COMMISSION DECISION

of 26 April 2004

approving contingency plans for the control of avian influenza and Newcastle disease

(notified under document number C(2004) 1517)

(Text with EEA relevance)

(2004/402/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 21 thereof,

Having regard to Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza ([1]), and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease ([2]), and in particular the second subparagraph of Article 21 (4) thereof,

Whereas:

(1) Under Commission Decision 2004/102/EC of 26 January 2004 approving contingency plans for the control of avian influenza and of Newcastle disease ([3]) those contingency plans are approved for the existing Member States.

(2) The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia have submitted contingency plans for the control of avian influenza and Newcastle disease for approval.

(3) Those contingency plans fulfil the criteria laid down in Directives 92/40/EEC and 92/66/EEC and, subject to a regular update and an effective implementation, permit the desired objective to be attained.

(4) The plans submitted by the new Member States should therefore be approved. For the sake of clarity the contingency plans of the existing Member States should also be approved in this Decision.

(5) Decision 2004/102/EC should therefore be repealed and replaced by this Decision.

(6) 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

1. The contingency plans for the control of avian influenza and Newcastle disease submitted by the existing Member States listed in the Annex are approved.

2. The contingency plans for the control of avian influenza and Newcastle disease submitted by the new Member States listed in the Annex are approved.

Article 2

The provision in Article 1 (2) shall apply subject to and from the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

Article 3

Decision 2004/102/EC is repealed.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 26 April 2004.

For the Commission

David BYRNE

Member of the Commission

([1]) OJ L 167, 22.6.1992, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1.).

([2]) OJ L 260, 5.9.1992, p. 1. Directive as last amended by Regulation (EC) No 806/2003.

([3]) OJ L 30, 4.2.2004, p. 22.

ANNEX

List of current and new Member States as referred to in Article 1

Code	Country
AT	Austria
BE	Belgium
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LV	Latvia
LT	Lithuania
LU	Luxembourg
MT	Malta
NL	Netherlands
PL	Poland
PT	Portugal
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom