framework. Ireland shall adopt and implement the fiscal rule that any additional unplanned revenues in the period 2011-2015 will be allocated to deficit and debt reduction. In accordance with the proposal set out in the National Recovery Plan 2011-2014, Ireland shall establish a budgetary advisory council to provide an independent assessment of the government's budgetary position and forecasts. Ireland shall adopt a fiscal responsibility law introducing a medium-term expenditure framework with binding multi-annual ceilings on expenditure in each area. This shall be adopted taking into account any revised economic governance reforms at the level of the Union and shall build on reforms already in place;
 - (f) Ireland shall adopt legislative changes to remove restrictions to trade and competition in sheltered sectors including the legal profession, medical services and the pharmacy profession;
 - (g) the recapitalisation of Irish domestic banks to an initial level of 12 % core tier 1 capital, taking account of haircuts on the additional loans to be transferred to NAMA, and funding of early deleveraging by making available EUR 10 billion in the system. The recapitalisation shall take the form of equity shares (or equivalent instruments for the Educational Building Society);
 - (h) the introduction of legislation to reform the minimum wage in such a way to foster job creation and act to prevent distortions caused by sectoral minimum wages, and undertaking, in agreement with the Commission, an independent review of the framework Registered Employment Agreements and Employment Regulation Orders;
 - (i) a reform of the unemployment benefit system to enhance incentives for an early exit from unemployment. Activation measures shall be strengthened by better identifying job seekers' needs, enhancing engagement, and developing sanctions to ensure job search or training by beneficiaries; this shall be underpinned by more effective monitoring. The sanctions mechanism shall be set to cause an effective loss of income without being excessively penal;
 - (j) the publication of an in-depth review of the personal debt regime, and start of work on a reform of legislation which will balance the interests of both creditors and debtors;
 - (k) the preparation of a report providing an independent assessment of the electricity and gas sectors to assist with public financing needs, as well as to increase competition. The Irish authorities shall consult with the Commission on the results of this assessment with a view to setting appropriate targets;
 - (l) enhancing competition in open markets; legislation shall be reformed to generate more credible deterrence by providing for the possible imposition of fines and other sanctions in competition cases. In addition, the competition authorities will be required to identify sectors which are effectively outside the scope of competition law and identify processes to address those exclusions;
 - (m) encouraging growth in the retail sector; the government will conduct a study to examine the economic impact of eliminating the current cap on the size of retail premises with a view to enhancing competition and lowering prices for consumers. Implementation of the policy of the study will be discussed with the Commission.
8. Ireland shall adopt the following measures during 2012, in line with specifications in the Memorandum of Understanding:
- (a) the adoption of a budget for 2013 including fiscal consolidation measures amounting to at least EUR 3,1 billion aiming at a reduction of the general government deficit within the timeframe referred to in Article 3(3). In particular, the budget shall include revenue measures to raise at least EUR 1,1 billion (inclusive of carryover from 2012), including: a lowering of personal income tax bands and credits; a reduction in private pension tax relief; a reduction in general tax expenditures and an introduction of property tax. The budget shall also provide for a reduction in expenditure in 2013 of at least EUR 2 billion, including: social expenditure reductions; a reduction of public service employment; public service pension adjustments; cuts in other expenditure set out in the Programme; and reductions in capital expenditure;

- (b) the submission of legislation to the *Oireachtas* to reform the personal debt regime with a view to ensuring a better balance of the interests of both creditors and debtors.

9. In order to ensure the smooth implementation of the Programme's conditionality, and to help to correct imbalances in a sustainable way, the Commission shall provide continued advice and guidance on fiscal, financial market and structural reforms. Within the framework of the assistance to be provided to Ireland, together with the IMF and in liaison with the ECB, it shall periodically review the effectiveness and economic and social impact of the agreed measures, and shall recommend necessary corrections with a view to enhancing growth and job creation, securing the necessary fiscal consolidation and minimising harmful social impacts, particularly regarding the most vulnerable members of Irish society.

Article 4

Ireland shall open a special account with the Central Bank of Ireland for the management of the Union financial assistance.

Article 5

This Decision is addressed to Ireland.

Article 6

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

Done at Brussels, 7 December 2010.

For the Council

The President

D. REYNERS

COMMISSION DECISION**of 3 February 2011****on certain measures to prevent the transmission of the African swine fever virus from Russia to the Union***(notified under document C(2011) 503)***(Text with EEA relevance)****(2011/78/EU)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular the third indent of Article 22(1) thereof,

Whereas:

- (1) African swine fever is a highly contagious virus infection of domestic pigs and wild boars, with the potential for very serious and rapid spread, irrespective of national borders.
- (2) Since 2007, Russia has been reporting numerous outbreaks of African swine fever in pigs and wild boars throughout the country.
- (3) In January 2011 an outbreak of African swine fever was reported close to the Union border, in the region of Saint Petersburg. The presence of that disease close to the Union border constitutes a serious risk to the livestock population in the Union.
- (4) The transporter should ensure that for each vehicle used for the transport of animals a register containing information on cleansing and disinfection is retained for a minimum period of 3 years according to Council Directive 64/432/EEC ⁽²⁾.
- (5) Import of pigs and pig meat products is not permitted from Russia, however the virus causing the disease persists also in a contaminated environment outside the host animal and can be introduced into the Union with vehicles which have transported pigs.
- (6) It is therefore necessary to adopt certain protection measures at Union level taking into account the risk of the spread of the disease, virus survival in the

environment and potential routes of its transmission. In particular, it is necessary to ensure that vehicles which have transported pigs and which enter the Union from Russia are appropriately cleansed and disinfected.

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

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of this Decision, 'livestock vehicle' means any vehicle being used or which has been used for the transport of pigs.

Article 2

Member States shall ensure that the operator or driver of a livestock vehicle on arrival from Russia at the point of entry into the territory of the Union provides information to the competent authority of the Member State showing that the vehicle has been cleansed and disinfected after the last unloading of pigs.

That information may be presented in the form of a declaration as set out in Annex I or in another equivalent form. If the information is presented in another form, it shall cover the items set out in that Annex. The original of the declaration shall be kept by the competent authority and its copy by the operator/driver of the livestock vehicle.

Article 3

The competent authority of the Member State of the point of entry into the Union shall check livestock vehicles entering the territory of the Union from Russia, in order to determine whether they have been satisfactorily cleansed and disinfected.

If cleansing and disinfection have been satisfactorily carried out, the competent authority shall issue a certificate in accordance with the model set out in Annex II. The original of the certificate shall be kept by the operator/driver of the livestock vehicle and its copy should be kept by the competent authority.

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.

⁽²⁾ OJ 121, 29.7.1964, p. 1977/64.

If cleansing and disinfection have not been satisfactorily carried out, the competent authority may:

- (a) refuse the entry into the territory of the Union of the livestock vehicle; or
- (b) subject the livestock vehicle to proper cleansing and disinfection at a place designated by the competent authority, as close as possible to the point of entry into the territory of the Union in the Member State concerned.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 3 February 2011.

For the Commission

John DALLI

Member of the Commission

ANNEX I

Model declaration to be provided by the operator/driver of the livestock vehicle

I, the operator/driver of the livestock vehicle, declare that:
(insert number of registration plate)

— the most recent unloading of animals took place at:

Country, region, place	Date (dd.mm.yy)	Time (hh:mm)

— following unloading, the livestock vehicle was subject to cleansing and disinfection. The cleansing and disinfection included the livestock compartment, loading ramp, the wheels and the driver's cabin and protective clothes/boots used during unloading.

The cleansing and disinfection took place:

Country, region, place	Date (dd.mm.yy)	Time (hh:mm)

— the disinfectant has been used at the concentrations recommended by the manufacturer (to indicate the substance and its concentration):

Date	Place	Signature of the operator/driver

Name of operator/driver of the livestock vehicle and its business address (in block letters):

ANNEX II

Cleansing and disinfection certificate for livestock vehicles used for the transport of pigs and entering the territory of the Union from Russia

I, the undersigned official, certify that I have checked:

1. the livestock vehicle(s) with the registration plate(s) today and by
(insert number(s) of registration plate(s))
 visual control found the loading area satisfactorily cleansed,

2. the information presented in the form of a declaration as set out in Annex I to Commission Decision 2011/78/EU or in another equivalent form covering the items set out in Annex I to Decision 2011/78/EU.

Date	Time	Place	Competent authority	Signature of the official ⁽¹⁾
Stamp:	Name in block letters:			

⁽¹⁾ The colour of the stamp and the signature must be different from that of the printing.

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