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(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 1027/2007

of 5 September 2007

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 ⁽¹⁾, 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 6 September 2007.

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

Done at Brussels, 5 September 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 756/2007 (OJ L 172, 30.6.2007, p. 41).

ANNEX

to Commission Regulation of 5 September 2007 establishing the 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	MK	30,0
	XS	19,8
	ZZ	24,9
0707 00 05	JO	162,5
	TR	150,3
	ZZ	156,4
0709 90 70	TR	83,4
	ZZ	83,4
0805 50 10	AR	68,6
	UY	59,7
	ZA	59,7
	ZZ	62,7
0806 10 10	EG	164,2
	TR	125,2
	ZZ	144,7
0808 10 80	AR	53,0
	BR	77,5
	CL	88,6
	CN	89,9
	NZ	89,3
	US	99,8
	ZA	88,7
	ZZ	83,8
0808 20 50	CN	66,4
	TR	124,8
	ZA	104,3
	ZZ	98,5
0809 30 10, 0809 30 90	TR	147,6
	ZZ	147,6
0809 40 05	BA	45,7
	TR	141,5
	ZZ	93,6

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1028/2007

of 5 September 2007

initiating an investigation concerning the possible circumvention of anti-dumping measures imposed by Council Regulation (EC) No 1472/2006 on imports of certain footwear with uppers of leather originating in the People's Republic of China by imports of certain footwear with uppers of leather consigned from Macao SAR, whether declared as originating in Macao SAR or not, and making such imports subject to registration

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

ex 6403 99 31, ex 6403 99 33, ex 6403 99 36,
ex 6403 99 38, ex 6403 99 91, ex 6403 99 93,
ex 6403 99 96, ex 6403 99 98 and ex 6405 10 00 ⁽²⁾
(the product concerned). These codes are given for information only.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community (the basic Regulation) ⁽¹⁾, and in particular Articles 13(3), 14(3) and 14(5) thereof,

- (2) The product under investigation is footwear with uppers of leather or composition leather, excluding sports footwear, footwear involving special technology, slippers and other indoor footwear and footwear with a protective toecap consigned from Macao SAR (the product under investigation) normally declared under the same codes as the product concerned.

B. EXISTING MEASURES

After having consulted the Advisory Committee,

- (3) The measures currently in force and possibly being circumvented are antidumping measures imposed by Council Regulation (EC) No 1472/2006 ⁽³⁾.

Whereas the Commission has decided, pursuant to Article 13(3) of the basic Regulation to investigate on its own initiative the possible circumvention of the anti-dumping measures imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China.

C. GROUNDS

- (4) The Commission has at its disposal sufficient *prima facie* evidence that the anti-dumping measures on imports of the product concerned are being circumvented by means of the transshipment via Macao SAR and/or by assembly in Macao SAR of the product under investigation.

A. PRODUCT

- (1) The product concerned by the possible circumvention is footwear with uppers of leather or composition leather, excluding sports footwear, footwear involving special technology, slippers and other indoor footwear and footwear with a protective toecap (certain footwear with uppers of leather) originating in the People's Republic of China, normally declared under CN codes
- | | | |
|----------------|----------------|----------------|
| 6403 20 00, | ex 6403 51 05, | ex 6403 51 11, |
| ex 6403 51 15, | ex 6403 51 19, | ex 6403 51 91, |
| ex 6403 51 95, | ex 6403 51 99, | ex 6403 59 05, |
| ex 6403 59 11, | ex 6403 59 31, | ex 6403 59 35, |
| ex 6403 59 39, | ex 6403 59 91, | ex 6403 59 95, |
| ex 6403 59 99, | ex 6403 91 05, | ex 6403 91 11, |
| ex 6403 91 13, | ex 6403 91 16, | ex 6403 91 18, |
| ex 6403 91 91, | ex 6403 91 93, | ex 6403 91 96, |
| ex 6403 91 98, | ex 6403 99 05, | ex 6403 99 11, |

- (5) The evidence is as follows:

— the request shows that a significant change in the pattern of trade involving exports from the People's Republic of China and Macao SAR to the Community has taken place following the imposition of measures on the product concerned, and that there is insufficient due cause or justification other than the imposition of the duty for such a change,

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ As defined in Commission Regulation (EC) No 1719/2005 of 27 October 2005 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 286, 28.10.2005, p. 1). The product coverage is determined in combining the product description in Article 1(1) and the product description of the corresponding CN codes taken together.

⁽³⁾ OJ L 275, 6.10.2006, p. 1.

— this change in the pattern of trade appears to stem from the transshipment of certain footwear with uppers of leather originating in the People's Republic of China via Macao SAR and/or assembly in Macao SAR of certain footwear with uppers of leather,

— furthermore, the evidence points to the fact that the remedial effects of the existing anti-dumping measures on the product concerned are being undermined both in terms of quantity and price. Significant volumes of imports of the product under investigation appear to have replaced imports of the product concerned. In addition, there is sufficient evidence that this increase in imports is made at prices well below the non-injurious price established in the investigation that led to the existing measures,

— finally, the Commission has sufficient *prima facie* evidence at its disposal that the prices of the product under investigation are dumped in relation to the normal value previously established for the product concerned.

- (6) Should circumvention practices via Macao SAR covered by Article 13 of the basic Regulation, other than transshipment and assembly, be identified in the course of the investigation, the investigation may cover these practices also.

D. PROCEDURE

- (7) In the light of the above, the Commission has concluded that sufficient evidence exists to justify the initiation of an investigation pursuant to Article 13 of the basic Regulation and to make imports of the product under investigation, whether declared as originating in Macao SAR or not, subject to registration, in accordance with Article 14(5) of the basic Regulation.

(a) Questionnaires

- (8) In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the exporters/producers and to the associations of exporters/producers in Macao SAR, to the importers and to the associations of importers in the Community which cooperated in the investigation that led to the existing measures and to the authorities of the People's Republic of China and Macao SAR. Information, as appropriate, may also be sought from the Community industry.

- (9) In any event, all interested parties should contact the Commission forthwith, but not later than the time limit set in Article 3 of this Regulation and, if necessary, request a questionnaire within the time limit set in Article 3(1) of this Regulation, given that the time limit set in Article 3(2) of this Regulation applies to all interested parties.

- (10) The authorities of the People's Republic of China and Macao SAR will be notified of the initiation of the investigation.

(b) Collection of information and holding of hearings

- (11) All interested parties are hereby invited to make their views known in writing and to provide supporting evidence. Furthermore, the Commission may hear interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

(c) Exemption of imports from registration or measures

- (12) In accordance with Article 13(4) of the basic Regulation, imports of the product under investigation may be exempted from registration or measures if such importation does not constitute circumvention.

- (13) Since the possible circumvention takes place outside the Community, exemptions may be granted, in accordance with Article 13(4) of the basic Regulation, to producers in Macao SAR of certain footwear with uppers of leather that can show that they are not related to any producer subject to the measures and that are found not to be engaged in circumvention practices as defined in Articles 13(1) and 13(2) of the basic Regulation. Producers wishing to obtain an exemption should submit a request duly supported by evidence within the time limit indicated in Article 3(3) of this Regulation.

E. REGISTRATION

- (14) Pursuant to Article 14(5) of the basic Regulation, imports of the product under investigation should be made subject to registration in order to ensure that, should the investigation result in findings of circumvention, anti-dumping duties of an appropriate amount can be levied retroactively from the date of registration of such imports consigned from Macao SAR.

F. TIME LIMITS

- (15) In the interest of sound administration, time limits should be stated within which:

- interested parties may make themselves known to the Commission, present their views in writing and submit questionnaire replies or any other information to be taken into account during the investigation,
- producers in Macao SAR may request exemption of imports from registration or measures,
- interested parties may make a written request to be heard by the Commission.

- (16) Attention is drawn to the fact that the exercise of most procedural rights set out in the basic Regulation depends on the party's making itself known within the time limits mentioned in Article 3 of this Regulation.

G. NON-COOPERATION

- (17) In cases in which any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made in accordance with Article 18 of the basic Regulation, on the basis of the facts available.
- (18) Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made of the facts available. If an interested party does not cooperate or cooperates only partially and findings are therefore based on the facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

H. PROCESSING OF PERSONAL DATA

- (19) Any personal data collected in this investigation will be treated in accordance with Regulation (EC) No 45/2001 of the European Parliament and the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

An investigation is hereby initiated pursuant to Article 13(3) of Regulation (EC) No 384/96, in order to determine if imports into the Community of footwear with uppers of leather or composition leather as defined in Article 1 of Council Regulation (EC) No 1472/2006, consigned from Macao SAR, whether originating in Macao SAR or not, are circumventing the measures imposed by the latter Regulation. The TARIC codes for imports from Macao SAR are listed in the Annex of this Regulation.

Article 2

The Customs authorities are hereby directed, pursuant to Article 13(3) and Article 14(5) of Regulation (EC) No 384/96 of 22 December 1995, to take the appropriate steps to register the imports into the Community identified in Article 1 of this Regulation.

Registration shall expire nine months following the date of entry into force of this Regulation.

The Commission, by Regulation, may direct Customs authorities to cease registration in respect of imports into the Community of products manufactured by producers having applied for an exemption from registration and having been found not to be circumventing the anti-dumping duties.

Article 3

1. Questionnaires should be requested from the Commission within 15 days of the date of publication of this Regulation in the *Official Journal of the European Union*.

2. Interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views in writing and submit questionnaire replies or any other information within 40 days from the date of the publication of this Regulation in the *Official Journal of the European Union*, unless otherwise specified.

3. Producers in Macao SAR requesting exemption of imports from registration or measures should submit a request duly supported by evidence within the same 40-day time limit.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

4. Interested parties may also apply to be heard by the Commission within the same 40-day time limit.

5. Any information relating to the matter, any request for a hearing or for a questionnaire as well as any request for exemption of imports from registration or measures must be made in writing (not in electronic format, unless otherwise specified) and must indicate the name, address, e-mail address, telephone and fax numbers of the interested party. All written submissions, including the information requested in this Regulation, questionnaire replies and correspondence provided by interested parties on a confidential basis shall be labelled as 'Limited' ⁽¹⁾ and in accordance with Article 19(2) of the basic Regulation, shall be accompanied by a non-confidential version, which will be labelled 'For inspection by interested parties'.

Commission address for correspondence:
European Commission
Directorate-General for Trade
Directorate H
Office: J-79 4/22
B-1049 Brussels
Fax (32-2) 295 65 05.

Article 4

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

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

Done at Brussels, 5 September 2007.

For the Commission
Peter MANDELSON
Member of the Commission

⁽¹⁾ This means that the document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).

ANNEX

TARIC codes for footwear with uppers of leather or composition leather as defined in Article 1 of Council Regulation (EC) No 1472/2006, consigned from Macao SAR, whether originating in Macao SAR or not

CN code	TARIC code Consigned from Macao SAR
6403 20 00	20
6403 51 05	15
6403 51 05	95
6403 59 05	15
6403 59 05	95
6403 91 05	15
6403 91 05	95
6403 99 05	15
6403 99 05	95
6403 51 11	91
6403 51 15	91
6403 51 19	91
6403 51 91	91
6403 51 95	91
6403 51 99	91
6403 59 11	91
6403 59 31	91
6403 59 35	91
6403 59 39	91
6403 59 91	91
6403 59 95	91
6403 59 99	91
6403 91 11	95
6403 91 13	95
6403 91 16	95
6403 91 18	95
6403 91 91	95
6403 91 93	95
6403 91 96	95
6403 91 98	95
6403 99 11	91
6403 99 31	91
6403 99 33	91

CN code	TARIC code Consigned from Macao SAR
6403 99 36	91
6403 99 38	91
6403 99 91	95
6403 99 93	25
6403 99 93	95
6403 99 96	25
6403 99 96	95
6403 99 98	25
6403 99 98	95
6405 10 00	81

COMMISSION REGULATION (EC) No 1029/2007**of 4 September 2007****prohibiting fishing for blue ling in ICES areas VI and VII (Community waters and waters not under the sovereignty or jurisdiction of third countries) by vessels flying the Spanish flag**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2015/2006 of 19 December 2006 fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks ⁽³⁾ lays down quotas for 2007 and 2008.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of, or registered in, the Member State referred to therein have exhausted the quota allocated for 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated for 2007 to the Member State referred to in the Annex to this Regulation for the stock referred to therein shall be deemed to be exhausted from the date stated in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of, or registered in, the Member State referred to therein shall be prohibited from the date stated in that Annex. After that date it shall also be prohibited to retain on board, tranship or land such stock caught by those vessels.

*Article 3***Entry into force**

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

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

Done at Brussels, 4 September 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 9; corrected by OJ L 36, 8.2.2007, p. 6.).

⁽³⁾ OJ L 384, 29.12.2006, p. 28. Regulation as last amended by Regulation (EC) No 745/2007 (OJ L 172, 28.6.2007, p. 26).

ANNEX

No	32
Member State	Spain
Stock	BLI/67-
Species	Blue ling (<i>Molva dypterygia</i>)
Area	Community waters and waters not under the sovereignty or jurisdiction of third countries in areas VI and VII
Date	23 July 2007

COMMISSION REGULATION (EC) No 1030/2007**of 5 September 2007****prohibiting fishing for forkbeards in ICES areas V, VI and VII (Community waters and waters not under the sovereignty or jurisdiction of third countries) by vessels flying the Spanish flag**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2015/2006 of 19 December 2006 fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks ⁽³⁾ lays down quotas for 2007 and 2008.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of, or registered in, the Member State referred to therein have exhausted the quota allocated for 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated for 2007 to the Member State referred to in the Annex to this Regulation for the stock referred to therein shall be deemed to be exhausted from the date stated in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of, or registered in, the Member State referred to therein shall be prohibited from the date stated in that Annex. After that date it shall also be prohibited to retain on board, tranship or land such stock caught by those vessels.

*Article 3***Entry into force**

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

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

Done at Brussels, 5 September 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 9; corrected by OJ L 36, 8.2.2007, p. 6).

⁽³⁾ OJ L 384, 29.12.2006, p. 28. Regulation as last amended by Regulation (EC) No 745/2007 (OJ L 172, 28.6.2007, p. 26).

ANNEX

No	33
Member State	Spain
Stock	GFB/567-
Species	Forkbeards (<i>Phycis blennoides</i>)
Area	Community waters and waters not under the sovereignty or jurisdiction of third countries in areas V, VI and VII
Date	30 July 2007

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 5 September 2007

setting up the stakeholder dialogue group in the areas of public health and consumer protection

(2007/602/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

(1) Article 153 of the Treaty assigns the Community the task of ensuring a high level of consumer protection, as well as promoting their right to information and to organise themselves in order to safeguard their interests. In addition, consumer protection requirements are to be taken into account in defining and implementing other Community policies and activities.

(2) In accordance with Protocol (No 30) on the application of the principles of subsidiarity and proportionality (1997) ⁽¹⁾, the Commission should consult widely before proposing legislation.

(3) The Commission undertook, in its White Paper on European Governance ⁽²⁾, to help reinforcing the culture of consultation and dialogue in the Community.

(4) The Communication from the Commission entitled: Follow-up to the Green Paper 'European Transparency Initiative' ⁽³⁾ announced the intention to raise further the general level of quality of Commission's consultations.

(5) With a view to advising the Commission on improving the stakeholder consultation process in the areas of public health and consumer protection, the Commission may need to call upon the expertise of specialists in an advisory body.

(6) It is therefore necessary to set up a stakeholder dialogue group in the areas of public health and consumer protection and to define its tasks and its structure.

(7) The stakeholder dialogue group should advise the Commission on best practice in the consultation process and also help it to better tailor its stakeholder involvement processes to stakeholders' needs in the areas of public health and consumer protection.

(8) The stakeholder dialogue group should be composed of a balanced representation of stakeholders, from both industry (federations and individual companies) and non-governmental organisations, concerned by the different policy areas covered by the Directorate-General for Health and Consumer Protection.

⁽¹⁾ OJ C 321E, 29.12.2006, p. 308.

⁽²⁾ COM(2001) 428 final.

⁽³⁾ COM(2007) 127 final.

- (9) Members of the stakeholder dialogue group should be appointed in such a way as to secure the highest standards of competence, a broad range of relevant expertise and, consistent with these criteria, the broadest possible geographic distribution within the Community, as well as a gender balance.
- (10) Rules on the disclosure of information by members of the stakeholder dialogue group should be provided for in this Decision. Such rules should be without prejudice to the Commission's rules on security as set out in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom of 29 November 2001 amending its internal Rules of Procedure ⁽¹⁾.
- (11) Personal data relating to members of the stakeholder dialogue group should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽²⁾.

HAS DECIDED AS FOLLOWS:

Article 1

The stakeholder dialogue group

The stakeholder dialogue group, hereinafter referred to as 'the group', is hereby established with effect from 10 October 2007.

Article 2

Task

1. The Commission may consult the group on any matter relating to the general improvement of the stakeholder consultation process in the areas of public health and consumer protection.
2. The group's task is to:
 - (a) consider the issue of stakeholder representativeness;
 - (b) discuss the issue of stakeholder asymmetries and advise the Commission on possible methods for consultation which respect and adapt to the context of the stakeholders;

- (c) examine criteria for consultations, which need a more flexible and longer timeframe (more than eight weeks);
 - (d) consider the role of national platforms in building the capacity of non-governmental organisations from the Member States which acceded to the Community in 2004 and 2007 and look into the role of Member States in going local.
3. The chairperson of the group may advise the Commission that it is desirable to consult the group on a specific question.

Article 3

Membership – Appointment

1. The members of the group, 'members', shall be appointed by the Commission from specialists with competence in the areas referred to in Article 2(2) and who have responded to the call for an expression of interest.
2. The group shall be composed of a maximum of 20 members.
3. The members shall be appointed in a personal capacity and shall advise the Commission independently of any outside influence.
4. Members shall be appointed for a four-year non-renewable term of office. However, with regards to the first appointment of members only, half of the members shall be appointed for a two-year non-renewable term of office. Members shall remain in office until such time as they are replaced or their term of office ends.
5. Members who are no longer capable of contributing effectively to the group's deliberations, who resign or who do not respect the conditions set out in paragraph 3 of this Article, or Article 287 of the Treaty may be replaced for the remainder of their term of office.
6. Members appointed in a personal capacity shall each year sign an undertaking to act in the public interest and a declaration indicating the absence or existence of any interest which may undermine their objectivity.
7. The names of members appointed in a personal capacity shall be published on the Internet site of the Health and Consumer Protection Directorate-General. The names of members shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

⁽¹⁾ OJ L 317, 3.12.2001, p. 1. Decision as last amended by Decision 2006/548/EC (OJ L 215, 5.8.2006, p. 38).

⁽²⁾ OJ L 8, 12.1.2001, p. 1.

*Article 4***Operation**

1. The group shall be chaired by the Commission.
2. In agreement with the Commission, sub-groups may be set up to examine specific questions under terms of reference established by the group. Such groups shall be dissolved as soon as their mandates are fulfilled.
3. The chairperson may ask experts or observers with specific competence on a subject on the agenda to participate in the group's or sub-group's deliberations if this is useful and/or necessary.
4. Information obtained by participating in the deliberations of a group or sub-group shall not be divulged if the Commission states that such information relates to confidential matters, without prejudice to the Annex to Decision 2001/844/EC, ECSC, Euratom.
5. The group and its sub-groups shall normally meet on Commission premises in accordance with the procedures and schedule established by it. The Commission shall provide secretarial services. Other Commission officials with an interest in the proceedings may attend meetings of the group and its sub-groups.
6. The group shall adopt its rules of procedure on the basis of the standard rules of procedure of the group of experts adopted by the Commission ⁽¹⁾.

7. The Commission shall publish on the Internet site of the Health and Consumer Protection Directorate-General, in the original language of the document concerned, any summary, conclusion, or partial conclusion or working document of the group.

*Article 5***Meeting expenses**

The Commission shall reimburse travel and, where appropriate, subsistence expenses for members, experts and observers in connection with the group's activities in accordance with the Commission's rules on the compensation of external experts.

The members, experts and observers shall not be remunerated for the services they render.

Meeting expenses shall be reimbursed within the limits of the annual budget allocated to the group by the responsible Commission services.

Done at Brussels, 5 September 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ Annex III to SEC(2005) 1004.