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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/888

of 29 May 2015

entering a name in the register of protected designations of origin and protected geographical indications (Arroz Carolino do Baixo Mondego (PGI))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Portugal's application to register the name 'Arroz Carolino do Baixo Mondego' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Arroz Carolino do Baixo Mondego' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Arroz Carolino do Baixo Mondego' (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.6. — Fruit, vegetables and cereals fresh or processed, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.

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*.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 25, 24.1.2015, p. 18.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

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

Done at Brussels, 29 May 2015.

*For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission*

COMMISSION IMPLEMENTING REGULATION (EU) 2015/889**of 10 June 2015****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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 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 XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 10 June 2015.

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

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, 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	MA	125,6
	MK	79,0
	TR	76,6
	ZZ	93,7
0707 00 05	MK	39,4
	TR	121,3
	ZZ	80,4
0709 93 10	TR	121,5
	ZZ	121,5
0805 50 10	AR	111,5
	BO	147,7
	BR	107,1
	TR	111,0
	ZA	137,7
	ZZ	123,0
	AR	179,0
	BR	100,0
0808 10 80	CL	157,0
	NZ	148,4
	US	136,0
	ZA	141,7
	ZZ	143,7
	TR	241,9
	ZZ	241,9
	TR	367,5
0809 29 00	US	525,9
	ZZ	446,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL DECISION (EU) 2015/890

of 8 June 2015

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex II (Technical regulations, standards, testing and certification) of the EEA Agreement (Novel foods)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex II to the EEA Agreement.
- (3) Annex II to the EEA Agreement contains specific provisions and arrangements concerning technical regulations, standards, testing and certification.
- (4) Regulation (EC) No 258/97 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Regulation (EC) No 1852/2001 ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Recommendation 97/618/EC ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (7) Article 38 of Regulation (EC) No 1829/2003 of the European Parliament and of the Council ⁽⁶⁾ amends Regulation (EC) No 258/97 and is to be incorporated into the EEA Agreement.
- (8) Annex II to the EEA Agreement should therefore be amended accordingly.
- (9) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft Decision,

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients (OJ L 43, 14.2.1997, p. 1).

⁽⁴⁾ Commission Regulation (EC) No 1852/2001 of 20 September 2001 laying down detailed rules for making certain information available to the public and for the protection of information submitted pursuant to European Parliament and Council Regulation (EC) No 258/97 (OJ L 253, 21.9.2001, p. 17).

⁽⁵⁾ Commission Recommendation 97/618/EC of 29 July 1997 concerning the scientific aspects and the presentation of information necessary to support applications for the placing on the market of novel foods and novel food ingredients and the preparation of initial assessment reports under Regulation (EC) No 258/97 of the European Parliament and of the Council (OJ L 253, 16.9.1997, p. 1).

⁽⁶⁾ Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Luxembourg, 8 June 2015.

For the Council

The President

D. REIZNIECE-OZOLA

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2015

of ...

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EC) No 1852/2001 of 20 September 2001 laying down detailed rules for making certain information available to the public and for the protection of information submitted pursuant to European Parliament and Council Regulation (EC) No 258/97 ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Recommendation 97/618/EC of 29 July 1997 concerning the scientific aspects and the presentation of information necessary to support applications for the placing on the market of novel foods and novel food ingredients and the preparation of initial assessment reports under Regulation (EC) No 258/97 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Article 38 of Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed ⁽⁴⁾ amends Regulation (EC) No 258/97 and is to be incorporated into the EEA Agreement.
- (5) This Decision concerns legislation regarding foodstuffs. Legislation regarding foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (6) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Chapter XII of Annex II to the EEA Agreement shall be amended as follows:

1. The following is added after point 97 (Regulation (EU) No 1169/2011 of the European Parliament and of the Council):

‘98. **31997 R 0258:** Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients (OJ L 43, 14.2.1997, p. 1), as amended by:

- **32003 R 1829:** Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 (OJ L 268, 18.10.2003, p. 1),
- **32008 R 1332:** Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 7).

⁽¹⁾ OJ L 43, 14.2.1997, p. 1.

⁽²⁾ OJ L 253, 21.9.2001, p. 17.

⁽³⁾ OJ L 253, 16.9.1997, p. 1.

⁽⁴⁾ OJ L 268, 18.10.2003, p. 1.

The provisions of the Regulation shall, for the purpose of this Agreement, be read with the following adaptations:

The following shall be added to Article 7:

“When the Commission takes authorization decisions, the EFTA States will simultaneously and within 30 days of the Community Decision, take corresponding decisions. The EEA Joint Committee shall be informed, and shall periodically publish lists of such decisions in the EEA Supplement to the Official Journal.

Should any disagreement between the contracting parties arise to the administration of these provisions, Part VII of the Agreement shall apply *mutatis mutandis*.”

99. **32001 R 1852**: Commission Regulation (EC) No 1852/2001 of 20 September 2001 laying down detailed rules for making certain information available to the public and for the protection of information submitted pursuant to European Parliament and Council Regulation (EC) No 258/97 (OJ L 253, 21.9.2001, p. 17).’.
2. Under the heading ‘ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT’ the following point is added after point 16 (Commission Recommendation 2013/647/EU):
- ‘17. **31997 H 0618**: Commission Recommendation 97/618/EC of 29 July 1997 concerning the scientific aspects and the presentation of information necessary to support applications for the placing on the market of novel foods and novel food ingredients and the preparation of initial assessment reports under Regulation (EC) No 258/97 of the European Parliament and of the Council (OJ L 253, 16.9.1997, p. 1).’.

Article 2

The texts of Regulations (EC) No 258/97, (EC) No 1852/2001 and (EC) No 1829/2003 and Recommendation 97/618/EC, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on ..., provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, ...

For the EEA Joint Committee
The President

...

The Secretaries
to the EEA Joint Committee

...

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COUNCIL DECISION (EU) 2015/891**of 8 June 2015****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (budget line 04 03 01 03)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 46 and 48 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 to the EEA Agreement.
- (3) Protocol 31 to the EEA Agreement contains provisions on cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement including cooperation concerning free movement of workers, coordination of social security systems and measures for migrants, including migrants from third countries.
- (5) Protocol 31 to the EEA Agreement should therefore be amended, in order to allow for that extended cooperation to continue beyond 31 December 2014.
- (6) The position of the Union in the EEA Joint Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Luxembourg, 8 June 2015.

For the Council

The President

D. REIZNIECE-OZOLA

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2015
of
amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include cooperation concerning free movement of workers, coordination of social security systems and measures for migrants, including migrants from third countries.
- (2) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for that extended cooperation to take place from 1 January 2015,

HAS ADOPTED THIS DECISION:

Article 1

In paragraphs 5 and 13 of Article 5 of Protocol 31 to the EEA Agreement, the words 'the financial year 2014' are replaced by the words 'the financial years 2014 and 2015'.

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement (*).

It shall apply from 1 January 2015.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, .

For the EEA Joint Committee
The President

The Secretaries
to the EEA Joint Committee

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COMMISSION IMPLEMENTING DECISION (EU) 2015/892**of 9 June 2015****concerning the approval of a plan for preventive vaccination against low pathogenic avian influenza in a holding keeping mallard ducks in Portugal and certain measures restricting the movements of such poultry and their products***(notified under document C(2015) 3745)***(Only the Portuguese text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC ⁽¹⁾, and in particular Article 57(2) thereof,

Whereas:

- (1) Directive 2005/94/EC provides that Member States are to ensure that vaccination against avian influenza is prohibited on their territory, except where emergency vaccination or preventive vaccination is carried out pursuant to the conditions laid down in the relevant sections of Chapter IX of that Directive.
- (2) Section 3 of Chapter IX of Directive 2005/94/EC provides that Member States may introduce preventive vaccination in poultry or other captive birds as a long-term measure to control that disease where, on the basis of a risk assessment, they deem that certain parts of their territory, types of poultry husbandry or certain categories of poultry or other captive birds are exposed to the risk of avian influenza.
- (3) In accordance with Article 52(1)(c) of that Directive, only vaccines authorised in accordance with Directive 2001/82/EC of the European Parliament and of the Council ⁽²⁾ or Regulation (EC) No 726/2004 of the European Parliament and of the Council ⁽³⁾ are to be used for vaccination of poultry or other captive birds against avian influenza.
- (4) Low pathogenic avian influenza has been eradicated in Portugal. However, according to the results of a risk assessment, high value mallard breeding ducks kept in one holding located in Vila Nova da Barquinha in the region of Lisboa e Vale do Tejo, Ribatejo Norte, are still exposed to the potential risk of avian influenza infection, due to possible indirect contact with wild birds.
- (5) Therefore, Portugal submitted to the Commission for approval successive plans for preventive vaccination against low pathogenic avian influenza, the most recent of which was approved by Commission Implementing Decision 2013/651/EU ⁽⁴⁾ and implemented by Portugal until 31 July 2014.
- (6) As provided for by that Implementing Decision, Portugal submitted a report on the implementation of that plan to the Standing Committee on Plants, Animals, Food and Feed. That report demonstrated that virus circulation was successfully prevented in the vaccinated mallard flocks as well as in poultry holdings located in the surrounding area.
- (7) Scientific opinions of the European Food Safety Authority in 2005 ⁽⁵⁾, 2007 ⁽⁶⁾ and 2008 ⁽⁷⁾ have confirmed that preventive vaccination is a valuable tool to complement control measures for avian influenza.

⁽¹⁾ OJ L 10, 14.1.2006, p. 16.

⁽²⁾ Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p. 1).

⁽³⁾ Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p. 1).

⁽⁴⁾ Commission Implementing Decision 2013/651/EU of 8 November 2013 approving a preventive vaccination plan against low pathogenic avian influenza in a holding keeping mallard ducks in Portugal and certain provisions for their movements and products thereof (OJ L 302, 13.11.2013, p. 53).

⁽⁵⁾ Scientific Opinion on Animal health and welfare aspects of Avian Influenza (The EFSA Journal (2005) 266, 1-21).

⁽⁶⁾ Scientific Opinion on Vaccination against avian influenza of H5 and H7 subtypes in domestic poultry and captive birds (The EFSA Journal (2007) 489).

⁽⁷⁾ Scientific Opinion on Animal health and welfare aspects of avian influenza and the risks of its introduction into the EU poultry holdings (The EFSA Journal (2008) 715, 1-161).

- (8) On 1 February 2015, Portugal submitted a new plan for preventive vaccination against low pathogenic avian influenza to the Commission for approval. That plan is to be applied until 31 December 2020 ('the preventive vaccination plan').
- (9) Considering the epidemiological situation as regards low pathogenic avian influenza in Portugal, the risk associated with the type of holding concerned and the limited scope of the preventive vaccination plan, that plan should be approved and implemented until 31 December 2020.
- (10) In addition, in order to detect a potential silent virus circulation in vaccinated mallard ducks, surveillance and laboratory testing in the holding keeping the vaccinated mallard ducks and unvaccinated sentinel ducks should be carried out as set out in the preventive vaccination plan.
- (11) It is also appropriate to introduce certain restrictions on the movement and dispatch of vaccinated mallard ducks, their hatching eggs and mallard ducks derived from such ducks in accordance with the preventive vaccination plan. Due to the small number of mallard ducks present on the holding where preventive vaccination is to be carried out, as well as for reasons of traceability and logistics, vaccinated mallard ducks should not be moved from that holding, but killed after the end of their reproductive cycle in accordance with Article 18 of Council Regulation (EC) No 1099/2009 ⁽¹⁾ and safely disposed of in accordance with the requirements set out in Commission Regulation (EU) No 142/2011 ⁽²⁾.
- (12) Portugal has taken additional measures pursuant to Commission Decision 2006/605/EC ⁽³⁾ for trade in poultry intended for restocking supplies of game.
- (13) To reduce the economic impact on the holding concerned, certain derogations from movement restrictions for mallard ducks derived from vaccinated parent mallard ducks should be allowed provided that such movements do not increase the risk for the spread of avian influenza and provided that official surveillance is carried out and that the specific animal health requirements for trade within the Union are complied with.
- (14) In order for the Commission and other Member States to monitor the implementation of the preventive vaccination plan by Portugal, it is appropriate for Portugal to provide regular updates to the Standing Committee on Plants, Animals, Food and Feed.
- (15) Given that the plan should be approved for several years, Portugal might need to make certain adjustments to the preventive vaccination plan, such as the number of mallards to be vaccinated or the type of vaccine to be used, as well as a premature ending of vaccination. The present Decision should therefore foresee an obligation for Portugal to inform the Commission of such planned adjustments to which the Commission may either agree to without a necessary reapproval of the plan or for which a new approval procedure should be required.
- (16) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

1. This Decision lays down certain measures to be applied in Portugal in one holding in the municipality of Vila Nova da Barquinha, region of Lisboa e Vale do Tejo, Ribatejo Norte, where preventive vaccination of mallard ducks (*Anas platyrhynchos*) intended for restocking supplies of game ('mallard ducks') is carried out and which is exposed to the risk of the introduction of the avian influenza virus.

⁽¹⁾ Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ L 303, 18.11.2009, p. 1).

⁽²⁾ Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1).

⁽³⁾ Commission Decision 2006/605/EC of 6 September 2006 on certain protection measures in relation to intra-Community trade in poultry intended for restocking of wild game supplies (OJ L 246, 8.9.2006, p. 12).

Those measures include:

- (a) certain restrictions on the movement within and dispatch from Portugal of the vaccinated mallard ducks, their hatching eggs and mallard ducks derived therefrom;
- (b) the disposal of vaccinated mallard ducks.

2. This Decision shall apply without prejudice to the protection measures to be taken by Portugal in accordance with Directive 2005/94/EC and Decision 2006/605/EC.

Article 2

Approval of the plan for preventive vaccination

1. The plan for preventive vaccination against low pathogenic avian influenza in Portugal, as submitted by Portugal to the Commission on 1 February 2015, to be implemented on the holding referred to in Article 1(1) until 31 December 2020 ('the preventive vaccination plan') is approved.
2. The Commission shall publish the preventive vaccination plan on its website.

Article 3

Conditions for implementing the preventive vaccination plan

1. Portugal shall ensure that the preventive vaccination plan is implemented by using a monovalent inactivated vaccine containing the avian influenza subtype H5 authorised in accordance with Directive 2001/82/EC or Regulation (EC) No 726/2004.
2. Portugal shall ensure that the preventive vaccination plan is implemented as notified.

Article 4

Marking and restrictions on the movement and dispatch and disposal of vaccinated mallard ducks

Portugal shall ensure that vaccinated mallard ducks on the holding referred to in Article 1(1) are:

- (a) marked individually;
- (b) not moved to other poultry holdings within Portugal;
- (c) not dispatched from Portugal.

After their reproductive period, those mallard ducks shall be killed on the holding referred to in Article 1(1) of this Decision in accordance with the requirements of Article 18 of Regulation (EC) No 1099/2009, and their carcasses shall be safely disposed of in accordance with the requirements of Regulation (EU) No 142/2011.

Article 5

Restrictions on the movement and dispatch of hatching eggs derived from mallard ducks on the holding referred to in Article 1(1)

Portugal shall ensure that hatching eggs derived from mallard ducks on the holding referred to in Article 1(1):

- (a) are only moved to a hatchery in Portugal;
- (b) are not dispatched from Portugal.

*Article 6***Restrictions on the movement and dispatch of mallard ducks derived from vaccinated mallard ducks**

1. Portugal shall ensure that mallard ducks derived from the vaccinated parent mallard ducks are only moved after hatching from the holding referred to in Article 1(1) to a holding located in a surrounding area as established and identified by Portugal in the preventive vaccination plan.
2. By way of derogation from paragraph 1, mallard ducks derived from vaccinated parent mallard ducks and provided they are older than four months may be:
 - (a) released into the wild in Portugal; or
 - (b) dispatched from Portugal provided that:
 - (i) the results of the surveillance and laboratory tests as set out in the preventive vaccination plan, are favourable;
 - (ii) the conditions for dispatch of poultry for restocking supplies of wild game laid down in Decision 2006/605/EC are met.

*Article 7***Health certification for trade within the Union in mallard ducks derived from vaccinated parent mallard ducks**

Portugal shall ensure that health certificates for intra-Union trade in poultry intended for restocking supplies of game accompanying the mallard ducks dispatched pursuant to Article 6(2)(b) include the following sentence:

‘The animal health conditions of this consignment are in accordance with Commission Implementing Decision (EU) 2015/892 (*).

(*) OJ L 146, 11.6.2015, p. 11.’.

*Article 8***Reports and information**

1. Portugal shall submit to the Commission a report on the implementation of the preventive vaccination plan within one month from the date of notification of this Decision and report annually thereafter at the meeting of the Standing Committee on Plants, Animals, Food and Feed.
2. Portugal shall inform the Commission of the following:
 - (a) planned amendments to the preventive vaccination plan whose approval is provided for in Article 2;
 - (b) the date of ending of preventive vaccination on the holding referred to in Article 1(1).
3. The Commission must examine the amendments proposed by Portugal and shall:
 - (a) either agree to the proposed amendments to the preventive plan approved according to Article 2;
 - (b) or foresee a new approval procedure for the amended preventive vaccination plan.

*Article 9***Applicability**

This Decision shall apply until 31 December 2020.

*Article 10***Addressee**

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 9 June 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2015/893**of 9 June 2015****as regards measures to prevent the introduction into and the spread within the Union of**
Anoplophora glabripennis* (Motschulsky)(notified under document C(2015) 3772)*

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular the third sentence of Article 16(3) thereof,

Whereas:

- (1) *Anoplophora glabripennis* (Motschulsky), hereinafter the 'specified organism', is a harmful organism listed in point 4.1 of point (a) of Section I of Part A of Annex I to Directive 2000/29/EC as an organism not known to occur in the Union.
- (2) Since the adoption of Commission Decision 2005/829/EC ⁽²⁾; a number of outbreaks and findings of the specified organism have been reported at increasing frequency by Austria, Germany, France, Italy, the Netherlands and the United Kingdom. It is therefore appropriate to adopt measures to prevent the introduction into and the spread within the Union of the specified organism.
- (3) Given the similarities between the specified organism and *Anoplophora chinensis* (Forster), it is appropriate to provide for similar measures as those set out in Commission Implementing Decision 2012/138/EU ⁽³⁾ except when the biology of the specified organism requires a different approach. In particular, since the specified organism is likely to infest the part of the plants used for obtaining wood, requirements for wood and wood packaging material should be provided for.
- (4) Furthermore, the current scientific knowledge allows for the identification of the plants likely to host the specified organism. Therefore, in the interest of certainty, it is appropriate to specify the host plants that are covered by this Decision.
- (5) In the interest of clarity, it is also appropriate to specify the conditions under which Member States may decide not to fell specified plants around the infested plants.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

*Article 1***Definitions**

For the purposes of this Decision, the following definitions shall apply:

- (a) 'specified plants' means plants for planting that have a stem diameter of 1 cm or more at their thickest point, other than seeds, of *Acer* spp., *Aesculus* spp., *Alnus* spp., *Betula* spp., *Carpinus* spp., *Cercidiphyllum* spp., *Corylus* spp., *Fagus* spp., *Fraxinus* spp., *Koelreuteria* spp., *Platanus* spp., *Populus* spp., *Salix* spp., *Tilia* spp. and *Ulmus* spp.;

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.⁽²⁾ Commission Decision 2005/829/EC of 24 November 2005 repealing Decisions 1999/355/EC and 2001/219/EC (OJ L 311, 26.11.2005, p. 39).⁽³⁾ Commission Implementing Decision 2012/138/EU of 1 March 2012 as regards emergency measures to prevent the introduction into and the spread within the Union of *Anoplophora chinensis* (Forster) (OJ L 64, 3.3.2012, p. 38).

(b) 'specified wood' means wood, obtained in whole or in part of the specified plants, which fulfils all of the following points:

- (i) it is wood within the meaning of Article 2(2) of Directive 2000/29/EC, other than wood packaging material, including wood that has not retained its natural round surface; and
- (ii) it is listed among the following descriptions laid down in Annex I, Part Two to Council Regulation (EEC) No 2658/87 ⁽¹⁾, as it stood on 1 January 2015:

CN code	Description
4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
4401 22 00	Non-coniferous wood, in chips or particles
ex 4401 39 80	Other wood waste and scrap, not agglomerated in logs, briquettes, pellets or similar forms
4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood, or roughly squared
4403 92	Wood of beech (<i>Fagus</i> spp.) in the rough, whether or not stripped of bark or sapwood, or roughly squared
ex 4403 99	Non-coniferous wood (other than, beech (<i>Fagus</i> spp.), poplar (<i>Populus</i> spp.) or birch (<i>Betula</i> spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared
4403 99 10	Wood of poplar (<i>Populus</i> spp.) in the rough, whether or not stripped of bark or sapwood, or roughly squared
4403 99 51	Sawlogs of birch (<i>Betula</i> spp.) in the rough, whether or not stripped of bark or sapwood, or roughly squared
4403 99 59	Wood of birch (<i>Betula</i> spp.) in the rough, whether or not stripped of bark or sapwood, or roughly squared, other than sawlogs
ex 4404 20 00	Non-coniferous split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise
4406	Railway or tramway sleepers (cross-ties) of wood
4407 92 00	Wood of beech (<i>Fagus</i> spp.), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
4407 93	Wood of maple (<i>Acer</i> spp.), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
4407 95	Wood of ash (<i>Fraxinus</i> spp.), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm

⁽¹⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

CN code	Description
ex 4407 99	Non-coniferous wood (other than beech (<i>Fagus</i> spp.), maple (<i>Acer</i> spp.), ash (<i>Fraxinus</i> spp.) or poplar (<i>Populus</i> spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
4407 99 91	Wood of poplar (<i>Populus</i> spp.), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
9406 00 20	Prefabricated buildings of wood

- (c) 'specified wood packaging material' means packaging material obtained in whole or in part of the specified plants;
- (d) 'place of production' means the place of production as defined in the FAO International Standard for Phytosanitary Measures (hereinafter 'ISPM') No 5 ⁽¹⁾;
- (e) 'specified organism' means *Anoplophora glabripennis* (Motschulsky);
- (f) 'host plants' means plants belonging to species listed in Annex I.

Article 2

Import of the specified plants

As regards imports originating in third countries where the specified organism is known to be present, specified plants may only be introduced into the Union if they fulfil the following conditions:

- (a) they comply with the specific import requirements, as set out in point 1 of Section 1(A) of Annex II;
- (b) on entry into the Union they are inspected by the responsible official body in accordance with point 2 of Section 1(A) of Annex II for the presence of the specified organism, and no signs of that organism have been found.

Article 3

Import of specified wood

As regards imports originating in third countries where the specified organism is known to be present, specified wood may only be introduced into the Union if it fulfils the following conditions:

- (a) it complies with the specific import requirements, as set out in points 1 and 2 of Section 1(B) of Annex II;
- (b) on entry into the Union it is inspected by the responsible official body in accordance with point 3 of Section 1(B) of Annex II for the presence of the specified organism, and no signs of that organism have been found.

Article 4

Movement of specified plants within the Union

Specified plants originating in demarcated areas established in accordance with Article 7 may be moved within the Union only if they meet the conditions set out in point 1 of Section 2(A) of Annex II.

Specified plants which have not been grown in demarcated areas but are introduced into such areas may be moved within the Union only if they meet the conditions set out in point 2 of Section 2(A) of Annex II.

Specified plants imported in accordance with Article 2 from third countries where the specified organism is known to be present may be moved within the Union only if they meet the conditions set out in point 3 of Section 2(A) of Annex II.

⁽¹⁾ Glossary of Phytosanitary Terms — Reference Standard ISPM No 5 by the Secretariat of the International Plant Protection Convention, Rome, 2013.

*Article 5***Movement of specified wood and specified wood packaging material within the Union**

Specified wood originating in demarcated areas established in accordance with Article 7 may be moved within the Union only if it meets the respective conditions set out in points 1, 2 and 3 of Section 2(B) of Annex II.

Specified wood retaining all or part of its round surface not originating in demarcated areas but introduced into such areas, may be moved within the Union only if it meets the respective conditions set out in points 1 and 3 of Section 2(B) of Annex II.

Specified wood packaging material originating in demarcated areas established in accordance with Article 7 may be moved within the Union only if it meets the conditions set out in Section 2(C) of Annex II.

*Article 6***Surveys of the specified organism**

1. Member States shall conduct official annual surveys for the presence of the specified organism and for evidence of infestation by that organism on host plants in their territory.
2. Without prejudice to Article 16(1) of Directive 2000/29/EC, Member States shall notify the results of those surveys to the Commission and the other Member States by 30 April of each year.

*Article 7***Demarcated areas**

1. Where the results of the surveys referred to in Article 6(1) confirm the presence of the specified organism in an area, or there is evidence of the presence of that organism by other means, the Member State concerned shall without delay establish a demarcated area, which shall consist of an infested zone and a buffer zone, in accordance with Section 1 of Annex III.
2. Member States need not establish demarcated areas, as provided for in paragraph 1, if the conditions, as set out in point 1 of Section 2 of Annex III, are satisfied. In such a case, Member States shall take the measures as set out in point 2 of that Section.
3. Member States shall take measures in the demarcated areas, as set out in Section 3 of Annex III.
4. Member States shall set time periods for the implementation of the measures provided for in paragraphs 2 and 3.

*Article 8***Reporting on measures**

1. Member States shall by 30 April of each year communicate to the Commission and the other Member States a report including an up-to-date list of all demarcated areas established under Article 7, including information on their description and location with maps showing their delimitation, and measures that Member States have taken or intend to take.
2. In cases where Member States decide not to establish a demarcated area under Article 7(2), the report shall include justifying data and reasons.
3. Where a Member State decides, in accordance with point 2 of Section 3 of Annex III, to apply containment measures instead of eradication measures, it shall inform the Commission and the other Member States immediately of that decision setting out its reasons.

*Article 9***Compliance**

Member States shall take all measures to comply with this Decision and, if necessary, amend the measures which they have adopted to protect themselves against the introduction and spread of the specified organism in such a manner that those measures comply with this Decision. They shall immediately inform the Commission of those measures.

*Article 10***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 9 June 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX I

SPECIES OF HOST PLANTS REFERRED TO IN ARTICLE 1(f)

Acer spp.
Aesculus spp.
Albizia spp.
Alnus spp.
Betula spp.
Buddleja spp.
Carpinus spp.
Celtis spp.
Cercidiphyllum spp.
Corylus spp.
Elaeagnus spp.
Fagus spp.
Fraxinus spp.
Hibiscus spp.
Koelreuteria spp.
Malus spp.
Melia spp.
Morus spp.
Platanus spp.
Populus spp.
Prunus spp.
Pyrus spp.
Quercus rubra
Robinia spp.
Salix spp.
Sophora spp.
Sorbus spp.
Tilia spp.
Ulmus spp.

ANNEX II

1. SPECIFIC IMPORT REQUIREMENTS

A. Specified plants

(1) Specified plants originating in third countries where the specified organism is known to be present shall be accompanied by a certificate as referred to in Article 13(1)(ii) of Directive 2000/29/EC which states under the rubric 'Additional Declaration':

(a) that the plants have been grown throughout their life in a place of production which is registered and supervised by the national plant protection organisation in the country of origin and situated in a pest-free area established by that organisation in accordance with relevant International Standards for Phytosanitary Measures. The name of the pest-free area shall be mentioned under the rubric 'place of origin'; or

(b) that the plants have been grown during a period of at least two years prior to export, or in the case of plants which are younger than two years have been grown throughout their life, in a place of production established as free from the specified organism in accordance with International Standards for Phytosanitary Measures:

(i) which is registered and supervised by the national plant protection organisation in the country of origin; and

(ii) which has been subjected annually to at least two meticulous official inspections for any sign of the specified organism carried out at appropriate times and no signs of the organism have been found; and

(iii) where the plants have been grown in a site:

— with complete physical protection against the introduction of the specified organism, or

— with the application of appropriate preventive treatments and surrounded by a buffer zone with a radius of at least 2 km where official surveys for the presence or signs of the specified organism are carried out annually at appropriate times. In case presence or signs of the specified organism are found, eradication measures are immediately taken to restore the pest freedom of the buffer zone; and

(iv) where immediately prior to export consignments of the plants have been subjected to a meticulous official inspection, for the presence of the specified organism, in particular in stems and branches of the plants. This inspection shall include targeted destructive sampling. Where consignments include plants originating in sites which at the time of their production were located in a buffer zone where presence or signs of the specified organism had been found, destructive sampling of the plants of that consignment shall be carried out at the level set out in the following table:

Number of plants in lot	Level of destructive sampling (number of plants to be destroyed)
1-4 500	10 % of lot size
> 4 500	450

or

(c) that the plants have been grown from rootstocks which meet the requirements of point (b), grafted with scions which meet the following requirements:

(i) at the time of export, the grafted scions are no more than 1 cm in diameter at their thickest point;

(ii) the grafted plants have been inspected in accordance with point (b)(iv).

(2) Specified plants imported in accordance with point 1 shall be meticulously officially inspected at the point of entry or the place of destination established in accordance with Commission Directive 2004/103/EC⁽¹⁾. Inspection methods applied shall ensure the detection of any sign of the specified organism, in particular in stems and branches of the plants. This inspection shall include targeted destructive sampling, where appropriate.

⁽¹⁾ Commission Directive 2004/103/EC of 7 October 2004 on identity and plant health checks of plants, plant products or other objects, listed in Part B of Annex V to Council Directive 2000/29/EC, which may be carried out at a place other than the point of entry into the Community or at a place close by and specifying the conditions related to these checks (OJ L 313, 12.10.2004, p. 16).

B. Specified wood

(1) Specified wood other than in the form of chips, particles, shavings, wood waste and scrap originating in third countries, where the specified organism is known to be present shall be accompanied by a certificate as referred to in Article 13(1)(ii) of Directive 2000/29/EC which states under the rubric 'Additional Declaration':

- (a) that the wood originates in pest-free areas, established by the national plant protection organisation in the country of origin in accordance with relevant International Standards for Phytosanitary Measures, known to be free from the specified organism. The name of the pest-free area shall be mentioned under the rubric 'place of origin'; or
- (b) that the wood is debarked and has undergone an appropriate heat treatment to achieve a minimum temperature of 56 °C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core).

In case (b) is applicable, there shall be evidence thereof by a mark 'HT' put on the wood or on any wrapping in accordance with current usage.

(2) Specified wood in the form of chips, particles, shavings, wood waste and scrap originating in third countries, where the specified organism is known to be present shall be accompanied by a certificate as referred to in Article 13(1)(ii) of Directive 2000/29/EC which states under the rubric 'Additional Declaration':

- (a) that the wood originates in pest-free areas, established by the national plant protection organisation in the country of origin in accordance with relevant International Standards for Phytosanitary Measures, known to be free from the specified organism. The name of the pest-free area shall be mentioned under the rubric 'place of origin'; or
- (b) that the wood is debarked and has undergone an appropriate heat treatment to achieve a minimum temperature of 56 °C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core); or
- (c) that the wood has been processed into pieces of not more than 2,5 cm thickness and width.

(3) Specified wood imported in accordance with points 1 and 2 shall be meticulously officially inspected at the point of entry or the place of destination established in accordance with Directive 2004/103/EC.

2. CONDITIONS FOR MOVEMENT**A. Specified plants**

(1) Specified plants originating ⁽¹⁾ in demarcated areas may be moved within the Union only if they are accompanied by a plant passport prepared and issued in accordance with Commission Directive 92/105/EEC ⁽²⁾ and have been grown during a period of at least two years prior to movement, or in the case of plants which are younger than two years have been grown throughout their life, in a place of production:

- (a) which is registered in accordance with Commission Directive 92/90/EEC ⁽³⁾; and
- (b) which has been subjected annually to at least two meticulous official inspections for any sign of the specified organism carried out at appropriate times and no signs of the specified organism have been found; where appropriate, this inspection shall include targeted destructive sampling of the stems and branches of plants; and

⁽¹⁾ Glossary of Phytosanitary Terms — Reference Standard ISPM No 5 and Phytosanitary certificates — Reference Standard ISPM No 12 by the Secretariat of the International Plant Protection Convention, Rome, 2013.

⁽²⁾ Commission Directive 92/105/EEC of 3 December 1992 establishing a degree of standardization for plant passports to be used for the movement of certain plants, plant products or other objects within the Community, and establishing the detailed procedures related to the issuing of such plant passports and the conditions and detailed procedures for their replacement (OJ L 4, 8.1.1993, p. 22).

⁽³⁾ Commission Directive 92/90/EEC of 3 November 1992 establishing obligations to which producers and importers of plants, plant products or other objects are subject and establishing details for their registration (OJ L 344, 26.11.1992, p. 38).

(c) where the plants have been grown in a site:

- with complete physical protection against the introduction of the specified organism, or
- with the application of appropriate preventive treatments or where targeted destructive sampling is carried out on each lot of specified plants prior to movement at the level set out in the table below and, in any case, where official surveys for the presence or signs of the specified organism are carried out annually within a radius of at least 1 km around the site at appropriate times and no specified organism or signs of it were found.

Number of plants in lot	Level of destructive sampling (number of plants to be destroyed)
1-4 500	10 % of lot size
> 4 500	450

Rootstocks which meet the requirements of the first paragraph of this point may be grafted with scions which have not been grown under these conditions, but which are no more than 1 cm in diameter at their thickest point.

- (2) Specified plants not originating in demarcated areas, but introduced into a place of production in such areas, may be moved within the Union on condition that this place of production complies with the requirements set out in point 1(c) and only if the plants are accompanied by a plant passport prepared and issued in accordance with Directive 92/105/EEC.
- (3) Specified plants imported from third countries where the specified organism is known to be present in accordance with Section 1(A) may be moved within the Union only if they are accompanied by a plant passport prepared and issued in accordance with Directive 92/105/EEC.

B. Specified wood

- (1) Specified wood other than in the form of chips, particles, shavings, wood waste and scrap originating in demarcated areas or specified wood retaining all or part of its round surface not originating in but introduced into those areas, may be moved within the Union only if it is accompanied by a plant passport prepared and issued in accordance with Directive 92/105/EEC. That plant passport shall be issued only if all of the following requirements are fulfilled by the wood concerned:
 - (a) it is debarked; and
 - (b) it has undergone an appropriate heat treatment to achieve a minimum temperature of 56 °C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core). There shall be evidence thereof by a mark 'HT' put on the wood or on any wrapping in accordance with current usage.
- (2) Specified wood in the form of chips, particles, shavings, wood waste and scrap originating in demarcated areas may be moved within the Union only if it is accompanied by a plant passport prepared and issued in accordance with Directive 92/105/EEC and fulfils one of the following conditions:
 - (a) it is debarked and it has undergone an appropriate heat treatment to achieve a minimum temperature of 56 °C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core); or
 - (b) it has been processed into pieces of not more than 2,5 cm thickness and width.
- (3) In the case of points (1) or (2), if no treatment or processing facilities are available within the demarcated area, the specified wood may be moved under official control, and under closed conditions in such a manner to ensure the specified organism cannot spread, to the nearest facility outside the demarcated area to ensure immediate treatment or processing in accordance with those points.

Waste material resulting from the fulfilment of points (1) and (2) shall be disposed of in such a manner to ensure that the specified organism cannot spread outside a demarcated area.

The responsible official body shall carry out intensive monitoring at appropriate times for the presence of the specified organism through inspections on host plants within at least a radius of 1 km of that treatment or processing facility.

C. Specified wood packaging material

Specified wood packaging material originating in demarcated areas may be moved within the Union only if it fulfils the following conditions:

- (a) it has been subject to one of the approved treatments as specified in Annex I to FAO International Standard for Phytosanitary Measures No 15 ⁽¹⁾ on Regulation of wood packaging material in international trade; and
- (b) it displays a mark as specified in Annex II to that International Standard, indicating that the specified wood packaging material has been subjected to an approved phytosanitary treatment in accordance with this Standard.

If no treatment facilities are available within the demarcated area, the specified wood packaging material may be moved under official control and under closed conditions in such a manner to ensure the specified organism cannot spread, to the nearest treatment facility outside the demarcated area to ensure immediate treatment and marking in accordance with (a) and (b).

Waste material resulting from the fulfilment of this point shall be disposed of in such a manner to ensure that the specified organism cannot spread outside a demarcated area.

The responsible official body shall carry out intensive monitoring at appropriate times for the presence of the specified organism through inspections on host plants within at least a radius of 1 km of the treatment facility.

⁽¹⁾ Regulation of wood packaging material in international trade — Reference Standard ISPM No 15 by the Secretariat of the International Plant Protection Convention, Rome, 2009.

ANNEX III

ESTABLISHMENT OF DEMARCATED AREAS AND MEASURES, AS PROVIDED FOR IN ARTICLE 7**1. ESTABLISHMENT OF DEMARCATED AREAS****(1) Demarcated areas shall consist of the following zones:**

- (a) an infested zone which is the zone where the presence of the specified organism has been confirmed, and which includes all plants showing symptoms caused by the specified organism; and
- (b) a buffer zone with a radius of at least 2 km beyond the boundary of the infested zone.

(2) The exact delimitation of the zones shall be based on sound scientific principles, the biology of the specified organism, the level of infestation, the particular distribution of the host plants in the area concerned and evidence of establishment of the specified organism. In cases where the responsible official body concludes that eradication of the specified organism is possible, taking into account the circumstances of the outbreak, the results of a specific investigation or the immediate application of eradication measures, the radius of the buffer zone may be reduced to not less than 1 km beyond the boundary of the infested zone. In cases where eradication of the specified organism is no longer possible the radius cannot be reduced below 2 km.

(3) If the presence of the specified organism is confirmed outside the infested zone, the delimitation of the infested zone and buffer zone shall be reviewed and changed accordingly.

(4) Where in a demarcated area, based on the surveys referred to in Article 6(1) and on the monitoring referred to in point 1(h) of Section 3 of Annex III, the specified organism is not detected for a period that includes at least one life cycle and one additional year but in any case is not less than four consecutive years, this demarcation may be lifted. The exact length of a life cycle depends on evidence that is available for the area concerned or similar climate zone.

(5) The demarcation may also be lifted in cases where, following further investigation, the conditions set out in point 1 of Section 2 are found to be satisfied.

2. CONDITIONS UNDER WHICH NO DEMARCATED AREAS NEED TO BE ESTABLISHED

(1) In accordance with Article 7(2) Member States need not establish a demarcated area, as provided for in Article 7(1), where the following conditions are satisfied:

- (a) there is evidence either that the specified organism has been introduced into the area with the plants or wood on which it was found and there is an indication that those plants or wood were infested before their introduction into the area concerned, or that it is an isolated finding, immediately associated with a specified plant or wood or not, not expected to lead to establishment; and
- (b) it is ascertained that there is no establishment of the specified organism and that the spread and successful breeding of the specified organism is not possible due to its biology and taking into account the results of a specific investigation and eradication measures that may consist of precautionary felling and disposal of specified plants after they have been examined.

(2) Where the conditions set out in point 1 are satisfied, Member States need not establish demarcated areas, provided that they take the following measures:

- (a) immediate measures to ensure the prompt eradication of the specified organism and to exclude the possibility of its spread;
- (b) monitoring during the period covering at least one life cycle of the specified organism and one additional year including monitoring in at least four consecutive years, in a radius of at least 1 km around the infested plants or wood or the place where the specified organism was found; for the first year at least monitoring shall be regular and intensive;
- (c) the destruction of any infested plant material or wood;

- (d) tracing back to the origin of the infestation and tracing of plants or of wood associated with the case of infestation concerned as far as possible and the examination thereof for any sign of infestation; the examination shall include targeted destructive sampling;
- (e) activities to raise public awareness concerning the threat of that organism;
- (f) any other measure, which may contribute to the eradication of the specified organism, taking account of ISPM No 9 ⁽¹⁾ and applying an integrated approach according to the principles set out in ISPM No 14 ⁽²⁾.

The measures referred to in points (a) to (f) shall be presented in the form of a report referred to in Article 8.

3. MEASURES TO BE TAKEN IN DEMARCATED AREAS

(1) In demarcated areas Member States shall take the following measures to eradicate the specified organism:

- (a) the immediate felling of infested plants and plants with symptoms caused by the specified organism, and the complete removal of their roots if larval galleries are observed below the root collar of the infested plant; in cases where the infested plants were found outside the flying period of the specified organism, the felling and removal shall be carried out before the start of the next flying period;
- (b) the felling of all specified plants within a radius of 100 m around infested plants and the examination of those specified plants for any sign of infestation; in exceptional cases where a responsible official body concludes that such felling is inappropriate, due to their particular social, cultural or environmental value, the individual and regular detailed examination for any sign of infestation of all these specified plants within that radius which are not to be felled, and the application of equivalent measures to prevent any possible spread of the specified organism from those plants; the reasons for that conclusion and the description of the measure shall be notified to the Commission in the report referred to in Article 8;
- (c) removal, examination and disposal of plants felled in accordance with points (a) and (b) and of their roots where necessary; taking of all necessary precautions to avoid spreading of the specified organism during and after felling;
- (d) prevention of any movement of potentially infested material out of the demarcated area;
- (e) tracing back to the origin of the infestation and tracing of plants and wood associated with the case of infestation concerned, as far as possible, and the examination thereof for any sign of infestation; the examination shall include targeted destructive sampling;
- (f) where appropriate, replacement of specified plants by other plants;
- (g) prohibition of planting of new specified plants in the open air in an area referred to in point 1(b) of Section 3 of Annex III, except for places of production referred to in Section 2 of Annex II;
- (h) intensive monitoring for the presence of the specified organism on host plants with specific focus on the buffer zone, which shall include at least one inspection per year using techniques capable of detecting infestation at crown height. Where appropriate, targeted destructive sampling shall be carried out by the responsible official body. The number of samples shall be indicated in the report referred to in Article 8;
- (i) activities to raise public awareness concerning the threat of that organism and the measures adopted to prevent its introduction into and spread within the Union including the conditions regarding movement of specified plants and specified wood from the demarcated area established under Article 7;
- (j) where necessary, specific measures to address any particularity or complication that could reasonably be expected to prevent, hinder or delay eradication, in particular those related to the accessibility and adequate eradication of all plants that are infested or suspected of infestation, irrespective of their location, public or private ownership or the person or entity responsible for them;
- (k) any other measure, which may contribute to the eradication of the specified organism, taking account of ISPM No 9 and applying an integrated approach according to the principles set out in ISPM No 14.

The measures referred to in points (a) to (k) shall be presented in the form of a report referred to in Article 8.

⁽¹⁾ Guidelines for pest eradication programmes — Reference Standard ISPM No 9 by the Secretariat of the International Plant Protection Convention, Rome, 1998.

⁽²⁾ The use of integrated measures in a systems approach for pest risk management — Reference Standard ISPM No 14 by the Secretariat of the International Plant Protection Convention, Rome, 2002.

- (2) When the results of the surveys referred to in Article 6 during more than four consecutive years have confirmed the presence of the specified organism in an area and in case there is evidence that the specified organism can no longer be eradicated, Member States can limit the measures to the containment of the specified organism within that area. Such measures shall include at least the following:
- (a) felling of infested plants and plants with symptoms caused by the specified organism, and the complete removal of their roots if larval galleries are observed below the root collar of the infested plant; felling activities shall start immediately, however in cases where the infested plants were found outside the flying period of the specified organism, the felling and removal shall be carried out before the start of the next flying period;
 - (b) removal, examination and disposal of plants felled and of their roots where necessary; taking of necessary precautions to avoid spreading of the specified organism after felling;
 - (c) prevention of any movement of potentially infested material out of the demarcated area;
 - (d) where appropriate, replacement of specified plants by other plants;
 - (e) prohibition of planting of new specified plants in the open air in an infested area referred to in point 1(a) of Section 1 of Annex III except for places of production referred to in Section 2 of Annex II;
 - (f) intensive monitoring for the presence of the specified organism on host plants with specific focus on the buffer zone, which shall include at least one inspection per year using techniques capable of detecting infestation at crown height. Where appropriate, targeted destructive sampling shall be carried out by the responsible official body. The number of samples shall be indicated in the report referred to in Article 8;
 - (g) activities to raise public awareness concerning the threat of the specified organism and the measures adopted to prevent its introduction into and spread within the Union including the conditions regarding movement of specified plants and specified wood from the demarcated area established under Article 7;
 - (h) where necessary, specific measures to address any particularity or complication that could reasonably be expected to prevent, hinder or delay containment, in particular those related to the accessibility and adequate eradication of all plants that are infested or suspected of infestation, irrespective of their location, public or private ownership or the person or entity responsible for them;
 - (i) any other measure which may contribute to the containment of the specified organism.

The measures referred to in points (a) to (i) shall be presented in the form of a report referred to in Article 8.

COMMISSION DECISION (EU) 2015/894
of 10 June 2015
appointing a member of the European Statistical Advisory Committee

THE EUROPEAN COMMISSION,

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

Having regard to Decision No 234/2008/EC of the European Parliament and of the Council of 11 March 2008 establishing the European Statistical Advisory Committee and repealing Council Decision 91/116/EEC ⁽¹⁾, and in particular Article 4(1)(a) thereof,

Whereas:

- (1) The European Statistical Advisory Committee (ESAC) comprises 24 members.
- (2) Under Article 4(1) of Decision No 234/2008/EC, 12 members of the ESAC shall be appointed by the Commission.
- (3) By Commission Decision No 2014/C 138/02 of 5 May 2014, the Commission appointed 8 members of the ESAC and established a reserve list to be used in case of resignation or unexpected unavailability of an appointed member.
- (4) As one of the members appointed by Decision No 2014/C 138/02 has resigned, the Commission should appoint a new member of the ESAC from the reserve list, for a term expiring on the same day as that of the members appointed by Decision No 2014/C 138/02.
- (5) Selection from the reserve list should endeavour to maintain the balance between user groups,

HAS ADOPTED THIS DECISION:

Article 1

Ms Asta Manninen is hereby appointed as a member of the European Statistical Advisory Committee for a term expiring on 8 May 2019.

Article 2

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

Done at Brussels, 10 June 2015.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ OJ L 73, 15.3.2008, p. 13.

CORRIGENDA**Corrigendum to Council Regulation (EU) 2015/735 of 7 May 2015 concerning restrictive measures in respect of the situation in South Sudan, and repealing Regulation (EU) No 748/2014**

(Official Journal of the European Union L 117 of 8 May 2015)

On page 21, Article 27:

for: 'Article 27

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

read: 'Article 27

Regulation (EU) No 748/2014 is hereby repealed.

Article 28

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

