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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 729/2006**  
**of 15 May 2006**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 16 May 2006.

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

Done at Brussels, 15 May 2006.

*For the Commission*

J. L. DEMARTY

*Director-General for Agriculture and  
Rural Development*

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

## ANNEX

**to Commission Regulation of 15 May 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables**

<i>(EUR/100 kg)</i>		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	111,6
	204	81,7
	212	153,3
	999	115,5
0707 00 05	052	105,2
	628	155,5
	999	130,4
0709 90 70	052	118,7
	204	25,1
	999	71,9
0805 10 20	204	33,4
	212	64,4
	220	36,3
	400	20,3
	448	50,4
	624	48,8
	999	42,3
0805 50 10	052	43,6
	388	59,4
	508	40,3
	528	56,7
	624	54,7
0808 10 80	999	50,9
	388	86,7
	400	128,1
	404	110,0
	508	77,2
	512	81,8
	524	84,1
	528	99,1
	720	93,4
	804	114,7
999	97,2	

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

## COMMISSION REGULATION (EC) No 730/2006

of 11 May 2006

## on airspace classification and access of flights operated under visual flight rules above flight level 195

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

should be consistent for all flights carried out in such airspace.

Having regard to the Treaty establishing the European Community,

- (4) Chapter 4, paragraph 5 of Annex 2<sup>(4)</sup> to the 1944 Chicago Convention on International Civil Aviation introduces restrictions related to Reduced Vertical Separation Minimum Areas for flights operated under visual flight rules (VFR flights) above flight level 290, while paragraph 4 of that Chapter provides that VFR flights above flight level 200 require authorisation.

Having regard to Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of airspace in the single European sky (the airspace Regulation)<sup>(1)</sup>, and in particular Article 4 thereof,

- (5) The procedures for authorising access of VFR flights to airspace above flight level 195, up to and including flight level 285, need to be open and transparent across all Member States without restricting legitimate access of VFR flights or the flexibility of air traffic services.

Having regard to Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation)<sup>(2)</sup>, and in particular Article 8(2) thereof,

Whereas:

- (1) Chapter 2, paragraph 6 of Annex 11<sup>(3)</sup> to the 1944 Chicago Convention on International Civil Aviation requires the classification of airspace into air traffic services airspaces of defined dimensions, alphabetically designated from Class A to Class G, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.

- (6) Member States should ensure a safe transition towards the classification of airspace above flight level 195 as Class C Airspace. As Member States require time to change their airspace classification, the application of this Regulation should be deferred until 1 July 2007.

- (2) The European Organisation for the Safety of Air Navigation (Eurocontrol) has been mandated, in accordance with Article 8(1) of Regulation (EC) No 549/2004, to examine a harmonised airspace classification scheme for the Single European Sky. The resulting mandate reports of 30 December 2004 and 30 April 2005 proposed the introduction of Class C Airspace as the appropriate classification for airspace above flight level 195. This Regulation takes full account of those reports. With a view to being consistent in the application by the Member States of such a classification, it is necessary to establish a harmonised airspace classification and provide for the access of flights operated under visual flight rules to it.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Single Sky Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

**Subject matter and scope**

1. This Regulation establishes a harmonised airspace classification to be applied above flight level 195 and lays down harmonised requirements for access of flights operated under visual flight rules to this airspace.

- (3) Whilst no upper limit of the airspace is specified in this Regulation, airspace classification above flight level 195

2. In accordance with Article 1(3) of Regulation (EC) No 551/2004, this Regulation shall apply in the airspace within the International Civil Aviation Organisation European (ICAO EUR) and African (ICAO AFI) regions where Member States are responsible for the provision of air traffic services.

<sup>(1)</sup> OJ L 96, 31.3.2004, p. 20.

<sup>(2)</sup> OJ L 96, 31.3.2004, p. 1.

<sup>(3)</sup> 13th edition — July 2001 www.icao.int

<sup>(4)</sup> 10th edition — July 2005 www.icao.int

*Article 2***Definitions**

In addition to the relevant definitions set out in Article 2 of Regulation (EC) No 549/2004, the following definitions shall apply:

1. 'airspace reservation' means a defined volume of airspace temporarily reserved for exclusive or specific use by categories of users;
2. 'air traffic services unit' means a unit, civil or military, responsible for providing air traffic services;
3. 'instrument flight rules flights' (IFR flights) means any flights operated under instrument flight rules as defined in Annex 2 <sup>(1)</sup> to the 1944 Chicago Convention on International Civil Aviation;
4. 'flights operated under visual flight rules' (VFR flights) means any flights operated under visual flight rules as defined in Annex 2 <sup>(2)</sup> to the 1944 Chicago Convention on International Civil Aviation;
5. 'airspace classification' means the classification of airspace into air traffic services airspaces of defined dimensions, alphabetically designated, and within which specific types of flights may operate and for which air traffic services and rules of operation are specified; air traffic services airspaces are classified as Class A to G as defined by Chapter 2, paragraph 6.1. of Annex 11 <sup>(3)</sup> to the Chicago Convention on International Civil Aviation.

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

Done at Brussels, 11 May 2006.

*Article 3***Airspace classification above flight level 195**

1. Member States shall classify all airspace above flight level 195 as Class C Airspace.
2. Subject to Article 4, Member States shall ensure that in Class C Airspace IFR and VFR flights are permitted, all of these flights are provided with an air traffic control service and that IFR flights are separated from other IFR flights and from VFR flights.

VFR flights shall be separated from IFR flights and shall receive traffic information in respect of other VFR flights.

*Article 4***Access of VFR flights above flight level 195**

In airspace above flight level 195 Member States may establish an airspace reservation, where practical, in which VFR flights may be allowed.

In airspace above flight level 195, up to and including flight level 285, VFR flights may also be authorised by the responsible air traffic services unit in accordance with the authorisation procedures established and published by Member States in the relevant aeronautical information publication.

*Article 5***Entry into force and application**

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

It shall apply from 1 July 2007.

*For the Commission*

Jacques BARROT

*Vice-President*

<sup>(1)</sup> 10th edition — July 2005 [www.icao.int](http://www.icao.int)

<sup>(2)</sup> 10th edition — July 2005 [www.icao.int](http://www.icao.int)

<sup>(3)</sup> 13th edition — July 2001 [www.icao.int](http://www.icao.int)

**COMMISSION REGULATION (EC) No 731/2006****of 15 May 2006****fixing the import duties in the cereals sector applicable from 16 May 2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector <sup>(2)</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EC) No 1784/2003 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EC) No 1784/2003, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Regulation (EC) No 1784/2003 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

*Article 2*

This Regulation shall enter into force on 16 May 2006.

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

Done at Brussels, 15 May 2006.

*For the Commission*

J. L. DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

<sup>(2)</sup> OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

## ANNEX I

**Import duties for the products covered by Article 10(2) of Regulation (EC) No 1784/2003 applicable from  
16 May 2006**

CN code	Description	Import duty <sup>(1)</sup> (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	6,86
	low quality	26,86
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	56,42
1005 10 90	Maize seed other than hybrid	60,00
1005 90 00	Maize other than seed <sup>(2)</sup>	60,00
1007 00 90	Grain sorghum other than hybrids for sowing	56,42

<sup>(1)</sup> For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3/t, where the port of unloading is on the Mediterranean Sea, or

— EUR 2/t, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

<sup>(2)</sup> The importer may benefit from a flat-rate reduction of EUR 24/t, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

## ANNEX II

**Factors for calculating duties**

(1.5.2006-12.5.2006)

## 1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	140,18 (***)	75,75	144,71	134,71	114,71	85,15
Gulf premium (EUR/t)	—	9,75	—			—
Great Lakes premium (EUR/t)	23,04	—	—			—

(\*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(\*\*) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(\*\*\*) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

## 2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico–Rotterdam: 16,53 EUR/t; Great Lakes–Rotterdam: 20,45 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)  
0,00 EUR/t (SRW2).



**COMMISSION REGULATION (EC) No 732/2006****of 15 May 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses <sup>(2)</sup>, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2005/2006 marketing year are fixed by

Commission Regulation (EC) No 1011/2005 <sup>(3)</sup>. These prices and duties were last amended by Commission Regulation (EC) No 639/2006 <sup>(4)</sup>.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year are hereby amended as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 16 May 2006.

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

Done at Brussels, 15 May 2006.

*For the Commission*

J. L. DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

<sup>(2)</sup> OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

<sup>(3)</sup> OJ L 170, 1.7.2005, p. 35.

<sup>(4)</sup> OJ L 113, 27.4.2006, p. 4.

## ANNEX

**Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 16 May 2006**

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 <sup>(1)</sup>	32,62	1,50
1701 11 90 <sup>(1)</sup>	32,62	5,22
1701 12 10 <sup>(1)</sup>	32,62	1,37
1701 12 90 <sup>(1)</sup>	32,62	4,82
1701 91 00 <sup>(2)</sup>	38,15	6,16
1701 99 10 <sup>(2)</sup>	38,15	2,89
1701 99 90 <sup>(2)</sup>	38,15	2,89
1702 90 99 <sup>(3)</sup>	0,38	0,29

<sup>(1)</sup> Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

<sup>(2)</sup> Fixed for the standard quality defined in Annex I.I to Regulation (EC) No 1260/2001.

<sup>(3)</sup> Fixed per 1 % sucrose content.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 15 May 2006

**concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 2006/274/EC***(notified under document number C(2006) 1945)***(Text with EEA relevance)**

(2006/346/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Outbreaks of classical swine fever have occurred in Germany.

(2) In view of the trade in live pigs and certain pig products, those outbreaks are liable to endanger the herds of other Members States.

(3) Germany has taken measures within the framework of Council Directive 2001/89/EC <sup>(2)</sup> on Community measures for the control of Classical Swine Fever.(4) Commission Decision 2006/274/EC of 6 April 2006 concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 2006/254/EC <sup>(3)</sup> was adopted in order to maintain and extend the measures taken by Germany pursuant to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever <sup>(4)</sup>.(5) The animal health conditions and the certification requirements for trade in live pigs are laid down in Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine <sup>(5)</sup>.(6) The animal health conditions and certification requirements for trade in porcine semen are laid down in Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species <sup>(6)</sup>.(7) The animal health conditions and certification requirements for trade in porcine ova and embryos are laid down in Commission Decision 95/483/EC of 9 November 1995 determining the specimen certificate for intra-Community trade in ova and embryos of swine <sup>(7)</sup>.<sup>(1)</sup> OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).<sup>(2)</sup> OJ L 316, 1.12.2001, p. 5. Directive as amended by the 2003 Act of Accession.<sup>(3)</sup> OJ L 99, 7.4.2006, p. 36. Decision as last amended by Decision 2006/328/EC (OJ L 120, 5.5.2006, p. 25).<sup>(4)</sup> OJ L 316, 1.12.2001, p. 5. Directive as amended by the 2003 Act of Accession.<sup>(5)</sup> OJ L 121, 29.7.1964, p. 1977/64. Directive as last amended by Regulation (EC) No 1/2005 (OJ L 3, 5.1.2005, p. 1).<sup>(6)</sup> OJ L 224, 18.8.1990, p. 62. Directive as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).<sup>(7)</sup> OJ L 275, 18.11.1995, p. 30.

(8) Commission Decision 2002/106/EC of 1 February 2002 approving a Diagnostic Manual establishing diagnostic procedures, sampling methods and criteria for evaluation of the laboratory tests for the confirmation of classical swine fever <sup>(1)</sup> provides for risk adapted surveillance protocols.

(9) Germany has additionally prohibited on 6 May 2006 until 16 May 2006 the movement of pigs with the exception of pigs for immediate slaughter from and to holdings located in part of the territory of North Rhine-Westphalia following the suspicion of classical swine fever in a farm located in North Rhine-Westphalia.

(10) Based on the information provided by Germany it is appropriate to review the protective measures relating to classical swine fever in Germany in particular for the territory of North Rhine-Westphalia.

(11) It is also appropriate to lift the measures for the territory of Germany outside North Rhine-Westphalia. Germany should for intra-community trade of pigs however certify that the holding of origin did not receive pigs since 15 January 2006 from a holding located in North Rhine-Westphalia.

(12) Council Decision 90/424/EEC on expenditure in the veterinary field <sup>(2)</sup> establishes in Article 3(4) that the Commission may lay down any measures which the Member State concerned must take in order to ensure the success of the action; it appears appropriate that all pig holdings in the protection zone of a confirmed outbreak in the municipality of Borcken in North Rhine Westphalia should be preventively depopulated.

(13) Decision 2006/274/EC should be repealed.

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

HAS ADOPTED THIS DECISION:

#### Article 1

Germany shall ensure that:

1. No pigs are dispatched from the areas listed in Annex I to other Member States and to third countries.

2. No pigs are dispatched to other Member States and to third countries from holdings of its territory outside the areas listed in Annex I that have received pigs since 15 January 2006 from a holding located in North Rhine-Westphalia.

#### Article 2

1. Germany shall ensure that:

(a) without prejudice to the measures provided for in Directive 2001/89/EC, and in particular Articles 9, 10 and 11 thereof:

(i) no pigs are transported from and to holdings within the areas listed in Annex I(A);

(ii) transport of slaughter pigs coming from holdings situated outside the areas listed in Annex I(A) to slaughterhouses located within those areas and transit of pigs through those areas is only allowed:

— via major roads or railways, and

— in accordance with the detailed instructions provided for by the competent authority to prevent the pigs in question coming into direct or indirect contact with other pigs during transport.

(b) no pigs are dispatched from the areas listed in Annex I(B) to other areas within Germany, except for direct transport of:

(i) slaughter pigs to a slaughterhouse for immediate slaughter, provided that the pigs originate from one single holding;

(ii) breeding and production pigs to a holding, provided that the pigs have been resident for at least 30 days, or since birth if less than 30 days of age, on a single holding:

— which has not received live pigs during the 30-day period immediately prior to the date of dispatch of the pigs; and

— on which the clinical examination carried out in accordance with Chapter IV(D)(2) of the Annex to Decision 2002/106/EC have been completed with negative results.

<sup>(1)</sup> OJ L 39, 9.2.2002, p. 71.

<sup>(2)</sup> OJ L 224, 18.8.1990, p. 19; Decision as last amended by Decision 2006/53/EC (OJ L 29, 2.2.2006, p. 37).

2. By way of derogation from paragraph 1(a) the competent authority may authorise the transport of pigs from a holding situated within the areas listed in Annex I(A) but outside a protection or surveillance zone:

- (a) directly to a slaughterhouse situated within those areas, or in exceptional cases, to designated slaughterhouses in Germany located outside those areas, for immediate slaughter, provided that the pigs are dispatched from a holding on which the clinical examination carried out in accordance with Chapter IV(D)(3) of the Annex to Decision 2002/106/EC have been completed with negative results.
- (b) not earlier than 16 May 2006 to a holding situated within those areas, provided that the pigs have been resident for at least 45 days, or since birth if less than 45 days of age, on a single holding which:
  - (i) has not received live pigs during the 45-day period immediately prior to the date of dispatch of the pigs;
  - (ii) on which the clinical examination carried out in accordance with Chapter IV(D)(2) of the Annex to Decision 2002/106/EC have been completed with negative results.

3. By way of derogation from paragraph 1(a) the competent authority may authorise the direct transport of pigs from a holding situated within a surveillance zone to a designated holding in which no pigs are present and which is situated within the same surveillance zone, provided that:

— this movement takes place in accordance with the conditions laid down in Article 11, paragraphs (1) point (f) and (2) Directive 2001/89/EC;

— the examinations provided for in Chapter IV(D)(2) of the Annex to Decision 2002/106/EC have been completed with negative results on the holding from which the pigs are dispatched.

The German authorities shall record the above movements and inform immediately the Commission thereof in the Standing Committee on the Food Chain and Animal Health.

#### Article 3

Germany shall ensure that no consignments of the following commodities are dispatched to other member States and to third countries:

- (a) porcine semen, unless the semen originates from boars kept at a collection centre referred to in Article 3(a) of Directive 90/429/EEC and situated outside the areas listed in Annex I(A);

- (b) ova and embryos of swine, unless the ova and embryos originate from swine kept at a holding situated outside the areas listed in Annex I(A).

#### Article 4

Germany shall ensure that the health certificate provided for in:

- (a) Directive 64/432/EEC accompanying pigs dispatched from Germany must be completed by the following:

'Animals in accordance with Commission Decision 2006/346/EC of 15 May 2006 concerning certain protection measures relating to classical swine fever in Germany'.

- (b) Directive 90/429/EEC accompanying semen from boars dispatched from Germany must be completed by the following:

'Semen in accordance with Commission Decision 2006/346/EC of 15 May 2006 concerning certain protection measures relating to classical swine fever in Germany'.

- (c) Decision 95/483/EC accompanying ova and embryos of swine dispatched from Germany must be completed by the following:

'Ova/Embryos (*delete as appropriate*) in accordance with Commission Decision 2006/346/EC of 15 May 2006 concerning certain protection measures relating to classical swine fever in Germany'.

#### Article 5

- 1. Within the areas listed in Annex I(A):

- (a) at least one risk based zone is defined by the competent authorities;

- (b) at least the services provided by persons in direct contact with pigs or requiring entering the housing areas for pigs and the use of vehicles for transport of feed, manure or dead animals to and from pig holdings situated in the areas listed in Annex I(A) are limited to that or those defined zones and are not shared with other parts of the Community unless after thorough cleansing and disinfection of the vehicles, equipment and any other fomite and a minimum absence of any contact to pigs or pig holdings of at least three days; contacts in connection with transport carried out pursuant to Article 2(2)(a) shall be deemed to have taken place within that defined zone or those defined zones.

2. Without prejudice to the measures already taken in the framework of Directive 2001/89/EC, Germany shall as soon as possible preventively depopulate all pig holdings situated in the protection zone of a confirmed outbreak in the municipality of Borken in North Rhine Westphalia.

The precautionary measures referred to in the first subparagraph shall be taken without prejudice to Council Decision 90/424/EEC on expenditure in the veterinary field.

3. In the areas listed in Annex I(A) surveillance measures are carried out in accordance with the principles set out in Annex II.

4. Preventive disease control measures are applied as necessary, in accordance with Article 4(3)(a) of Council Directive 2001/89/EC.

5. An appropriate information campaign is addressed to pig farmers.

*Article 6*

Member States shall ensure that:

1. vehicles which have been used for the transport of pigs in areas listed in Annex I(A) or have entered a holding where pigs are kept in areas listed in Annex I(A) are cleaned and disinfected twice after each operation;

2. the transporters furnish proof to the competent authority of such disinfection.

*Article 7*

The Member States shall amend the measures they apply to trade so as to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

*Article 8*

This Decision shall apply until 30 June 2006.

*Article 9*

Decision 2006/274/EC is repealed.

*Article 10*

This Decision is addressed to the Member States.

Done at Brussels, 15 May 2006.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

*ANNEX I*

Areas in Germany referred to in Articles 1, 2, 3, 5 and 6:

- A. In North Rhine-Westfalia: the territory of the 'Regierungsbezirke' Arnsberg, Düsseldorf and Münster.
  - B. In North Rhine-Westfalia: the territory of the 'Regierungsbezirke' Detmold and Köln.
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*ANNEX II*

In accordance with Article 5(3), Germany shall ensure that in the areas listed in Annex I(A) the following surveillance measures are implemented:

- (a) any case of a contagious disease in pig holdings for which a treatment with antibiotic or other antibacterial drugs is indicated, shall be reported to the competent veterinary authorities without delay and before treatment is commenced,
  - (b) in the pig holdings referred to in (a), the clinical examinations and sampling procedures laid down in Chapter IV (A) of the Annex to Commission Decision 2002/106/EC are carried out by a veterinarian without delay.
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