

Official Journal

of the European Union

L 125

English edition

Legislation

Volume 51

9 May 2008

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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 408/2008**of 8 May 2008****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 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽¹⁾, and in particular Article 138(1) thereof,

Whereas:

- (1) Regulation (EC) No 1580/2007 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 138 of Regulation (EC) No 1580/2007 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 May 2008.

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

Done at Brussels, 8 May 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

to Commission Regulation of 8 May 2008 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	MA	59,5
	TN	102,3
	TR	102,4
	ZZ	88,1
0707 00 05	MK	34,5
	TR	152,4
	ZZ	93,5
0709 90 70	TR	135,5
	ZZ	135,5
0805 10 20	EG	46,6
	IL	57,7
	MA	51,6
	TN	52,0
	TR	65,0
	US	49,8
	ZZ	53,8
0805 50 10	AR	107,8
	IL	134,7
	TR	131,9
	US	129,7
	ZA	141,8
	ZZ	129,2
0808 10 80	AR	91,7
	BR	86,2
	CA	92,0
	CL	91,0
	CN	98,3
	MK	57,9
	NZ	111,7
	US	111,4
	UY	76,8
	ZA	77,8
	ZZ	89,5

⁽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 409/2008**of 8 May 2008****fixing the export refunds on white and raw sugar exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector⁽¹⁾, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

(1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(b) of that Regulation and prices for those products on the Community market may be covered by an export refund.

(2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.

(3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

(4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Regulation (EC) No 318/2006.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 May 2008.

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

Done at Brussels, 8 May 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

ANNEX

Export refunds on white and raw sugar exported without further processing applicable from 9 May 2008

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	25,19 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	26,54 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	25,19 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	26,54 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2739
1701 99 10 9100	S00	EUR/100 kg	27,39
1701 99 10 9910	S00	EUR/100 kg	28,85
1701 99 10 9950	S00	EUR/100 kg	28,85
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,2739

NB: The destinations are defined as follows:

S00 — All destinations with the exception of:

- (a) third countries: Andorra, Liechtenstein, the Holy See (Vatican City State), Croatia, Bosnia-Herzegovina, Serbia (*), Montenegro, Albania and the former Yugoslav Republic of Macedonia;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.

(*) Including Kosovo, under the aegis of the United Nations, pursuant to UN Security Council Resolution 1244 of 10 June 1999.

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 % the refund amount applicable shall be multiplied, for each exporting operation concerned, by a conversion factor obtained by dividing by 92 the yield of the raw sugar exported, calculated in accordance with paragraph 3 of Point III of the Annex I of Regulation (EC) No 318/2006.

COMMISSION REGULATION (EC) No 410/2008**of 8 May 2008****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 900/2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 900/2007 of 27 July 2007 on a standing invitation to tender to determine refunds on exports of white sugar for the 2007/08 marketing year⁽²⁾ requires the issuing of partial invitations to tender.

(2) Pursuant to Article 8(1) of Regulation (EC) No 900/2007 and following an examination of the tenders submitted

in response to the partial invitation to tender ending on 8 May 2008, it is appropriate to fix a maximum export refund for that partial invitation to tender.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the partial invitation to tender ending on 8 May 2008, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 900/2007 shall be 33,848 EUR/100 kg.

Article 2

This Regulation shall enter into force on 9 May 2008.

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

Done at Brussels, 8 May 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

⁽²⁾ OJ L 196, 28.7.2007, p. 26. Regulation as last amended by Commission Regulation (EC) No 148/2008 by Commission Regulation (OJ L 46, 21.2.2008, p. 9).

COMMISSION REGULATION (EC) No 411/2008**of 8 May 2008****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 1060/2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1060/2007 of 14 September 2007 opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Spain, Ireland, Italy, Hungary, Poland, Slovakia and Sweden⁽²⁾ requires the issuing of partial invitations to tender.

- (2) Pursuant to Article 4(1) of Regulation (EC) No 1060/2007 and following an examination of the tenders submitted in response to the partial invitation to tender ending on 7 May 2008, it is appropriate to fix a maximum export refund for that partial invitation to tender.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the partial invitation to tender ending on 7 May 2008, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 1060/2007 shall be 414,08 EUR/t.

Article 2

This Regulation shall enter into force on 9 May 2008.

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

Done at Brussels, 8 May 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

⁽²⁾ OJ L 242, 15.9.2007, p. 8. Regulation as last amended by Commission Regulation (EC) No 148/2008 (OJ L 46, 21.2.2008, p. 9).

COMMISSION REGULATION (EC) No 412/2008**of 8 May 2008****opening and providing for the administration of an import tariff quota for frozen beef intended for processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 32(1) thereof,

Whereas:

- (1) The WTO schedule CXL requires the Community to open an annual import tariff quota of 50 700 tonnes of frozen beef intended for processing. Moreover, as a result of the negotiations which led to the Agreement in the form of an Exchange of Letters between the European Community and Australia pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union ⁽²⁾, approved by Council Decision 2006/106/EC ⁽³⁾, the Community undertook to incorporate in its schedule for all Member States an increase of 4 003 tonnes of that import tariff quota as of 1 July 2006.
- (2) Implementing rules should be laid down for the opening and administration of this quota every year for the period from 1 July to 30 June of the following year.
- (3) The import of frozen beef under the tariff quota is subject to customs import duties and to the conditions laid down under order number 12 of Annex 7 to Part three of Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁴⁾.

(4) Imports into the Community under the tariff quota are subject to presentation of an import licence in accordance with the first subparagraph of Article 29(1) of Regulation (EC) No 1254/1999. The provisions of Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾ and of Commission Regulation (EC) No 382/2008 of 21 April 2008 on rules of application for import and export licences in the beef and veal sector ⁽⁶⁾ should apply to import licences issued under this Regulation, without prejudice to additional conditions laid down in this Regulation.

(5) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽⁷⁾ lays down in particular detailed provisions on applications for import rights, the status of applicants and the issue of import licences. The provisions of Regulation (EC) No 1301/2006 should apply to imports licences issued pursuant to this Regulation, without prejudice to additional conditions laid down in this Regulation.

(6) It is appropriate to manage this import tariff quota by attributing import rights as a first step and issuing import licences as a second, as provided for in Article 6(3) of Regulation (EC) No 1301/2006. In this way, operators that have obtained import rights should be able to decide, during the course of the quota period, the moment when they wish to apply for import licences, in view of their actual trade flows. It should be possible to issue licences following allocations of import rights on the basis of applications from eligible processors. In any case, the Regulation (EC) No 1301/2006 limits the period of validity of licences to the last day of the import tariff quota period.

(7) So as to avoid speculation, access to the quota should be allowed only to active processors carrying out processing in a processing establishment approved in accordance with Article 4 of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽⁸⁾.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Commission Regulation (EC) No 98/2008 (OJ L 29, 2.2.2008, p. 5). Regulation (EC) No 1254/1999 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽²⁾ OJ L 47, 17.2.2006, p. 54.

⁽³⁾ OJ L 47, 17.2.2006, p. 52.

⁽⁴⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 1352/2007 (OJ L 303, 21.11.2007, p. 3).

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1423/2007 (OJ L 317, 5.12.2007, p. 36).

⁽⁶⁾ OJ L 115, 29.4.2008, p. 10.

⁽⁷⁾ OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

⁽⁸⁾ OJ L 139, 30.4.2004, p. 55. Regulation as amended by Regulation (EC) No 1243/2007 (OJ L 281, 25.10.2007, p. 8).

- (8) In order to prevent speculation, import licences should be issued to processors solely for the quantities for which they have been allocated import rights. Moreover, for the same reason, security should be lodged together with the application for import rights. The application for import licences corresponding to the allocated rights should be a primary requirement within the meaning of Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products ⁽¹⁾.
- (9) The application of the tariff quota requires strict surveillance of imports and effective checks as to their use and destination. The processing should therefore be authorised only in the establishment referred to in the import licence.
- (10) A security should be lodged in order to ensure that the imported meat is used according to the tariff quota specifications. The amount of that security should be fixed taking into account the difference between the customs duties applicable within and outside the quota.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

An import tariff quota of 54 703 tonnes, bone-in equivalent of frozen beef falling within CN code 0202 20 30, 0202 30 10, 0202 30 50, 0202 30 90 or 0206 29 91 and intended for processing in the Community (hereinafter the quota) is hereby opened every year for the period from 1 July to 30 June of the following year (hereafter import tariff quota period) subject to the conditions laid down in this Regulation.

Article 2

1. For the purposes of this Regulation, an A-product shall mean a processed product falling within CN code 1602 10, 1602 50 31 or 1602 50 95, not containing meat other than that of animals of the bovine species, with a collagen/protein ratio of no more than 0,45 and containing by weight at least 20 % of lean meat excluding offal and fat with meat and jelly accounting for at least 85 % of the total net weight.

⁽¹⁾ OJ L 205, 3.8.1985, p. 5. Regulation as last amended by Regulation (EC) No 1913/2006 (OJ L 365, 21.12.2006, p. 52).

The collagen content shall be considered to be the hydroxyproline content multiplied by the factor 8. The hydroxyproline content shall be determined according to ISO method 3496-1994.

The lean bovine meat content excluding fat shall be determined in accordance with the procedure laid down in the Annex to Commission Regulation (EEC) No 2429/86 ⁽²⁾.

Offal includes the following: heads and cuts thereof (including ears), feet, tails, hearts, udders, livers, kidneys, sweetbreads (thymus glands), pancreas, brains, lungs, throats, thick skirts, spleens, tongues, caul, spinal cords, edible skin, reproductive organs (i.e. uteri, ovaries and testes), thyroid glands, pituitary glands.

The product shall be subjected to a heat treatment sufficient to ensure the coagulation of meat proteins in the whole of the product which may not show any traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.

2. For the purposes of this Regulation, a B-product shall mean a processed product containing beef, other than:

(a) the products specified in Article 1(1)(a) of Regulation (EC) No 1254/1999; or

(b) the products referred to under paragraph 1 of this Article.

However, a processed product falling within CN code 0210 20 90 which has been dried or smoked so that the colour and consistency of the fresh meat has totally disappeared and with a water/protein ratio not exceeding 3:2 shall be considered to be a B-product.

Article 3

1. The overall quantity referred to in Article 1 shall be divided into two quantities:

(a) 43 000 tonnes of frozen beef intended for the manufacture of A-products;

(b) 11 703 tonnes of frozen beef intended for the manufacture of B-products.

⁽²⁾ OJ L 210, 1.8.1986, p. 39.

2. The quota shall bear the following order numbers:

(a) 09.4057 for the quantities referred to in paragraph 1(a);

(b) 09.4058 for the quantities referred to in paragraph 1(b).

3. The customs import duties to apply on frozen beef under the quota are set out in Annex I.

Article 4

1. The quota shall be managed by attributing import rights as a first step and issuing import licences as a second.

2. Regulations (EC) No 1291/2000, (EC) No 1301/2006 and (EC) No 382/2008 shall apply, save as otherwise provided for in this Regulation.

Article 5

1. By way of derogation from Article 5 of Regulation (EC) No 1301/2006, instead of providing proof of their engagement in trade with third countries, the applicants for import rights shall prove that they are approved as processing establishments under Article 4 of Regulation (EC) No 853/2004 and shall demonstrate that they have been active in production of processed products containing beef during each of the two reference periods referred to in Article 5 of Regulation (EC) No 1301/2006.

An application for import rights may not exceed 10 % of each quantity referred to in Article 3(1) of this Regulation.

2. The evidence of compliance with the conditions laid down in paragraph 1 shall be submitted together with the application for import rights.

By way of derogation from the second paragraph of Article 5 of Regulation (EC) No 1301/2006, the competent national authority shall decide what documents shall be furnished as proof of compliance with those conditions.

Article 6

1. Each application for import rights for production of A-products or B-products shall be expressed in bone-in equivalence.

For the purpose of this paragraph 100 kilograms of bone-in beef equals 77 kilograms of boneless beef.

2. Applications for import rights for production of either A-products or B-products shall be lodged no later than 13.00, Brussels time, on 8 June preceding the yearly import tariff quota period.

3. A security of EUR 6 per 100 kg shall be lodged together with the application for import rights.

4. No later than 13.00, Brussels time, on the second Friday following the end of the period for the submission of applications referred to in paragraph 2, Member States shall notify the Commission of the total quantities applied for under each of the two categories of products.

Article 7

1. Import rights shall be awarded as from the 7th and no later than the 16th working day following the end of the period for the notifications referred to in Article 6(4).

2. If application of the allocation coefficient referred to in Article 7(2) of Regulation (EC) No 1301/2006 results in fewer import rights to be allocated than had been applied for, the security lodged in accordance with Article 6(3) of this Regulation shall be released proportionally without delay.

Article 8

1. The release into free circulation of the quantities awarded under the quota is subject to the presentation of an import licence.

2. Import licence applications shall cover the total quantity allocated. This obligation shall constitute a primary requirement within the meaning of Article 20(2) of Regulation (EEC) No 2220/85.

Article 9

1. Licence applications may be lodged solely in the Member State where the applicant has applied and obtained import rights under the quota.

Each issuing of import licence shall result in a corresponding reduction of the import rights obtained and the security lodged in accordance with Article 6(3) shall be released proportionally without delay.

2. Import licences shall be issued in the name of the operator who has obtained the import rights.

3. The licence application and the licence shall contain the following information:

- (a) in Box 8, the country of origin;
- (b) in Box 16, one of the eligible CN codes referred to in Article 1;
- (c) in box 20, the order number of the quota, at least one of the entries listed in Annex II and the name and address of the processing establishment.

4. Import licences shall be valid for 120 days from the actual date of issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000.

Article 10

Member States shall set up a system of physical and documentary checks to ensure that, within three months of the date of import, all meat is processed in the processing establishment and into the category of product specified on the import licence concerned.

The system shall include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors shall at any time be able to demonstrate the identity and use of the imported meat through appropriate production records.

Technical verification of the production method by the competent authority may, to the extent necessary, make allowance for drip losses and trimmings.

In order to verify the quality of the finished product and establish its conformity with the processor's formula for the composition of the product, Member States shall take representative samples and analyse those products. The costs of such operations shall be borne by the processor concerned.

Article 11

1. A security shall be lodged with the competent authority at the time of import ensuring that the processor having been allocated import rights processes the entire quantity of meat imported into the required finished products in his establishment specified in the licence application, within three months of the day of import.

The amounts of the security are fixed in Annex III.

2. The security referred to in paragraph 1 shall be released in proportion to the quantity for which, within seven months of the day of import, proof has been furnished to the satisfaction of the competent authority that all or part of the imported meat has been processed into the relevant products within three months following the day of import in the designated establishment.

However, if processing took place after the three-month time limit referred to in the first subparagraph, the security shall be released minus a 15 % reduction plus 2 % of the remaining amount for each day by which the time limit has been exceeded.

If proof of processing is established within the seven-month time limit referred to in the first subparagraph and produced within 18 months following those seven months, the amount forfeited, less 15 % of the security amount, shall be repaid.

3. The amount not released of the security referred to in paragraph 1 shall be forfeited.

Article 12

1. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify to the Commission:

- (a) no later than the 10th day of each month, the quantities of products, including nil returns, for which import licences were issued in the previous month;
- (b) no later than 31 October following the end of each import tariff quota period, the quantities of products, including nil returns, covered by unused or partly used import licences and corresponding to the difference between the quantities entered on the back of the import licences and the quantities for which they were issued.

2. No later than 31 October following the end of each import tariff quota period, Member States shall notify to the Commission the quantities of products, which were actually released into free circulation during the preceding import tariff quota period.

3. In the notifications referred to in paragraphs 1 and 2 of this Article, the quantities shall be expressed in kilograms of product weight and per product category as set out in Annex V to Regulation (EC) No 382/2008.

Article 13

This Regulation shall enter into force on the third 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, 8 May 2008.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

*ANNEX I***IMPORT DUTIES**

Product (CN code)	For manufacture of A products	For manufacture of B products
0202 20 30	20 %	20 % + 994,5 EUR/1 000 kg/net
0202 30 10	20 %	20 % + 1 554,3 EUR/1 000 kg/net
0202 30 50	20 %	20 % + 1 554,3 EUR/1 000 kg/net
0202 30 90	20 %	20 % + 2 138,4 EUR/1 000 kg/net
0206 29 91	20 %	20 % + 2 138,4 EUR/1 000 kg/net

ANNEX II

Entries referred to in Article 9(3)(c)

- *in Bulgarian:* Лицензия, валидна в ... (държава-членка издател) / месо, предназначено за преработка в ... [продукти А] [продукти Б] (ненужното се зачертава) в ... (точно наименование и номер на одобрението на предприятието, където ще се извърши преработката) / Регламент (ЕО) № 382/2008
- *in Spanish:* Certificado válido en ... (Estado miembro expedidor) / carne destinada a la transformación ... [productos A] [productos B] (táchese lo que no proceda) en ... (designación exacta y número de registro del establecimiento en el que vaya a procederse a la transformación) / Reglamento (CE) nº 382/2008
- *in Czech:* Licence platná v ... (vydávající členský stát) / Maso určené ke zpracování ... [výrobky A] [výrobky B] (nehodící se škrtněte) v (přesné určení a číslo schválení zpracovatelského zařízení, v němž se má zpracování uskutečnit) / nařízení (ES) č. 382/2008
- *in Danish:* Licens gyldig i ... (udstedende medlemsstat) / Kød bestemt til forarbejdning til (A-produkter) (B-produkter) (det ikke gældende overstreges) i ... (nøjagtig betegnelse for den virksomhed, hvor forarbejdningen sker) / forordning (EF) nr. 382/2008
- *in German:* In ... (ausstellender Mitgliedstaat) gültige Lizenz / Fleisch für die Verarbeitung zu [A-Erzeugnissen] [B-Erzeugnissen] (Unzutreffendes bitte streichen) in ... (genaue Bezeichnung des Betriebs, in dem die Verarbeitung erfolgen soll) / Verordnung (EG) Nr. 382/2008
- *in Estonian:* Litsents on kehtiv ... (välja andev liikmesriik) / Liha töötlemiseks ... [A toode] [B toode] (kustuta mittevajalik) ... (ettevõtte asukoht ja loomumber, kus toimub töötlemine / määrus (EÜ) nr 382/2008
- *in Greek:* Η άδεια ισχύει ... (κράτος μέλος έκδοσης) / Κρέας που προορίζεται για μεταποίηση ... [προϊόντα Α] [προϊόντα Β] (διαγράφεται η περιττή ένδειξη) ... (ακριβής περιγραφή και αριθμός έγκρισης της εγκατάστασης όπου πρόκειται να πραγματοποιηθεί η μεταποίηση) / Κανονισμός (ΕΚ) αριθ. 382/2008
- *in English:* Licence valid in ... (issuing Member State) / Meat intended for processing ... [A-products] [B-products] (delete as appropriate) at ... (exact designation and approval No of the establishment where the processing is to take place) / Regulation (EC) No 382/2008
- *in French:* Certificat valable ... (État membre émetteur) / viande destinée à la transformation de ... [produits A] [produits B] (rayer la mention inutile) dans ... (désignation exacte et numéro d'agrément de l'établissement dans lequel la transformation doit avoir lieu) / règlement (CE) nº 382/2008
- *in Italian:* Titolo valido in ... (Stato membro di rilascio) / Carni destinate alla trasformazione ... [prodotti A] [prodotti B] (depenare la voce inutile) presso ... (esatta designazione e numero di riconoscimento dello stabilimento nel quale è prevista la trasformazione) / Regolamento (CE) n. 382/2008
- *in Latvian:* Atļauja derīga ... (dalībvalsts, kas izsniedz ievēšanas atļauju) / pārstrādei paredzēta gaļa ... [A produktu] [B produktu] ražošanai (nevajadzīgo nosvītrot) ... (precīzs tā uzņēmuma apzīmējums un apstiprinājuma numurs, kurā notiks pārstrāde) / Regula (EK) Nr. 382/2008
- *in Lithuanian:* Licencija galioja ... (išdavusioji valstybė narė) / Mėsa skirta perdirbimui ... [produktai A] [produktai B] (ištrinti nereikalinga) ... (tikslus įmonės, kurioje bus perdirbama, pavadinimas ir registracijos Nr.) / Reglamentas (EB) Nr. 382/2008
- *in Hungarian:* Az engedély ... (kibocsátó tagállam) területén érvényes. / Feldolgozásra szánt hús ... [A-termék][Btermék] (a nem kívánt törlendő) ... (pontos rendeltetési hely és a feldolgozást végző létesítmény engedélyezési száma) 382/2008/EK rendelet

- *in Maltese:* Liċenzja valida fi ... (Stat Membru tal-hruġ) / Laham mahsub għall-ipproċessar ... [Prodotti-A] [Prodotti-B] (hassar skond kif ikun xieraq) fi ... (deżinjazzjoni eżatta u Nru ta' l-istabbiliment fejn se jsir l-ipproċessar) / Ir-Regolament (KE) Nru 382/2008
- *in Dutch:* Certificaat geldig in ... (lidstaat van afgifte) / Vlees bestemd voor verwerking tot [A-producten] [B-producten] (doorhalen wat niet van toepassing is) in ... (nauwkeurige aanduiding en toelatingsnummer van het bedrijf waar de verwerking zal plaatsvinden) / Verordening (EG) nr. 382/2008
- *in Polish:* Pozwolenie ważne w ... (wystawiające państwo członkowskie) / mięso przeznaczone do przetworzenia ... [produkty A] [produkty B] (niepotrzebne skreślić) w ... (dokładne miejsce przeznaczenia i nr zatwierdzenia zakładu, w którym ma mieć miejsce przetwarzanie) / rozporządzenie (WE) nr 382/2008
- *in Portuguese:* Certificado válido em ... (Estado-Membro emissor) / carne destinada à transformação ... [produtos A] [produtos B] (riscar o que não interessa) em ... (designação exacta e número de aprovação do estabelecimento em que a transformação será efectuada) / Regulamento (CE) n.º 382/2008
- *in Romanian:* Licență valabilă în ... (statul membru emitent) / Carne destinată procesării ... [produse-A] [produse-B] (se șterge unde este cazul) la ... (desemnarea exactă și nr. de aprobare al stabilimentului unde va avea loc procesarea) / Regulamentul (CE) nr. 382/2008
- *in Slovak:* Licencia platná v ... (vydávající členský stát) / Mäso určené na spracovanie ... [výrobky A] [výrobky B] (nehodiace sa prečiarknite) v ... (presné určenie a číslo schválenia zariadenia, v ktorom spracovanie prebehne) / nariadenie (ES) č. 382/2008
- *in Slovenian:* Dovoljenje velja v ... (država članica, ki ga je izdala) / Meso namenjeno predelavi ... [proizvodi A] [proizvodi B] (črtaj neustrezno) v ... (točno namembno območje in št. odobritve obrata, kjer bo predelava potekala) / Uredba (ES) št. 382/2008
- *in Finnish:* Todistus on voimassa ... (myöntäjäsensvaltio) / Liha on tarkoitettu [A-luokan tuotteet] [B-luokan tuotteet] (tarpeeton poistettava) jalostukseen ... :ssa (tarkka ilmoitus laitoksesta, jossa jalostus suoritetaan, hyväksyntänumero mukaan lukien) / Asetus (EY) N:o 382/2008
- *in Swedish:* Licensen är giltig i ... (utfärdande medlemsstat) / Kött avsett för bearbetning ... [A-produkter] [B-produkter] (stryk det som inte gäller) vid ... (exakt angivelse av och godkännandenummer för anläggningen där bearbetningen skall ske) / Förordning (EG) nr 382/2008

ANNEX III

AMOUNTS OF SECURITY ⁽¹⁾*(in EUR/1 000 kg net)*

Product (CN code)	For manufacture of A products	For manufacture of B products
0202 20 30	1 414	420
0202 30 10	2 211	657
0202 30 50	2 211	657
0202 30 90	3 041	903
0206 29 91	3 041	903

⁽¹⁾ The exchange rate to be applied shall be the exchange rate on the day preceding the lodging of the security.

COMMISSION REGULATION (EC) No 413/2008**of 8 May 2008****amending and correcting Regulation (EC) No 27/2008 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusions of the GATT XXIV.6 negotiations ⁽¹⁾, and in particular Article 1(1) thereof,

Whereas:

- (1) Experience of the implementation of Commission Regulation (EC) No 27/2008 of 15 January 2008 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand ⁽²⁾ has shown that, in the interests of sound management of the quotas, some adjustments should be made to that Regulation.
- (2) In the interests of sound management of the quotas and in the light of experience, market fluidity should be improved for the products in question and better use of the quotas ensured. Operators should thus be permitted to submit more than one licence application per quota period and there should therefore be a derogation from Article 6(1) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (3) To ensure that the quotas are managed on the basis of the quota year in question, it should be specified that if licence applications are lodged in December and these applications relate to the following year's quota, Member States are not to forward such applications to the Commission until the first period of the following year.
- (4) In order to rationalise and simplify the Commission's procedure for following up applications and to reduce the number of communications to be sent by Member States to the Commission, the number of communications to the Commission should be limited to one per week.

(5) When Commission Regulation (EC) No 2449/96 of 18 December 1996 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand ⁽⁴⁾ was codified, by means of Regulation (EC) No 27/2008, the CN code 0714 10 99 was reproduced without taking account of the amended numbering of the Combined Nomenclature codes introduced by Commission Regulation (EC) No 1214/2007 ⁽⁵⁾, which replaced CN code 0714 10 99 by CN code ex 0714 10 98. The Regulation should therefore be amended and its title corrected.

(6) The allocation of quantities reserved for WTO member countries and WTO non-member countries (1 320 590 tonnes and 32 000 tonnes respectively) is unclear in Article 1 of Regulation (EC) No 27/2008. To avoid confusion, the wording of that provision should be amended.

(7) Regulation (EC) No 27/2008 should therefore be amended and corrected accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 27/2008 is hereby amended as follows:

1. In Article 1 the following paragraph is inserted after the first paragraph:

'For the purposes of this Regulation, "products covered by CN code ex 0714 10 98" means products other than pellets of flour and meal covered by CN code 0714 10 98.'

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 13, 16.1.2008, p. 3.

⁽³⁾ OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

⁽⁴⁾ OJ L 333, 21.12.1996, p. 14. Regulation repealed by Regulation (EC) No 27/2008.

⁽⁵⁾ OJ L 286, 31.10.2007, p. 1.

2. Article 8 is amended as follows:

(a) in paragraph 1, the following subparagraph is added:

‘Notwithstanding Article 6(1) of Regulation (EC) No 1301/2006, applicants may submit more than one licence application per quota period. However, applicants may submit only one licence application per week.’;

(b) paragraphs 2, 3 and 4 are replaced by the following:

‘2. For products originating in Indonesia or China, licence applications submitted in December may relate to imports to be carried out in the following year if they are submitted on the basis of an export licence issued by the Indonesian or Chinese authorities in respect of the year in question.

3. After the end of the period for lodging applications laid down in the first subparagraph of paragraph 1, and no later than 13:00 on the following Thursday, Member States shall send the Commission the following information:

- (a) the total quantities covered by licence applications, by origin and product code;
- (b) the number of the certificate of origin submitted and the total quantity entered in the original document or an extract thereof;
- (c) the reference numbers of the export certificates issued by the Indonesian or Chinese authorities and the corresponding quantities, and the name of the vessel.

Nevertheless, for the applications referred to in paragraph 2, Member States shall provide this information with the communications for the first week of the following year.

4. Import licences shall be issued on the fourth working day following the end of the notification period referred to in paragraph 3.’

Article 2

Regulation (EC) No 27/2008 is hereby corrected as follows:

1. In the title the CN code ‘0714 10 99’ is replaced by ‘ex 0714 10 98’.

2. The first paragraph of Article 1 is corrected as follows:

(a) the introductory sentence is replaced by the following:

‘From 1 January 1997, the following annual tariff quotas are hereby opened for imports of products covered by CN codes 0714 10 91, ex 0714 10 98, 0714 90 11 and 0714 90 19 at a customs duty rate of 6 % ad valorem’;

(b) points (c) and (d) are replaced by the following:

‘(c) a quota of 145 590 tonnes for the products in question originating in member countries of the World Trade Organisation (WTO) other than Thailand, China and Indonesia;

(d) a quota of 32 000 tonnes for the products in question originating in countries which are not members of the WTO, of which 2 000 tonnes shall be reserved for the importation of products falling within CN codes 0714 10 91 and 0714 90 11.’

Article 3

This Regulation shall enter into force on the third day following that 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, 8 May 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 414/2008**of 8 May 2008****laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards the granting of private storage aid for certain cheeses in the 2008/09 storage period**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

(1) Under Article 9 of Regulation (EC) No 1255/1999, private storage aid may be granted for long-keeping cheeses and for cheeses which are manufactured from sheep's and/or goat's milk and require at least six months for maturing, if for those cheeses price developments and the stock situation indicate a serious imbalance of the market which may be eliminated or reduced by seasonal storage.

(2) The seasonal nature of the production of certain long-keeping cheeses and Pecorino Romano, Kefalotyri and Kasseri cheese is aggravated by the fact that the seasonality of consumption is the inverse of the seasonality of production. The fragmented production of such cheeses further aggravates the consequences of that seasonality. Therefore, provision should be made for recourse to seasonal storage in respect of a quantity corresponding to the difference between summer and winter production.

(3) The types of cheeses eligible for aid and the maximum quantities which may qualify for it should be laid down, as well as the duration of the contracts in relation to the real requirements of the market and the keeping qualities of the cheeses in question.

(4) It is necessary to specify the terms of the storage contract and the essential measures to enable the cheese covered by a contract to be identified and subjected to checks. The amount of aid should be fixed taking into account the storage costs and the balance to be maintained between cheeses qualifying for the aid and other cheeses marketed. In view of these elements, and of the available resources, the total amount of aid should not be changed.

(5) Detailed rules should also be laid down regarding documentation, accounting and the frequency and nature of checks. In this connection, it should be laid down that the Member States may charge the costs of checks fully or in part to the contractor.

(6) It should be clarified that only whole cheeses are eligible for the private storage aid.

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

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter**

This Regulation lays down the detailed rules for granting Community aid for private storage of certain cheeses (hereinafter referred to as aid) pursuant to Article 9 of Regulation (EC) No 1255/1999 during the 2008/09 storage period.

*Article 2***Definitions**

For the purpose of this Regulation:

(a) 'storage lot' means a quantity of cheese weighing at least 2 tonnes, of the same type and taken into storage in a single storage depot on a single day;

(b) 'day of commencement of contractual storage' means the day following that of entry into storage;

(c) 'last day of contractual storage' means the day before that of removal from storage;

(d) 'storage period' means the period during which the cheese can be covered by the private storage scheme, as specified for each type of cheese in the Annex.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1152/2007 (OJ L 258, 4.10.2007, p. 3).

*Article 3***Cheeses eligible for aid**

1. Aid shall be granted in respect of certain long-keeping cheeses, Pecorino Romano, Kefalotyri and Kasseri cheese under the terms laid down in the Annex. Only whole cheeses are eligible.

2. The cheeses must have been manufactured in the Community and satisfy the following conditions:

- (a) be indelibly marked with an indication of the undertaking in which they were manufactured and of the day and month of manufacture; the above details may be in code form;
- (b) have undergone quality tests which establish their classification after maturing in the categories laid down in the Annex.

*Article 4***Storage contract**

1. Contracts relating to the private storage of cheese shall be concluded between the intervention agency of the Member State on whose territory the cheese is stored and natural or legal persons, hereinafter called 'contractors'.

2. Storage contracts shall be drawn up in writing on the basis of an application to draw up a contract.

Applications must reach intervention agencies within no more than 30 days of the date of entry into storage and may relate only to lots of cheese which have been fully taken into storage. The intervention agencies shall register the date on which each application is received.

If the application reaches the intervention agency within 10 working days following the deadline, the storage contract may still be concluded but the aid shall be reduced by 30 %.

3. Storage contracts shall be concluded for one or more storage lots and shall include, in particular, provisions concerning:

- (a) the quantity of cheese to which the contract applies;
- (b) the dates relating to the execution of the contract;
- (c) the amount of aid;
- (d) the identity of the storage depots.

4. Storage contracts shall be concluded within no more than 30 days of the date of registration of the application to draw up a contract.

5. Inspection measures, particularly those referred to in Article 7, shall be the subject of specifications drawn up by the intervention agency. The storage contract shall refer to those specifications.

*Article 5***Entry into and removal from storage**

1. The periods of entry into and removal from storage shall be as laid down in the Annex.

2. Removal from storage shall be in whole storage lots.

3. Where, at the end of the first 60 days of contractual storage, the deterioration in the quality of the cheese is greater than is normal in store, contractors may be authorised, once per storage lot, to replace the defective quantity, at their own expense.

If checks during storage or on removal from storage reveal defective quantities, no aid may be paid for those quantities. In addition, the part of the lot which is still eligible for aid may not be less than 2 tonnes.

The second subparagraph shall apply where part of a lot is removed before the start of the period of removal from storage referred to in paragraph 1 or before expiry of the minimum storage period referred to in Article 8(2).

4. For the purpose of calculating the aid in the case referred to in the first subparagraph of paragraph 3, the first day of contractual storage shall be the day of commencement of contractual storage.

*Article 6***Storage conditions**

1. The Member State shall ensure that all the conditions granting entitlement to payment of the aid are fulfilled.

2. The contractor or, at the request of the Member State or with its authorisation, the person responsible for the storage depot shall make available to the competent authority responsible for inspection any documentation permitting verification of the following particulars of products placed in private storage:

- (a) ownership at the time of entry in storage;
- (b) the origin and the date of manufacture of the cheeses;
- (c) the date of entry in storage;

(d) presence in the store and the address of the store;

(e) the date of removal from storage.

3. The contractor or, where applicable, the person responsible for the storage depot shall keep stock records available at the depot for each contract, covering:

(a) the identification, by storage lot number, of the products placed in private storage;

(b) the dates of entry into and removal from storage;

(c) the number of cheeses and their weight by storage lot;

(d) the location of the products in the store.

4. Products stored must be easily identifiable, easily accessible and identified individually by contract. A special mark shall be affixed to stored cheeses.

Article 7

Checks

1. On entry into storage the competent agency shall conduct checks, in particular to ensure that products stored are eligible for the aid and to prevent any possibility of substitution of products during storage under contract.

2. The competent agency shall make an unannounced check, by sampling, to ensure that the products are present in the storage depot. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure.

Such checks must include, in addition to an examination of the accounts referred to in Article 6(3), a physical check of the weight and type of products and their identification. Such physical checks must relate to at least 5 % of the quantity subjected to the unannounced check.

3. At the end of the contractual storage period, the competent agency shall check to see that the products are present. However, where the products are still in storage after expiry of the maximum contractual storage period, this check may be made when the products are removed from storage.

For the purposes of the check referred to in the first subparagraph, the contractor shall notify the competent authority, indicating the storage lots concerned, at least five working days before the expiry of the contractual storage period or the start of the removal operations, where these take place during or after the contractual storage period.

The Member State may accept a shorter timelimit than the five working days specified in the second subparagraph.

4. A report shall be drawn up on the checks carried out pursuant to paragraphs 1, 2 and 3, specifying:

(a) the date of the check;

(b) its duration;

(c) the operations carried out.

The report must be signed by the inspector responsible and countersigned by the contractor or, as the case may be, the person responsible for the storage depot, and must be included in the payment dossier.

5. In the case of irregularities affecting at least 5 % of the quantities of products checked, the check shall be extended to a larger sample to be determined by the competent authority.

The Member States shall notify such cases to the Commission within four weeks.

6. Member States may provide that the costs of checks are to be fully or in part charged to the contractor.

Article 8

Storage aid

1. The aid shall be as follows:

(i) EUR 0,38 per tonne per day of contractual storage for long-keeping cheeses;

(ii) EUR 0,45 per tonne per day of contractual storage for Pecorino Romano;

(iii) EUR 0,59 per tonne per day of contractual storage for Kefalotyri and Kasseri.

2. No aid shall be granted in respect of storage under contract for less than 60 days. The maximum aid payable shall not exceed an amount corresponding to 180 days' storage under contract.

Where the contractor fails to comply with the timelimit referred to in the second or, as the case may be, third subparagraph of Article 7(3), the aid shall be reduced by 15 % and shall be paid only in respect of the period for which the contractor supplies satisfactory proof to the competent agency that the cheeses have remained in contractual storage.

3. The aid shall be paid on application by the contractor, at the end of the contractual storage period, within 120 days of

receipt of the application, provided that the checks referred to in Article 7(3) have been carried out and that the conditions for entitlement to the aid have been met.

However, if it has been necessary to commence an administrative inquiry into entitlement to the aid, payment shall not be made until entitlement has been recognised.

Article 9

Entry into force

This Regulation shall enter into force on the day following that 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, 8 May 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

Categories of cheeses	Quantities eligible for aid	Minimum age for cheeses	Period of entry into storage	Period of removal from storage
French long-keeping cheeses: — protected designation of origin Beaufort and Comté cheeses — 'Label Rouge' Emmental grand cru — class A or B Emmental and Gruyère cheeses	16 000 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
German long-keeping cheeses: 'Markenkäse' or 'Klasse fein' Emmentaler/Bergkäse	1 000 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Irish long-keeping cheeses: Irish long-keeping cheese Emmental, special grade	900 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Austrian long-keeping cheeses: 1. Güteklasse Emmentaler/Bergkäse/Alpkäse	1 700 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Finnish long-keeping cheeses: 'I luokka'	1 700 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Swedish long-keeping cheeses: 'Västerbotten/Prästost/Svecia/Grevé'	1 700 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Polish long-keeping cheeses: 'Podlaski/Piwny/Emmentalski/Ser Corregio/Bursztyn/Wielkopolski'	3 000 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Slovenian long-keeping cheeses: 'Emmentalec/Zbrinc'	200 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Lithuanian long-keeping cheeses: 'Goja/Džiugas'	700 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Latvian long-keeping cheeses: 'Rigamond, Ementāles tipa un Ekstra klases siers'	500 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Hungarian long-keeping cheeses: 'Hajdú'	300 t	10 days	From 1 June to 30 September 2008	From 1 October 2008 to 31 March 2009
Pecorino Romano	19 000 t	90 days and produced after 1 October 2007	From 1 June to 31 December 2008	Before 31 March 2009
Kefalotyri and Kasseri made from sheep's or goat's milk or a mixture of the two	2 500 t	90 days and produced after 30 November 2007	From 1 June to 30 November 2008	Before 31 March 2009

COMMISSION REGULATION (EC) No 415/2008**of 8 May 2008****on the division between 'deliveries' and 'direct sales' of national reference quantities fixed for 2007/08 in Annex I to Council Regulation (EC) No 1788/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1788/2003 of 29 September 2003 establishing a levy in the milk and milk products sector ⁽¹⁾, and in particular Article 8 thereof,

Whereas:

(1) Article 6 of Regulation (EC) No 1788/2003 provides that producers may have one or two individual reference quantities, one for deliveries and the other for direct sales and these quantities may be converted from one reference quantity to the other only by the competent authority of the Member State, at the duly justified request of the producer.

(2) Commission Regulation (EC) No 607/2007 of 1 June 2007 on the division between 'deliveries' and 'direct sales' of national reference quantities fixed for 2006/07 in Annex I to Council Regulation (EC) No 1788/2003 ⁽²⁾ sets out the division between 'deliveries' and 'direct sales' for the period from 1 April 2006 to 31 March 2007 for Belgium, the Czech Republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Slovenia, Slovakia, Finland, Sweden and the United Kingdom.

(3) Commission Regulation (EC) No 1186/2007 of 10 October 2007 amending Annex I to Council Regulation (EC) No 1788/2003 establishing a levy in the milk

and milk products sector as regards the division between direct sales and deliveries for Romania and Bulgaria ⁽³⁾ fixed the division between direct sales and deliveries for those Member States at the commencement of the quota regime on 1 April 2007.

(4) In accordance with Article 25(2) of Commission Regulation (EC) No 595/2004 of 30 March 2004 laying down detailed rules for applying Council Regulation (EC) No 1788/2003 establishing a levy in the milk and milk products sector ⁽⁴⁾, Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden and the United Kingdom have notified the quantities which have been definitively converted at the request of the producers between individual reference quantities for deliveries and for direct sales.

(5) In accordance with Annex I to Regulation (EC) No 1788/2003 the total national reference quantities for Belgium, Denmark, Germany, France, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden and the United Kingdom for 2007/08 are greater than their total national reference quantities for 2006/07, and these Member States have notified the Commission of the division between 'deliveries' and 'direct sales' of the additional reference quantities.

(6) It is therefore appropriate to establish the division between 'deliveries' and 'direct sales' of the national reference quantities applicable for the period from 1 April 2007 to 31 March 2008 fixed in Annex I to Regulation (EC) No 1788/2003.

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

⁽¹⁾ OJ L 270, 21.10.2003, p. 123. Regulation as last amended by Commission Regulation (EC) No 1186/2007 (OJ L 265, 11.10.2007, p. 22).

⁽²⁾ OJ L 141, 2.6.2007, p. 28.

⁽³⁾ OJ L 265, 11.10.2007, p. 22.

⁽⁴⁾ OJ L 94, 31.3.2004, p. 22. Regulation as last amended by Regulation (EC) No 228/2008 (OJ L 70, 14.3.2008, p. 7).

HAS ADOPTED THIS REGULATION:

Article 1

The division between 'deliveries' and 'direct sales' of the national reference quantities applicable for the period from 1 April 2007 to 31 March 2008 fixed in Annex I to Regulation (EC) No 1788/2003 is set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following that 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, 8 May 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

(tonnes)		
Member States	Deliveries	Direct sales
Belgium	3 283 279,969	60 255,031
Bulgaria	893 688,028	85 311,972
Czech Republic	2 735 402,882	2 528,118
Denmark	4 499 580,144	319,856
Germany	28 049 011,176	93 454,385
Estonia	636 070,323	10 297,677
Ireland	5 393 711,092	2 052,908
Greece	819 371,000	1 142,000
Spain	6 050 995,383	65 954,617
France	24 132 388,327	345 767,673
Italy	10 271 286,160	258 773,840
Cyprus	142 848,981	2 351,019
Latvia	717 342,228	11 305,772
Lithuania	1 631 990,068	72 848,932
Luxembourg	271 274,000	465,000
Hungary	1 881 124,791	108 935,209
Malta	48 698,000	0,000
Netherlands	11 112 857,000	72 583,000
Austria	2 679 104,617	98 788,992
Poland	9 211 606,546	168 536,454
Portugal ⁽¹⁾	1 930 253,126	8 933,874
Romania	1 320 555,428	1 736 444,572
Slovenia	555 673,766	20 964,234
Slovakia	1 029 752,282	11 035,718
Finland	2 424 447,811	7 384,196
Sweden	3 332 630,000	3 400,000
United Kingdom	14 619 120,370	136 526,631

⁽¹⁾ Except Madeira.

COMMISSION REGULATION (EC) No 416/2008**of 8 May 2008****amending Regulation (EEC) No 3600/92 as regards the assessment of the active substance metalaxyl in the framework of Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection on the market ⁽¹⁾, and in particular the third subparagraph of Article 8(2) thereof,

Whereas:

(1) Metalaxyl is one of the active substances listed in Annex I to Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽²⁾.

(2) As a consequence of the judgment of the Court of Justice of the European Communities of 18 July 2007 in Case C-326/05 P ⁽³⁾, which annulled Commission Decision 2003/308/EC ⁽⁴⁾ concerning the non-inclusion of metalaxyl in Annex I to Council Directive 91/414/EEC, the Commission adopted Regulation (EC) No 1313/2007 of 8 November 2007 amending Regulations (EC) No 2076/2002 as regards the extension of the time period referred to in Article 8(2) of Council Directive 91/414/EEC with respect to metalaxyl and (EC) No 2024/2006 as regards the deletion of the derogation concerning metalaxyl ⁽⁵⁾.

(3) Article 233 of the Treaty requires the institution whose act has been declared void to take the necessary measures to comply with the judgment of the Court of Justice. Further measures are thus necessary as regards Regulation (EEC) No 3600/92 in particular with regard to the time limits for the submission of results of additional trials and additional information.

(4) Those further measures should be viewed against the unique factual situation of the judgment in case C-326/05 P. IQV had never lodged a complete dossier and wished instead to invoke studies lodged by another notifier. IQV claimed that it should only be required to add any further material not found in the latter's dossier, which incidentally also contained gaps. IQV was however refused access to the dossier by the other notifier, who had withdrawn in the meantime. Throughout the proceedings, the Commission insisted that IQV bore the burden of proof of demonstrating that metalaxyl met the criteria for inclusion in Annex I to Directive 91/414/EEC. This position was not contested by the Court. Since IQV did not have access to the other notifier's dossier, the Commission took the view that the peer review could not be carried out successfully, since the peer review would raise questions about the studies contained in the other dossier. IQV, having been refused access to the dossier, would not be able to answer such questions. The rapporteur Member State submitted the Draft Assessment Report for the substance on 26 January 2001 on the basis of all the studies available at that time. However, during the evaluation, the data gaps that had been identified were of such nature that an inclusion of the substance in Annex I of Directive 91/414/EEC could not be envisaged.

(5) During contacts with IQV on 17 September and 14 November 2007, the Commission informed IQV of its intention to complete the evaluation of the substance.

(6) The information on metalaxyl submitted to the Commission till to date is incomplete and does not allow an inclusion of metalaxyl in Annex I to Directive 91/414/EEC. The Commission is not in a position to guarantee that the studies and data that will be provided by IQV for the evaluation under Regulation (EEC) No 3600/92 will be sufficient to fill the gaps identified and, thus, be sufficient to demonstrate that metalaxyl may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC.

(7) The Commission and Member States will take a pragmatic approach to rely as much as legally possible on the already existing data. It is common that during the peer review questions are brought forward. These questions could be raised on all elements of the dossier, and it is IQV's sole responsibility to address them should this situation occur.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2008/45/EC (OJ L 94, 5.4.2008, p. 21).

⁽²⁾ OJ L 366, 15.12.1992, p. 10. Regulation as last amended by Regulation (EC) No 2266/2000 (OJ L 259, 13.10.2000, p. 27).

⁽³⁾ European Court Reports 2007, I-6557.

⁽⁴⁾ OJ L 113, 7.5.2003, p. 8.

⁽⁵⁾ OJ L 291, 9.11.2007, p. 11.

- (8) To complete the assessment of metalaxyl by the date laid down in Regulation (EC) No 2076/2002, it is essential that strict deadlines are applied in the different steps of the procedure. Therefore, it can not be assumed that any gaps identified later in the dossier can be remedied by providing further studies as this would delay the assessment.
- (9) To allow metalaxyl to be examined, certain time periods provided for in Regulation (EEC) No 3600/92 should be adapted.
- (10) Regulation (EEC) No 3600/92 should therefore be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

In the first subparagraph of Article 7(4) of Regulation (EEC) No 3600/92 the first and the second indents are replaced by the following:

- ‘— the time limit within which the results or information concerned must be submitted to the rapporteur Member State and the experts designated according to paragraph 2 above, this time limit will be 25 May 2002, however,

as regards metalaxyl the time limit will be at the latest 31 October 2008, unless an earlier time limit is established by the Commission for a particular active substance except for the results of long-term studies, identified as being necessary by the rapporteur Member State and the Commission during the examination of the dossier and which are not expected to be fully completed by the deadline established, provided that the information submitted contains evidence that such studies have been commissioned and that their results will be submitted at the latest on 25 May 2003. In exceptional cases, where it has not been possible for the rapporteur Member State and the Commission to identify such studies by 25 May 2001, an alternative date may be established for the completion of such studies, provided the notifier supplies the rapporteur Member State with evidence that such studies have been commissioned within three months of the request to undertake the studies, and with a protocol and progress report of the study by 25 May 2002.

- the time limit within which the notifiers concerned must communicate to the rapporteur Member State and to the Commission their undertaking to submit the required results or information within the time limit laid down in the first indent. However, as regards metalaxyl that time limit shall be one month after the entering into force of this Regulation.’

Article 2

This Regulation shall enter into force on the day following that 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, 8 May 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

COMMISSION REGULATION (EC) No 417/2008**of 8 May 2008****amending Annexes I and II to Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 1(1), third subparagraph thereof,

Whereas:

- (1) Salt is a high-quality foodstuff, the characteristics of which are closely linked to the geographical area of production and the local methods used to obtain it. The production of salt contributes to the economic and social development of several regions.
- (2) Cotton is an agricultural product of great importance in certain regions. Extending the scope of Regulation (EC) No 510/2006 to include cotton would open up new possibilities for promoting the image and use of cotton.
- (3) In order to meet the expectations of certain producers and operators, for whom the production of salt or cotton is one of the main sources of income, those products should be included in Annexes I and II to Regulation

(EC) No 510/2006. This addition does not alter the essentially agricultural nature of the products covered by Regulation (EC) No 510/2006.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Protected Geographical Indications and Protected Designations of Origin,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 510/2006 is amended as follows:

1. The following indent is added to Annex I:

‘— salt’;

2. The following indent is added to Annex II:

‘— cotton’.

Article 2

This Regulation shall enter into force on the 20th day following that 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, 8 May 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

COMMISSION REGULATION (EC) No 418/2008**of 8 May 2008****on the issuing of export licences for wine-sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 883/2001 of 24 April 2001, laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector⁽¹⁾, and in particular Article 7 and Article 9(3) thereof,

Whereas:

- (1) Article 63(7) of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽²⁾, limits the grant of export refunds for wine-sector products to the volumes and expenditure contained in the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations.
- (2) Article 9 of Regulation (EC) No 883/2001 lays down the conditions under which the Commission may take specific measures to prevent an overrun of the quantity laid down or the budget available under the said Agreement.
- (3) On the basis of information on export licence applications available to the Commission on 7 May 2008,

the quantity still available for the period until 30 June 2008, for destination zones (1) Africa and (3) eastern Europe, referred to in Article 9(5) of Regulation (EC) No 883/2001, could be exceeded unless the issue of export licences with advance fixing of the refund is restricted. Therefore, a single percentage for the acceptance of applications submitted from 1 to 6 May 2008 should be applied and the submission of applications and the issue of licences suspended for this zone until 30 June 2008,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences with advance fixing of the refund for wine-sector products for which applications are submitted from 1 to 6 May 2008 under Regulation (EC) No 883/2001 shall be issued in concurrence with 28,98 % of the quantities requested for zone (1) Africa and in concurrence with 91,31 % of the quantities requested for zone (3) eastern Europe.
2. The issue of export licences for wine-sector products referred to in paragraph 1 for which applications are submitted from 7 May 2008 and the submission of export licence applications from 9 May 2008 for destination zones (1) Africa and (3) eastern Europe shall be suspended until 30 June 2008.

Article 2

This Regulation shall enter into force on 9 May 2008.

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

Done at Brussels, 8 May 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 128, 10.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 1211/2007 (OJ L 274, 18.10.2007, p. 5).

⁽²⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1).

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 14 April 2008

extending Decision 2005/321/EC concluding the consultation procedure with the Republic of Guinea under Article 96 of the Cotonou Agreement

(2008/363/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾, and revised in Luxembourg on 25 June 2005 ⁽²⁾, and in particular Article 96 thereof,

Having regard to the internal agreement between the representatives of the governments of the Member States, meeting within the Council, on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement ⁽³⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Decision 2005/321/EC ⁽⁴⁾ lays down a period of validity of 36 months from the date of its adoption for monitoring the appropriate measures and is due to expire on 14 April 2008.

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ OJ L 287, 28.10.2005, p. 4.

⁽³⁾ OJ L 317, 15.12.2000, p. 376.

⁽⁴⁾ OJ L 104, 23.4.2005, p. 33.

- (2) At the end of this monitoring period, a number of undertakings have been fulfilled and the main undertakings still outstanding have given rise to concrete initiatives. Nevertheless, several important measures concerning essential elements of the Cotonou Agreement have yet to be implemented,

HAS DECIDED AS FOLLOWS:

Article 1

The validity of Decision 2005/321/EC is hereby extended for 12 months. It shall be reviewed every six months.

The letter addressed to the Prime Minister of the Republic of Guinea is attached to this Decision.

Article 2

The measures adopted by Decision 2005/321/EC as part of the appropriate measures within the meaning of Article 96(2)(c) of the Cotonou Agreement shall remain unchanged.

Article 3

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

It shall expire on 14 April 2009.

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 14 April 2008.

For the Council

The President

I. JARC

ANNEX

Letter for the attention of the Prime Minister, Head of Government of the Republic of Guinea

Sir,

The European Union attaches great importance to the provisions of Article 9 of the Cotonou Agreement. Respect for human rights, democratic principles and the rule of law, on which the ACP-EU partnership is based, constitute the essential elements of that Agreement and, consequently, the basis of our relations.

In 2004 the European Union took the view that the political situation in Guinea violated these essential elements and in July 2004 it initiated consultations under Article 96 of the Agreement. These consultations gave rise to conclusions of which the Head of Government was informed by an earlier letter, 14 April 2005.

The appropriate measures provided for a monitoring period of 36 months which ends on 14 April 2008. During this period, reinforced political dialogue took place, which saw, amongst other things, four joint follow-up missions by the Council and the Commission in May 2005, February 2006, May 2007 and March 2008, and the visit of Commissioner Michel in October 2006. At the end of December 2006, in view of the progress made, the European Union decided to make available to Guinea envelope A of the 9th EDF, representing an amount of EUR 85,8 million.

The last follow-up mission was thus able to confirm that the measures carried out by the Guinean authorities are proceeding in a generally positive direction, particularly in terms of the electoral process, strongly backed by the European Union, and in the field of macroeconomic policies. However, the organisation of the parliamentary elections, including fixing a date for them, which is one of the main undertakings given by the Guinean Government, has not yet been finalised. In view of the action currently being taken, these undertakings will likely be fulfilled within 12 months.

Aware of the positive action undertaken in Guinea and of what has still to be done, the European Union has decided to extend the monitoring period for the Decision of 14 April 2005 to 48 months so as to enable the Guinean authorities to fulfil all the undertakings given. This Decision may be reviewed at any time depending on how the situation develops.

The appropriate measures of which we informed you in our letter of 14 April 2005 still apply.

Yours faithfully,

Done at Brussels,

For the Commission

For the Council

COMMISSION

COMMISSION DECISION

of 28 April 2008

authorising methods for grading pig carcasses in Lithuania

(notified under document number C(2008) 1595)

(only the Lithuanian text is authentic)

(2008/364/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Under Article 2(3) of Regulation (EEC) No 3220/84, the grading of pig carcasses is to be determined by estimating the lean-meat content by means of statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass. The authorisation of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment. This tolerance is defined in Article 3(2) of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽²⁾.
- (2) The Lithuanian Government has asked the Commission to authorise four methods for grading pig carcasses and has presented the results of its dissection trials in the second part of the protocol provided for in Article 3(3) of Regulation (EEC) No 2967/85.
- (3) Examination of this request has revealed that the conditions for authorising those grading methods are fulfilled.

- (4) No modification of the apparatus or grading methods may be authorised except by means of a new Commission Decision adopted in the light of experience gained. For this reason, the present authorisation may be revoked.

- (5) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorised for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in Lithuania:

1. the Fat-O-Meat'er (FOM) apparatus and the assessment methods related thereto, details of which are given in Part 1 of the Annex,
2. the Hennessy Grading Probe (HGP 7) apparatus and the assessment methods related thereto, details of which are given in Part 2 of the Annex,
3. the IM-03 apparatus and the assessment methods related thereto, details of which are given in Part 3 of the Annex,
4. the Two point method (ZP) measuring by ruler (ruler method) apparatus and the assessment methods related thereto, details of which are given in Part 4 of the Annex.

⁽¹⁾ OJ L 301, 20.11.1984, p. 1. Regulation as last amended by Regulation (EC) No 3513/93 (OJ L 320, 22.12.1993, p. 5).

⁽²⁾ OJ L 285, 25.10.1985, p. 39. Regulation as last amended by Regulation (EC) No 1197/2006 (OJ L 217, 8.8.2006, p. 6).

The manual method (ZP) may be applied only in slaughterhouses which do not exceed a weekly slaughtering of 200 pigs.

Article 2

Modifications of the apparatus or the assessment methods shall not be authorised.

Article 3

This Decision is addressed to the Republic of Lithuania.

Done at Brussels, 28 April 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

METHODS FOR GRADING PIG CARCASSES IN LITHUANIA

Part 1

FAT-O-MEAT'ER (FOM)

1. Grading of pig carcasses is carried out by means of the apparatus known as 'Fat-O-Meat'er (FOM)'.
2. The apparatus shall be equipped with a probe of 6 millimetres diameter containing a photodiode of the Siemens SFH 950/960 type and having an operating distance of between 3 and 103 millimetres. The results of the measurements are converted into estimated lean meat content by means of a computer.
3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{Y} = 59,98500 - 0,20051 \times F1 - 0,62340 \times F2 + 0,21878 \times M2$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcass,

F1 = fat depth (including rind) in millimetres, measured between the 3rd and 4th vertebrae, 8 cm beside the slaughter line,

F2 = fat depth (including rind) in millimetres, measured between the 3rd and 4th last rib, 6 cm beside the slaughter line,

M2 = lean meat depth in millimetres, measured between the 3rd and 4th last rib, 6 cm beside the slaughter line.

This formula shall be valid for carcasses weighing between 50 and 110 kilograms.

Part 2

HENNESSY GRADING PROBE (HGP7)

1. Grading of pig carcasses is carried out by means of the apparatus called 'Hennessy grading probe (HGP 7)'.
2. The apparatus shall be equipped with a probe of 5,95 mm diameter (and have abutting 6,3 mm of blade on either side of the probe at its head) containing a photodiode (Siemens LED of the type LYU 260-EO and photodetector of the type 58 MR) and having an operating distance of between 0 and 120 mm. The results of the measurements shall be transformed in terms of estimated lean meat content by means of the HGP 7 itself as well as a computer linked to it.
3. The lean meat content of the carcasce shall be calculated according to the following formula:

$$\hat{Y} = 62,56600 - 0,85013 \times F2 + 0,16150 \times M2$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcass,

F2 = fat depth (including rind) in millimetres, measured between the 3rd and 4th last rib, 6 cm beside the slaughter line,

M2 = lean meat depth in millimetres, measured between the 3rd and 4th last rib, 6 cm beside the slaughter line.

This formula shall be valid for carcasses weighing between 50 and 110 kilograms.

Part 3

IM-03

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'IM-03'.
2. The apparatus shall be equipped with a needle-optical probe (single line scanner SLS01) of 7 millimetres diameter. The probe contains the line of contact image sensors (CIS) and green light-emitting diodes. The operating distance is between 0 and 132 millimetres.

3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{Y} = 62,01600 - 0,78101 \times F2 + 0,17202 \times M2 - 0,03763 \times W$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcass,

F2 = fat depth (including rind) in millimetres, measured between the 3rd and 4th last rib, 6 cm beside the slaughter line,

M2 = lean meat depth in millimetres, measured between the 3rd and 4th last rib, 6 cm beside the slaughter line,

W = warm carcass weight in kilograms.

This formula shall be valid for carcasses weighing between 50 and 110 kilograms.

Part 4

MANUAL METHOD (ZP)

1. Grading of pig carcasses shall be carried out by use of the 'manual method (ZP) or two point method' measuring by ruler.
2. This method may be implemented using a ruler, with the grading determined on the basis of the prediction equation. It is based on the manual measurement on the midline of the split carcass of the thickness of the fat and of the thickness of the muscle.
3. The lean meat content of carcasses shall be calculated according to the following formula:

$$\hat{Y} = 54,57800 - 0,47534 \times F + 0,27035 \times M - 0,09201 \times W$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcass,

F = fat depth (including rind) in millimetres, measured at the slaughter line of the carcass at the thinnest location above the musculus gluteus medius,

M = thickness of the loin muscle in millimetres, measured on the slaughter line of the carcass as the shortest connection of the front (cranial) end of the musculus gluteus medius to the upper (dorsal) edge of the spinal canal,

W = warm carcass weight in kilograms.

This formula shall be valid for carcasses weighing between 50 and 110 kg.

COMMISSION DECISION
of 30 April 2008
setting up a group of experts on financial education
(2008/365/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) Article 3 of the Treaty establishing the European Community lists, as one of the activities of the Community, an internal market characterised by the abolition, as between Member States, of obstacles to the free movement of goods, persons, services and capital.
- (2) Article 95 of the Treaty establishing the European Community requires the Commission, in its proposals on the establishment and functioning of the internal market concerning consumer protection, to take as a base a high level of protection, taking account of any new development based on scientific facts.
- (3) Article 149 of the Treaty establishing the European Community requires the Community to contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organisation of education systems and their cultural and linguistic diversity.
- (4) Article 153 of the Treaty establishing the European Community requires the Community to promote the interests of consumers and to ensure a high level of consumer protection by contributing to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to safeguard their interests.
- (5) Financial education is essential to ensure that the Single Market can bring direct benefits to Europe's citizens by empowering them to make informed decisions on purchasing financial services and to understand essential basics of personal finance, as recognised in the Commission communication *A Single Market for 21st Century Europe* ⁽¹⁾.

(6) The importance of financial education has also been acknowledged in the White Paper *Financial Services Policy 2005-2010* ⁽²⁾, the Green Paper *Retail Financial Services* ⁽³⁾, the Ecofin Council Conclusions of 8 May 2007 ⁽⁴⁾ and the European Parliament Resolution on financial services policy ⁽⁵⁾.

(7) The Commission issued a communication *Financial Education* ⁽⁶⁾, which among other initiatives announced the setting-up of a group of experts with practical experience in financial education matters.

(8) The expert group must contribute to sharing and promoting best practice on financial education and must support the Commission in its actions in the area of financial education.

(9) The expert group must be made up of individuals having competence and expertise in the area of financial education, representing a broad range of public and private stakeholders.

(10) The Expert Group on Financial Education therefore needs to be set up and its terms of reference and structures detailed,

DECIDED AS FOLLOWS:

Article 1

The Expert Group on Financial Education, hereinafter referred to as 'the group', is hereby set up.

Article 2

Tasks

The group's tasks shall be to:

— share and promote best practice on financial education;

⁽¹⁾ COM(2007) 724 and the accompanying Staff Working Paper 'Initiatives in the Area of Retail Financial Services', SEC(2007) 1520.

⁽²⁾ COM(2005) 629 final.

⁽³⁾ COM(2007) 226.

⁽⁴⁾ 9171/07 (Presse 97).

⁽⁵⁾ P6_TA-PROV(2007)0338/A6-0248/2007.

⁽⁶⁾ COM(2007) 808.

- advise the Commission on how the principles for the provision of high-quality financial education schemes, contained in the Commission communication *Financial Education*, are being implemented;
- assist the Commission in identifying any legal, regulatory, administrative and other obstacles to the provision of financial education;
- advise the Commission on how the obstacles identified should be addressed;
- contribute to preparation of the various initiatives presented in the communication on financial education, and to an evaluation of those initiatives planned for 2010.

The Commission may consult the group on any matter relating to financial education.

Article 3

Composition — Appointment

1. Upon adopting this Decision, the Commission shall publish a call for applications from Member State authorities, academic institutions, financial services providers, consumer organisations and other groups where appropriate which wish to propose candidates for membership of the group. Applications from individuals shall also be admitted.
2. The members of the group shall be appointed by the Commission from specialists with competence and experience in the area of financial education. The members shall be appointed in a personal capacity and shall be required to advise the Commission independently of any outside influence.
3. Applicants deemed suitable for membership but not appointed may be placed on a reserve list, which the Commission may use to appoint replacements.
4. The group shall have a maximum of 25 members.
5. The following provisions shall apply:
 - Members of the group are appointed for a three-year renewable period. They remain in the office until such time as they are replaced or their term of office ends. Their term of office starts with the first meeting of the group.
 - Members who are no longer able to contribute effectively to the group's deliberations, who resign or who do not respect the conditions set out in this paragraph or in Article 287 of

the Treaty establishing the European Community may be replaced for the remaining period of their mandate.

- Members appointed in a personal capacity sign an undertaking each year to act in the public interest and a declaration stating whether or not they have any interest which may undermine their objectivity.
- The names of the members will be published in the public register of expert groups and on the Internet site of the Directorate-General for the Internal Market and Services. The names of members will be collected, processed and published in accordance with Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data.

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 decided by the group. Such sub-groups shall be disbanded as soon as their remits have been fulfilled.
3. Observers with specific competence on a subject on the agenda may be invited by the Chair 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 group's or sub-group's deliberations may not be divulged if the Commission states that it relates to confidential matters.
5. The group and its sub-groups shall normally meet on Commission premises in accordance with the procedures and schedule laid down by the Commission, which 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 adopted by the Commission ⁽¹⁾.
7. The Commission may publish any summary, conclusion, partial conclusion or working document of the group on the Internet site of the Directorate-General for the Internal Market and Services in the original language of the document concerned.

⁽¹⁾ Annex III to document SEC(2005) 1004.

*Article 5***Meeting expenses**

1. The Commission shall reimburse travel and subsistence expenses for members and observers in connection with the group's activities, in accordance with the provisions in force at the Commission. The members shall not be remunerated for the services they render.

2. Meeting expenses shall be reimbursed within the limits of the appropriations allocated to the department concerned under the annual procedure for allocating resources.

*Article 6***Entry into force**

This decision shall take effect on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 30 April 2008.

For the Commission

Charlie McCREEVY

Member of the Commission

AGREEMENTS

COUNCIL

Information on the date of entry into force of the Partnership Agreement between the European Community and the Union of the Comoros

On 3 May 2007 and 6 March 2008 respectively, the European Community and the Government of the Union of the Comoros notified each other that the procedures necessary for entry into force of the Agreement had been completed.

The Agreement accordingly entered into force on 6 March 2008, in accordance with Article 16 thereof.
