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COMMISSION REGULATION (EC) No 1010/2006

of 3 July 2006

on certain exceptional market support measures in the eggs and poultry sector in certain Member States

(OJ L 180, 4.7.2006, p. 3)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 1256/2006 of 21 August 2006	L 228	9	22.8.2006
►**M2**	Commission Regulation (EC) No 1629/2006 of 31 October 2006	L 302	41	1.11.2006

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COMMISSION REGULATION (EC) No 1010/2006

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on certain exceptional market support measures in the eggs and poultry sector in certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs [1], and in particular point (b) of the first subparagraph of Article 14(1) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat [2], and in particular point (b) of the first subparagraph of Article 14(1) thereof,

Whereas:

(1) Because of occurrences of highly pathogenic avian influenza (H5N1) in areas near the Community since the autumn of 2005 and in several Member States since February 2006, the consumption of poultrymeat and, to a lesser extent, of eggs, has fallen appreciably in some Member States.

(2) The sharp and significant fall in the consumption of poultrymeat has led to a fall in prices. The poultrymeat market has suffered serious disruption as a result.

(3) Since this serious market disruption is directly linked to a loss of consumer confidence arising from risks to animal health, it is justified, at the request of the Member States concerned, to adopt exceptional market support measures as referred to in Article 14 of Regulation (EEC) No 2771/75 and Article 14 of Regulation (EEC) No 2777/75 and to grant aid to offset part of the financial losses resulting from the destruction of eggs for hatching or chicks, the early partial slaughter of breeding flocks, the temporary fall in production, or the slaughter of ready-to-lay pullets, given the preventive biosafety measures imposed by some Member States.

(4) The compensation paid for eggs for hatching that are processed into egg products must be less than that for eggs for hatching that are destroyed.

(5) The maximum quantities eligible for financial compensation in respect of each exceptional market support measure should be fixed by the Commission after scrutinising the applications received from Member States.

(6) The measures adopted pursuant to Article 14 of Regulation (EEC) No 2771/75 and Article 14 of Regulation (EEC) No 2777/75 have been in force since 11 May 2006. This Regulation should therefore also be applicable from that date.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

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[1] OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 679/2006 (OJ L 119, 4.5.2006, p. 1).

[2] OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006.

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Article 1

1. The destruction of eggs for hatching falling within CN codes 0407 00 11 and 0407 00 19 shall be regarded as an exceptional market support measure pursuant to Article 14 of Regulation (EEC) No 2771/75.

2. Compensation shall be payable, in respect of each Member State concerned, for the destruction referred to in paragraph 1, subject to both the maximum number of pieces laid down in Annex I and the time limits specified therein.

The maximum level of compensation shall be set at a flat rate of:

(a) EUR 0,15 per 'standard chicken' egg for hatching falling within CN code 0407 00 19;

(b) EUR 0,23 per 'free range chicken' egg for hatching falling within CN code 0407 00 19;

(c) EUR 0,23 per guinea fowl egg for hatching falling within CN code 0407 00 19;

(d) EUR 0,35 per duck egg for hatching falling within CN code 0407 00 19;

(e) EUR 0,66 per turkey egg for hatching falling within CN code 0407 00 11;

(f) EUR 1,20 per goose egg for hatching falling within CN code 0407 00 11.

Article 2

1. The processing of eggs for hatching falling within CN code 0407 00 19 shall be regarded as an exceptional market support measure under Article 14 of Regulation (EEC) No 2771/75.

2. Compensation shall be payable, in respect of each Member State concerned, for the processing referred to in paragraph 1, subject to both the maximum number of pieces laid down in Annex II and the time limits specified therein.

The maximum level of compensation shall be that provided for in Article 1(2), in each case less EUR 0,03 per egg for hatching, or less the selling price if the latter exceeds EUR 0,03.

Article 3

1. The destruction of chicks falling within CN codes 0105 11, 0105 12 and 0105 19 shall be regarded as an exceptional market support measure under Article 14 of Regulation (EEC) No 2777/75.

2. Compensation shall be payable, in respect of each Member State concerned, for the destruction referred to in paragraph 1, subject to both the maximum number of pieces laid down in Annex III and the time limits specified therein.

The maximum level of compensation shall be set at a flat rate of:

(a) EUR 0,24 per 'chicken' chick;

(b) EUR 0,40 per 'guinea fowl' chick;

(c) EUR 0,54 per 'duck' chick;

(d) EUR 0,85 per 'turkey' chick;

(e) EUR 1,50 per 'goose' chick.

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Article 4

▼M2

1. The slaughter or killing of part of a breeding flock shall, where it is brought forward by six weeks or more in order to reduce the production of eggs for hatching falling within CN codes 0105 92 00, 0105 93 00, 0105 99 10, 0105 99 20, 0105 99 30 and 0105 99 50, be regarded as an exceptional market support measure pursuant to Article 14 of Regulation (EEC) No 2777/75, provided no bird is then put into production at the location in question during that period.

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2. ►M2 Compensation shall be payable, in respect of each Member State concerned, for the early slaughter or killing referred to in paragraph 1, subject to both the maximum number of pieces laid down in Annex IV and the time limits specified therein. ◄

The maximum level of compensation shall be set at a flat rate of:

(a) EUR 3,2 per breeding hen falling within CN codes 0105 92 00 and 0105 93 00;

(b) EUR 3,2 per breeding duck falling within CN code 0105 99 10;

(c) EUR 30 per breeding goose falling within CN code 0105 99 20;

(d) EUR 15 per breeding turkey hen falling within CN code 0105 99 30;

(e) EUR 5 per breeding guinea hen falling within CN code 0105 99 50.

Article 5

1. Voluntarily extending stamping out (depopulation) beyond a three-week period shall be regarded as an exceptional market support measure pursuant to Article 14 of Regulation (EEC) No 2777/75, provided no bird is then put into production during that period.

2. Compensation shall be payable, in respect of each Member State concerned, per m^2 and week of depopulation over and above three weeks for poultry farms, subject to both the maximum surface area laid down in Annex V and the time limits specified therein, for extending the period of depopulation as referred to in paragraph 1.

The maximum level of compensation shall be set at a flat rate of:

(a) EUR 0,46/m^2 per week in the case of broiler farms;

(b) EUR 0,41/m^2 per week in the case of turkey farms;

(c) EUR 0,62/m^2 per week in the case of duck farms;

(d) EUR 0,41/m^2 per week in the case of guinea fowl farms.

3. Member States which have already granted compensation for the surface areas concerned shall ensure that any amounts already paid at national level are deducted from the compensation provided for in paragraph 2.

Article 6

1. Voluntarily lowering production by placing fewer chicks in order to reduce density shall be regarded as an exceptional market support measure under Article 14 of Regulation (EEC) No 2777/75.

2. Compensation shall be payable, in respect of each Member State concerned, per bird by which the actual production falls below that of a normal production cycle on each specific production site, subject to both the maximum number of birds laid down in Annex VI and the time limits specified therein.

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The maximum level of compensation shall be set at a flat rate of:

(a) EUR 0,20 per bird in the case of broiler farms;

(b) EUR 1,24 per bird in the case of turkey farms;

(c) EUR 0,75 per bird in the case of duck farms;

(d) EUR 0,40 per bird in the case of guinea fowl farms.

▼M2

Article 7

1. The early slaughter or killing of ready-to-lay pullets shall be regarded as an exceptional market support measure pursuant to Article 14 of Regulation (EEC) No 2777/75.

2. Compensation shall be payable, in respect of each Member State concerned, for slaughter or killing as referred to in paragraph 1, subject to both the maximum number of birds laid down in Annex VII and the time limits specified therein.

The maximum level of compensation shall be set at a flat rate of EUR 3,2 per ready-to-lay pullet.

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Article 8

Member States which have communicated to the Commission amounts of partial compensation that are lower than those payable under Articles 1 to 7 must limit themselves to the amounts they have communicated.

Article 9

The operative event for the conversion rate for the aids referred to in this Regulation shall be the first working day in May 2006.

The conversion rate to be used shall be the rate most recently fixed by the European Central Bank prior to the operative event.

Article 10

Expenditure incurred by Member States in respect of the payments referred to in Articles 1 to 7 shall not be eligible for Community funding pursuant to Article 14 of Regulation (EEC) No 2771/75 and Article 14 of Regulation (EEC) No 2777/75, unless the payments are made to the recipients by the Member States before ►M2 31 March 2007 ◄.

Article 11

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

It shall apply from 11 May 2006.

This Regulation shall be binding in its entirety and directly applicable in every Member State.

▼**M1**

ANNEX I

Maximum number of eggs for hatching, by Member State

	Standard chicken	'Quality label' chicken	Guinea fowl	Turkey	Duck	Goose	Period of application (up to 8.2006 in the case of geese)
BE	368 600	18 000	—	—	1 400	—	1.2006-4.2006
CZ	9 522 600	—	—	126 515	587 034	25 181	2.2006-4.2006
DK	—	—	—	—	—	—	—
DE	—	—	—	—	—	1 000 000	1.2006-8.2006
EE	—	—	—	—	—	—	—
EL	7 704 000	4 105 000	—	200 000	—	—	10.2005-4.2006
ES	7 800 000	—	—	—	—	—	10.2005-4.2006
FR	60 000 000	21 450 000	4 166 000	4 960 000	2 663 000	450 000	12.2005-4.2006
IE	—	—	—	360 000	170 000	—	1.2006-4.2006
IT	5 990 000	—	465 000	220 000	35 000	25 000	9.2005-4.2006
CY	442 000	—	—	—	—	—	10.2005-4.2006
LV	—	—	—	—	—	—	—
LT	—	—	—	—	—	—	—
LU	—	—	—	—	—	—	—
HU	11 119 968	500 000	—	144 915	1 835 000	805 117	11.2005-8.2006
MT	—	—	—	—	—	—	—
NL	—	—	—	—	—	—	—
AT	2 000 000	50 000	—	—	50 000	40 000	10.2005-4.2006
PL	2 141 098	—	—	—	621 586	77 029	10.2005-4.2006
PT	6 000 000	—	—	—	—	—	10.2005-4.2006
SI	200 000	—	—	—	—	—	11.2005-4.2006
SK	—	—	—	—	80 000	13 000	10.2005-4.2006
FI	—	—	—	—	—	—	—
SE	—	—	—	—	—	—	—
UK	—	—	—	—	—	—	—

▼**M1**

ANNEX II

Maximum number of eggs for hatching processed, by Member State

	Chicken	'Quality label' chicken	Period of application
BE	3 140 000	60 000	1.2006-4.2006
CZ	10 000 000		2.2006-4.2006
DK	15 214 440		1.2006-8.2006
DE	—		—
EE	—		—
EL	4 166 000		10.2005-4.2006
ES	1 800 000		10.2005-4.2006
FR	—		—
IE	—		—
IT	18 760 000		9.2005-4.2006
CY	—		—
LV	—		—
LT	—		—
LU	—		—
HU	8 390 000		11.2005-8.2006
MT	—		—
NL	25 000 000		12.2005-4.2006
AT	700 000	90 000	10.2005-4.2006
PL	64 594 006		10.2005-4.2006
PT	—		—
SI	5 000 000		11.2005-4.2006
SK	1 145 000		10.2005-4.2006
FI	—		—
SE	—		—
UK	—		—

▼**M1**

ANNEX III

Maximum number of chicks, by Member State

	Chicken	Guinea fowl	Turkey	Duck	Goose	Period of application (up to 8.2006 in the case of geese)
BE	50 000	—	—	—	—	1.2006-4.2006
CZ	2 000 000	—	90 000	150 000	5 000	2.2006-4.2006
DK	—	—	—	—	—	—
DE	—	—	—	—	—	—
EE	—	—	—	—	—	—
EL	4 138 440	—	10 000	—	—	10.2005-4.2006
ES	—	—	—	—	—	—
FR	—	—	—	—	—	—
IE	—	—	—	—	—	—
IT	15 230 000	1 005 900	165 600	137 000	13 000	9.2005-4.2006
CY	143 725	—	—	—	—	10.2005-4.2006
LV	—	—	—	—	—	—
LT	—	—	—	—	—	—
LU	—	—	—	—	—	—
HU	2 000 000	—	—	1 200 000	100 000	11.2005-8.2006
MT	—	—	—	—	—	—
NL	—	—	—	—	—	—
AT	350 000	—	25 000	50 000	25 000	10.2005-4.2006
PL	—	—	—	—	—	—
PT	4 000 000	—	—	—	—	10.2005-4.2006
SI	260 000	—	—	—	—	11.2005-4.2006
SK	—	—	—	—	—	—
FI	—	—	—	—	—	—
SE	—	—	—	—	—	—
UK	—	—	—	—	—	—

▼**M1**

ANNEX IV

Maximum number of breeding birds slaughtered, by Member State

	Chicken	Guinea fowl	Turkey	Duck	Goose	Period of application (up to 8.2006 in the case of geese)
BE	164 000	—	—	—	—	1.2006-4.2006
CZ	635 000	—	11 000	15 000	20 000	2.2006-4.2006
DK	244 000	—	—	—	—	1.2006-8.2006
DE	—	—	—	—	20 000	1.2006-8.2006
EE	—	—	—	—	—	—
EL	454 300	—	16 000	—	—	10.2005-4.2006
ES	151 000	—	—	—	—	10.2005-4.2006
FR	1 400 000	60 000	130 000	60 000	12 000	1.2006-4.2006
IE	32 000	—	—	4 000	—	1.2006-4.2006
IT	1 957 000	12 000	47 000	1 500	2 400	9.2005-4.2006
CY	—	—	—	—	—	—
LV	—	—	—	—	—	—
LT	—	—	—	—	—	—
LU	—	—	—	—	—	—
HU	50 300	—	4 700	45 000	18 000	11.2005-8.2006
MT	—	—	—	—	—	—
NL	1 293 750	—	—	—	—	12.2005-4.2006
AT	140 000	—	—	—	500	10.2005-4.2006
PL	1 060 109	—	—	—	—	10.2005-4.2006
PT	300 000	—	—	—	—	10.2005-4.2006
SI	252 268	—	—	—	—	11.2005-4.2006
SK	49 000	—	—	—	—	10.2005-4.2006
FI	—	—	—	—	—	—
SE	—	—	—	—	—	—
UK	—	—	—	—	—	—

▼M1

ANNEX V

Maximum number of m^2 and weeks, by Member State

	Chicken	Guinea fowl	Turkey	Duck	Period of application
BE	75 000	—	—	10 000	4–7 weeks/chickens — 5 weeks/ducks, between 1.2006 and 4.2006
CZ	155 000	—	55 000	60 000	8 weeks/chickens — 14 weeks/turkeys — 10 weeks/ducks, between 2.2006 and 4.2006
DK	—	—	—	—	—
DE	—	—	—	—	—
EE	—	—	—	—	—
EL	2 350 000	—	—	—	7 weeks, between 10.2005 and 4.2006
ES	—	—	—	—	—
FR	2 200 000	—	—	—	16 weeks, between 10.2005 and 4.2006
IE	400 000	—	400 000	3 000	4 weeks, between 10.2005 and 4.2006
IT	7 035 000	178 000	3 812 000	77 000	7 weeks/chickens — 4 weeks/other, between 10.2005 and 4.2006
CY	—	—	—	—	—
LV	—	—	—	—	—
LT	—	—	—	—	—
LU	—	—	—	—	—
HU	183 178	—	30 000	135 000	16 weeks, between 11.2005 and 8.2006
MT	—	—	—	—	—
NL	—	—	100 000	—	1 week, between 11.2005 and 4.2006
AT	450 000	—	5 000	5 000	3 weeks/chickens — 10 weeks/other, between 10.2005 and 4.2006
PL	2 600 000	—	700 000	—	6 weeks/chickens — 4 weeks/turkeys, between 10.2005 and 4.2006
PT	489 130	—	—	—	4 weeks, between 10.2005 and 4.2006
SI	300 000	—	100 000	—	3 weeks/chickens — 2 weeks/turkeys, between 11.2005 and 4.2006
SK	11 000	—	—	—	16 weeks, between 10.2005 and 4.2006
FI	—	—	—	—	—
SE	—	—	—	—	—
UK	—	—	—	—	—

▼**M1**

ANNEX VI

Maximum number of birds, by Member State

	Chicken	Guinea fowl	Turkey	Duck	Period of application
BE	4 602 000	—	—	20 000	1.2006-4.2006
CZ	9 180 000	—	70 000	300 000	2.2006-4.2006
DK	8 500 000	—	—	—	1.2006-8.2006
DE	—	—	—	—	—
EE	—	—	—	—	—
EL	—	—	—	—	—
ES	15 000 000	—	—	—	10.2005-4.2006
FR	—	—	—	—	—
IE	—	—	—	25 000	1.2006-4.2006
IT	5 500 000	—	350 000	—	9.2005-4.2006
CY	2 626 075	—	—	—	11.2005-4.2006
LV	—	—	—	—	—
LT	—	—	—	—	—
LU	—	—	—	—	—
HU	—	—	—	180 000	11.2005-8.2006
MT	—	—	—	—	—
NL	23 000 000	—	200 000	—	12.2005-4.2006
AT	200 000	—	10 000	30 000	10.2005-4.2006
PL	—	—	—	—	—
PT	—	—	—	—	—
SI	3 000 000	—	50 000	—	11.2005-4.2006
SK	4 734 800	—	—	—	10.2005-4.2006
FI	—	—	—	—	—
SE	—	—	—	—	—
UK	—	—	—	—	—

▼**M1**

ANNEX VII

Maximum number of 'ready-to-lay pullets' by Member State

	Ready-to-lay pullets	Period of application
BE	12 000	1.2006-4.2006
CZ	—	—
DK	—	—
DE	500 000	1.2006-4.2006
EE	—	—
EL	1 550 000	10.2005-4.2006
ES	—	—
FR	—	—
IE	—	—
IT	7 000	10.2005-4.2006
CY	—	—
LV	—	—
LT	—	—
LU	—	—
HU	—	—
MT	—	—
NL	—	—
AT	70 000	10.2005-4.2006
PL	—	—
PT	—	—
SI	—	—
SK	—	—
FI	—	—
SE	—	—
UK	—	—