

Official Journal

of the European Union

L 141

English edition

Legislation

Volume 51

31 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

COUNCIL REGULATION (EC) No 480/2008

of 26 May 2008

on the conclusion of the Agreement in the form of an Exchange of Letters on the amendments to the Protocol setting out, for the period from 18 January 2005 to 17 January 2011, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 in conjunction with Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) The Protocol setting out, for the period from 18 January 2005 to 17 January 2011, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles was adopted by Council Regulation (EC) No 115/2006 on 23 January 2006 ⁽²⁾.
- (2) Under Article 9 of the Agreement, the European Community and Seychelles have held a meeting of the Joint Committee.
- (3) Following this meeting of the Joint Committee, amendments have been made to the Protocol setting out, for the period from 18 January 2005 to 17 January 2011, the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement initialled on 23 September 2004 and adopted by Regulation (EC) No 115/2006 on 23 January 2006.

- (4) It is in the Community's interest to approve these amendments to the Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters amending the Protocol setting out, for the period from 18 January 2005 to 17 January 2011, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles is hereby approved on behalf of the Community.

The text of the Agreement in the form of an Exchange of Letters is attached to this Regulation ⁽³⁾.

Article 2

The fishing opportunities set out in the Protocol and laid down in Regulation (EC) No 115/2006 shall not be amended and are confirmed as follows:

Types of fishing	Member State	Fishing opportunities
Tuna seiners	France	17 vessels
	Spain	22 vessels
	Italy	1 vessel
Surface longliners	Spain	2 vessels
	France	5 vessels
	Portugal	5 vessels

⁽¹⁾ OJ C 286 E, 23.11.2006, p. 481.

⁽²⁾ OJ L 21, 25.1.2006, p. 1.

⁽³⁾ OJ L 48, 22.2.2008, p. 33.

If licence applications from these Member States do not cover all the fishing opportunities laid down by the Protocol, the Commission may take into consideration licence applications from any other Member State.

Article 3

The Member States whose vessels fish under this Agreement shall notify the Commission of the quantities of each stock caught within the Seychelles fishing zone in accordance with Commission Regulation (EC) No 500/2001 of 14 March 2001

laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas ⁽¹⁾.

Article 4

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, 26 May 2008.

For the Council

The President

D. RUPEL

⁽¹⁾ OJ L 73, 15.3.2001, p. 8.

COMMISSION REGULATION (EC) No 481/2008**of 30 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 31 May 2008.

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

Done at Brussels, 30 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 30 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	53,6
	MK	44,3
	TN	105,3
	TR	69,5
	ZZ	68,2
0707 00 05	MK	30,3
	TR	109,7
	ZZ	70,0
0709 90 70	TR	103,1
	ZZ	103,1
0805 10 20	EG	67,0
	IL	65,9
	MA	54,5
	TN	91,4
	TR	71,2
	US	60,7
	ZA	97,5
	ZZ	72,6
0805 50 10	AR	154,7
	IL	134,6
	TR	149,9
	US	152,9
	UY	61,8
	ZA	110,6
	ZZ	127,4
0808 10 80	AR	126,8
	BR	88,0
	CA	61,8
	CL	91,2
	CN	85,5
	MK	65,0
	NZ	112,5
	TR	85,9
	US	120,1
	UY	94,7
	ZA	83,5
	ZZ	92,3
0809 20 95	TR	465,8
	US	508,1
	ZZ	487,0

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

COMMISSION REGULATION (EC) No 482/2008**of 30 May 2008****establishing a software safety assurance system to be implemented by air navigation service providers and amending Annex II to Regulation (EC) No 2096/2005****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation) ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 550/2004, the Commission is required to identify and adopt the relevant provisions of the Eurocontrol Safety Regulatory Requirements (ESARRs), taking into account existing Community legislation. ESARR 6 entitled 'Software in ATM systems' provides a set of safety regulatory requirements for the implementation of a software safety assurance system.
- (2) Commission Regulation (EC) No 2096/2005 of 20 December 2005 laying down common requirements for the provision of air navigation services ⁽²⁾ states in the last sentence of Recital 12 that 'The relevant provisions of ESARR 1 on safety oversight in ATM, and of ESARR 6 on software in ATM systems, should be identified and adopted by way of separate Community acts.'
- (3) Annex II to Regulation (EC) No 2096/2005 requires providers of air traffic services to implement a safety management system as well as safety requirements for risk assessment and mitigation with regard to changes. Within the framework of its safety management system, and as part of its risk assessment and mitigation activities with regard to changes, a provider of air traffic services should define and implement a software safety assurance system to deal specifically with software related aspects.
- (4) The prime software safety objective to be met for functional systems that contain software is to ensure that the

risks associated with the use of software in the European Air Traffic Management network systems (EATMN software) have been reduced to a tolerable level.

- (5) This Regulation should not cover military operations and training as referred to in Article 1(2) of Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) ⁽³⁾.
- (6) Annex II to Regulation (EC) No 2096/2005 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Single Sky Committee,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject-matter and scope**

1. This Regulation lays down the requirements for the definition and implementation of a software safety assurance system by air traffic service (ATS) providers, entities providing air traffic flow management (ATFM) and air space management (ASM) for general air traffic, and providers of communication, navigation and surveillance (CNS) services.

It identifies and adopts the mandatory provisions of the Eurocontrol Safety Regulatory Requirement — ESARR 6 — entitled 'Software in ATM Systems' issued on 6 November 2003.

2. This Regulation shall apply to the new software and to any changes to the software of the systems for ATS, ASM, ATFM, and CNS.

It shall not apply to the software of airborne constituents and to space-based equipment.

*Article 2***Definitions**

For the purposes of this Regulation, the definitions in Article 2 of Regulation (EC) No 549/2004 shall apply.

⁽¹⁾ OJ L 96, 31.3.2004, p. 10.

⁽²⁾ OJ L 335, 21.12.2005, p. 13. Regulation as amended by Regulation (EC) No 1315/2007 (OJ L 291, 9.11.2007, p. 16).

⁽³⁾ OJ L 96, 31.3.2004, p. 1.

The following definitions shall also apply:

1. 'software' means computer programmes and corresponding configuration data, including non-developmental software, but excluding electronic items, namely application specific integrated circuits, programmable gate arrays or solid-state logic controllers;
2. 'configuration data' means data that configures a generic software system to a particular instance of its use;
3. 'non-developmental software' means a software not developed for the current contract;
4. 'safety assurance' means all planned and systematic actions necessary to provide adequate confidence that a product, a service, an organisation or a functional system achieves acceptable or tolerable safety;
5. 'organisation' means either an ATS provider, a CNS provider or an entity providing ATFM or ASM;
6. 'functional system' means a combination of systems, procedures and human resources organised to perform a function within the context of ATM;
7. 'risk' means the combination of the overall probability, or frequency of occurrence of a harmful effect induced by a hazard and the severity of that effect;
8. 'hazard' means any condition, event, or circumstance which could induce an accident;
9. 'new software' means a software that has been ordered or for which binding contracts have been signed after the entry into force of this Regulation;
10. 'safety objective' means a qualitative or quantitative statement that defines the maximum frequency or probability at which a hazard can be expected to occur;
11. 'safety requirement' means a risk-mitigation means, defined from the risk-mitigation strategy that achieves a particular safety objective, including organisational, operational, procedural, functional, performance, and interoperability requirements or environment characteristics;
12. 'cutover or hot swapping' means the approach of replacing European air traffic management network (EATMN) system components or software while the system is operational;
13. 'software safety requirement' means a description of what is to be produced by the software given the inputs and constraints, and if met, ensures that EATMN software performs safely and according to operational need;
14. 'EATMN software' means software used in the EATMN systems referred to in Article 1;
15. 'requirements validity' means the confirmation by examination and provision of objective evidence that the particular requirements for a specific use are as intended;
16. 'achieved with independence' means, for software verification process activities, that the verification process activities are performed by a person(s) other than the developer of the item being verified;
17. 'software malfunction' means the inability of a programme to perform a required function correctly;
18. 'software failure' means the inability of a programme to perform a required function;
19. 'COTS' means a commercial available application sold by vendors through public catalogue listings and not intended to be customised or enhanced;
20. 'software components' means a building block that can be fitted or connected together with other reusable blocks of software to combine and create a custom software application;
21. 'independent software components' means those software components which are not rendered inoperative by the same failure condition that causes the hazard;
22. 'software timing performances' means the time allowed for the software to respond to given inputs or to periodic events, and/or the performance of the software in terms of transactions or messages handled per unit time;
23. 'software capacity' means the ability of the software to handle a given amount of data flow;
24. 'accuracy' means the required precision of the computed results;
25. 'software resource usage' means the amount of resources within the computer system that can be used by the application software;

26. 'software robustness' means the behaviour of the software in the event of unexpected inputs, hardware faults and power supply interruptions, either in the computer system itself or in connected devices;
27. 'overload tolerance' means the behaviour of the system in the event of, and in particular its tolerance to, inputs occurring at a greater rate than expected during normal operation of the system;
28. 'correct and complete EATMN software verification' means all software safety requirements which correctly state what is required of the software component by the risk assessment and mitigation process and their implementation is demonstrated to the level required by the software assurance level;
29. 'software life cycle data' means the data that is produced during the software life cycle to plan, direct, explain, define, record, or provide evidence of activities; this data enables the software life cycle processes, system or equipment approval and post-approval modification of the software product;
30. 'software life cycle' means:
- (a) an ordered collection of processes determined by an organisation to be sufficient and adequate to produce a software product;
 - (b) the period of the time that begins with the decision to produce or modify a software product and ends when the product is retired from service;
31. 'system safety requirement' means a safety requirement derived for a functional system.
- (a) the software safety requirements correctly state what is required by the software, in order to meet safety objectives and requirements, as identified by the risk assessment and mitigation process;
 - (b) traceability is addressed in respect of all software safety requirements;
 - (c) the software implementation contains no functions which adversely affect safety;
 - (d) the EATMN software satisfies its requirements with a level of confidence which is consistent with the criticality of the software;
 - (e) assurances are provided confirming that the general safety requirements set out in points (a) to (d) are satisfied, and the arguments that demonstrate the required assurances are at all times derived from:
 - (i) a known executable version of the software;
 - (ii) a known range of configuration data;
 - (iii) a known set of software products and descriptions, including specifications, that have been used in the production of that version.
3. The organisation shall make available the required assurances, to the national supervisory authority, demonstrating that the requirements provided for in paragraph 2 have been satisfied.

Article 3

General safety requirements

1. Whenever an organisation is required to implement a risk assessment and mitigation process in accordance with applicable Community or national law, it shall define and implement a software safety assurance system to deal specifically with EATMN software related aspects, including all on-line software operational changes, and in particular cutover or hot swapping.
2. The organisation shall ensure, as a minimum, that its software safety assurance system produces evidence and arguments that demonstrate the following:

Article 4

Requirements applying to the software safety assurance system

The organisation shall ensure, as a minimum, that the software safety assurance system:

1. is documented, specifically as part of the overall risk assessment and mitigation documentation;
2. allocates software assurance levels to all operational EATMN software in compliance with the requirements set out in Annex I;
3. includes assurances of:
 - (a) software safety requirements validity in compliance with the requirements set out in Annex II, Part A;
 - (b) software verification in compliance with the requirements set out in Annex II, Part B;

- (c) software configuration management in compliance with the requirements set out in Annex II, Part C;
 - (d) software safety requirements traceability in compliance with the requirements set out in Annex II, Part D;
4. determines the rigour to which the assurances are established; the rigour must be defined for each software assurance level, and increase as the software increases in criticality; for that purpose:
- (a) the variation in rigour of the assurances per software assurance level must include the following criteria:
 - (i) required to be achieved with independence;
 - (ii) required to be achieved;
 - (iii) not required;
 - (b) the assurances corresponding to each software assurance level must give sufficient confidence that the EATMN software can be operated tolerably safely;
5. uses feedback of EATMN software experience to confirm that the software safety assurance system and the assignment of assurance levels are appropriate. For that purpose, the effects from a software malfunction or failure reported according to the relevant requirements on reporting and assessment of safety occurrences shall be assessed in comparison with the effects identified for the system concerned as per the severity classification scheme established in Section 3.2.4 of Annex II to Regulation (EC) No 2096/2005.

Article 5

Requirements applying to changes to software and to specific software

1. For any changes to the software or for specific types of software such as COTS, non-developmental software or previously used software for which some of the requirements of Article 3(2)(d) or (e) or of Article 4(2), (3), (4) or (5) cannot be applied, the organisation shall ensure that the software safety assurance system provides, through other means chosen and agreed with the national supervisory authority, the same level

of confidence as the relevant software assurance level whenever defined.

Those means must give sufficient confidence that the software meets the safety objectives and requirements, as identified by the safety risk assessment and mitigation process.

2. In the assessment of the means referred to in paragraph 1, the national supervisory authority may use a recognised organisation or a notified body.

Article 6

Amendment to Regulation (EC) No 2096/2005

In Annex II to Regulation (EC) No 2096/2005, the following section is added:

‘3.2.5 Section 5

Software safety assurance system

Within the operation of the safety management system, a provider of air traffic services shall implement a software safety assurance system in accordance with Commission Regulation (EC) No 482/2008 of 30 May 2008 establishing a software safety assurance system to be implemented by air navigation service providers and amending Annex II to Regulation (EC) No 2096/2005 (*).

(*) OJ L 141, 31.5.2008, p. 5.’

Article 7

Entry into force

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

It shall apply from 1 January 2009 to the new software of EATMN systems referred to in Article 1(2), first subparagraph.

It shall apply from 1 July 2010 to any changes to the software of EATMN systems referred to in Article 1(2), first subparagraph, in operation by that date.

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

Done at Brussels, 30 May 2008.

For the Commission

Antonio TAJANI

Member of the Commission

ANNEX I

Requirements applying to the software assurance level referred to in Article 4(2)

1. The software assurance level shall relate the rigour of the software assurances to the criticality of EATMN software by using the severity classification scheme set out in Section 4 of point 3.2.4 of Annex II to Regulation (EC) No 2096/2005 combined with the likelihood of the occurrence of a certain adverse effect. A minimum of four software assurance levels shall be identified, with software assurance level 1 indicating the most critical level.
 2. An allocated software assurance level shall be commensurate with the most severe effect that software malfunctions or failures may cause, as referred to in Section 4 of point 3.2.4 of Annex II to Regulation (EC) No 2096/2005. This shall, in particular, take into account the risks associated with software malfunctions or failures and the architectural and/or procedural defences identified.
 3. EATMN software components that cannot be shown to be independent of one another shall be allocated the software assurance level of the most critical of the dependent components.
-

ANNEX II

Part A: Requirements applying to the software safety requirements validity assurance referred to in Article 4(3)(a)

1. Software safety requirements shall specify the functional behaviour in nominal and downgraded modes, of the EATMN software, timing performances, capacity, accuracy, software resource usage on the target hardware, robustness to abnormal operating conditions and overload tolerance, as appropriate.
2. Software safety requirements shall be complete and correct, and compliant with the system safety requirements.

Part B: Requirements applying to the software verification assurance referred to in Article 4(3)(b)

1. The functional behaviour of the EATMN software, timing performances, capacity, accuracy, software resource usage on the target hardware, robustness to abnormal operating conditions and overload tolerance, shall comply with the software requirements.
2. The EATMN software shall be adequately verified by analysis and/or testing and/or equivalent means, as agreed with the national supervisory authority.
3. The verification of the EATMN software shall be correct and complete.

Part C: Requirements applying to the software configuration management assurances referred to in Article 4(3)(c)

1. Configuration identification, traceability and status accounting shall exist such that the software life cycle data can be shown to be under configuration control throughout the EATMN software life cycle.
2. Problem reporting, tracking and corrective actions shall exist such that safety related problems associated with the software can be shown to have been mitigated.
3. Retrieval and release procedures shall exist such that the software life cycle data can be regenerated and delivered throughout the EATMN software life cycle.

Part D: Requirements applying to the software safety requirements traceability assurances referred to in Article 4(3)(d)

1. Each software safety requirement shall be traced to the same level of design at which its satisfaction is demonstrated.
 2. Each software safety requirement, at each level in the design at which its satisfaction is demonstrated, shall be traced to a system safety requirement.
-

COMMISSION REGULATION (EC) No 483/2008**of 30 May 2008****registering certain names in the Register of protected designations of origin and protected geographical indications (Σταφίδα Ζακύνθου (Stafida Zakynthou) (PDO), Miód wrzosowy z Borów Dolnośląskich (PGI), Chodské pivo (PGI))**

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 food-stuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006 and in accordance with Article 17(2) thereof, Poland's application to register the name 'Miód wrzosowy z Borów Dolnośląskich', Greece's application to register the name 'Σταφίδα Ζακύνθου' (Stafida Zakynthou) and the Czech Republic's

application to register the name 'Chodské pivo' were published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no objections within the meaning of Article 7 of Regulation (EC) No 510/2006 were received by the Commission, these names should be entered in the Register,

HAS ADOPTED THIS REGULATION:

Article 1

The names contained in the Annex to this Regulation shall be entered in the Register.

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, 30 May 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Regulation as last amended by Commission Regulation (EC) No 417/2008 (OJ L 125, 9.5.2008, p. 27).

⁽²⁾ OJ C 179, 1.8.2007, p. 15 (Miód wrzosowy z Borów Dolnośląskich), OJ C 179, 1.8.2007, p. 19 (Σταφίδα Ζακύνθου (Stafida Zakynthou)), OJ C 184, 7.8.2007, p. 19 (Chodské pivo).

ANNEX

1. Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.4. Other products of animal origin (eggs, honey, various dairy products except butter, etc.)

POLAND

Miód wrzosowy z Borów Dolnośląskich (PGI)

Class 1.6. Fruit, vegetables and cereals, fresh or processed

GREECE

Σταφίδα Ζακύνθου (Stafida Zakynthou) (PDO)

2. Foodstuffs listed in Annex I to the Regulation:

Class 2.1. Beer

CZECH REPUBLIC

Chodské pivo (PGI)

COMMISSION REGULATION (EC) No 484/2008**of 30 May 2008****fixing the import duties in the cereals sector applicable from 1 June 2008**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92 ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10(2) of Regulation (EC) No 1784/2003 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Article 10(3) of Regulation (EC) No 1784/2003 lays down that, for the purposes of calculating the import duty referred to in paragraph 2 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

(3) Under Article 2(2) of Regulation (EC) No 1249/96, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 4 of that Regulation.

(4) Import duties should be fixed for the period from 1 June 2008, and should apply until new import duties are fixed and enter into force.

(5) However, in accordance with Council Regulation (EC) No 1/2008 of 20 December 2007 temporarily suspending customs duties on imports of certain cereals for the 2007/08 marketing year ⁽³⁾, the application of certain duties set by this Regulation is suspended,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 June 2008, the import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 1 June 2008.

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

Done at Brussels, 30 May 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as last amended by Regulation (EC) No 735/2007 (OJ L 169, 29.6.2007, p. 6). Regulation (EC) No 1784/2003 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 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1816/2005 (OJ L 292, 8.11.2005, p. 5).

⁽³⁾ OJ L 1, 4.1.2008, p. 1.

ANNEX I

Import duties on the products referred to in Article 10(2) of Regulation (EC) No 1784/2003 applicable from 1 June 2008

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00 (*)
	medium quality	0,00 (*)
	low quality	0,00 (*)
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00 (*)
1002 00 00	Rye	0,00 (*)
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00 (*)
1007 00 90	Grain sorghum other than hybrids for sowing	0,00 (*)

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

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

(*) In accordance with Regulation (EC) No 1/2008, application of this duty is suspended.

ANNEX II

Factors for calculating the duties laid down in Annex I

15.5.2008-29.5.2008

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

(EUR/t)

	Common wheat (*)	Maize	Durum wheat, high quality	Durum wheat, medium quality (**)	Durum wheat, low quality (***)	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	256,08	149,57	—	—	—	—
Fob price USA	—	—	325,14	315,14	295,14	156,80
Gulf of Mexico premium	—	4,24	—	—	—	—
Great Lakes premium	28,69	—	—	—	—	—

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

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

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

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

Freight costs: Gulf of Mexico–Rotterdam: 51,23 EUR/t

Freight costs: Great Lakes–Rotterdam: 58,10 EUR/t

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 21 May 2008

amending Decision 2003/467/EC as regards the declaration that a certain administrative region of Italy is officially free of bovine tuberculosis and that certain administrative regions of Poland are officially free of enzootic bovine leukosis

(notified under document number C(2008) 1876)

(Text with EEA relevance)

(2008/404/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, and in particular Annex A(I)(4) and Annex D(I)(E) thereto,

Whereas:

(1) Directive 64/432/EEC provides that a Member State or part of a Member State may be declared officially free of bovine tuberculosis and enzootic bovine leukosis as regards bovine herds subject to compliance with certain conditions set out in that Directive.

(2) The lists of regions of Member States declared free of bovine tuberculosis and enzootic bovine leukosis are set out in Commission Decision 2003/467/EC of 23 June 2003 establishing the official tuberculosis, brucellosis and enzootic-bovine-leukosis-free status of certain Member States and regions of Member States as regards bovine herds ⁽²⁾.

(3) Italy has submitted to the Commission documentation demonstrating compliance with the appropriate conditions provided for in Directive 64/432/EEC as regards all the provinces of the Region of Veneto in order that that region may be considered an officially bovine tuberculosis-free region of Italy.

(4) Following the evaluation of that documentation, that region of Italy should be recognised as an officially bovine-tuberculosis-free region of that Member State.

(5) Poland has also submitted to the Commission documentation demonstrating compliance with the appropriate conditions provided for in Directive 64/432/EEC as regards two administrative regions (powiaty) within the superior administrative unit (Voivodship) of Małopolskie, in order that those regions may be considered officially enzootic-bovine-leukosis-free regions of Poland.

(6) Following the evaluation of that documentation, those regions (powiaty) of Poland should be recognised as officially enzootic-bovine-leukosis-free regions of that Member State.

(7) Decision 2003/467/EC should therefore be amended accordingly.

⁽¹⁾ OJ L 121, 29.7.1964, p. 1977/64. Directive as last amended by Commission Decision 2007/729/EC (OJ L 294, 13.11.2007, p. 26).

⁽²⁾ OJ L 156, 25.6.2003, p. 74. Decision as last amended by Decision 2008/234/EC (OJ L 76, 19.3.2008, p. 58).

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

HAS ADOPTED THIS DECISION:

Article 1

Annexes I and III to Decision 2003/467/EC are amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 May 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

ANNEX

Annexes I and III to Decision 2003/467/EC are amended as follows:

(1) In Annex I, Chapter 2 is replaced by the following:

‘CHAPTER 2

Officially tuberculosis-free regions of Member States

In Italy:

- Region Abruzzo: Province of Pescara,
- Region Emilia-Romagna,
- Region Friuli-Venezia Giulia,
- Region Lombardia: Provinces of Bergamo, Como, Lecco, Sondrio,
- Region Marche: Province of Ascoli Piceno,
- Region Piemonte: Provinces of Novara, Verbania, Vercelli,
- Region Toscana: Provinces of Grosseto, Livorno, Lucca, Prato, Pisa, Pistoia, Siena,
- Region Trentino-Alto Adige: Provinces of Bolzano, Trento,
- Region Veneto.’

(2) In Chapter 2 of Annex III, the second paragraph concerning Poland is replaced by the following:

‘In Poland:

- Voivodship Dolnośląskie

Powiaty:	Bolesławiecki, Dzierżoniowski, Głogowski, Górowski, Jaworski, Jeleniogórski, Jelenia Góra, Kamiennogórski, Kłodzki, Legnicki, Legnica, Lubański, Lubiński, Lwówecki, Milicki, Oleśnicki, Oławski, Polkowicki, Strzeliński, Średzki, Świdnicki, Trzebnicki, Wałbrzyski, Wałbrzych, Wołowski, Wrocławski, Wrocław, Ząbkowicki, Zgorzelecki, Złotoryjski.
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- Voivodship Lubelskie

Powiaty:	Bialski, Biała Podlaska, Biłgorajski, Chełmski, Chełm, Hrubieszowski, Janowski, Krasnostawski, Kraśnicki, Lubartowski, Lubelski, Lublin, Łęczyński, Łukowski, Opolski, Parczewski, Puławski, Radzyński, Rycki, Świdnicki, Tomaszowski, Włodawski, Zamojski, Zamość.
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- Voivodship Kujawsko-Pomorskie

Powiaty:	Aleksandrowski, Chełmiński, Golubsko-Dobrzyński, Grudziądzki, Grudziądz, Toruński, Toruń, Wąbrzeski.
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- Voivodship Łódzkie

Powiaty:	Bełchatowski, Brzeziński, Kutnowski, Łaski, Łęczycki, Łowicki, Łódzki, Łódź, Opoczyński, Pabianicki, Pajęczański, Piotrkowski, Piotrków Trybunalski, Poddębicki, Radomszczański, Rawski, Sieradzki, Skierniewicki, Skierniewice, Tomaszowski, Wieluński, Wieruszowski, Zduńskowolski, Zgierski.
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— Voivodship Małopolskie

Powiaty:	Brzeski, Bocheński, Chrzanowski, Dąbrowski, Gorlicki, Krakowski, Kraków, Limanowski, Miechowski, Myślenicki, Nowosądecki, Nowotarski, Nowy Sącz, Oświęcimski, Olkuski, Proszowicki, Suski Tarnowski, Tarnów, Tatrzański, Wadowicki, Wielicki.
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— Voivodship Opolskie

Powiaty:	Brzeski, Głubczycki, Kędzierzyńsko-Kozielski, Kluczborski, Krapkowicki, Namysłowski, Nyski, Oleski, Opolski, Opole, Prudnicki, Strzelecki.
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— Voivodship Podkarpackie

Powiaty:	Bieszczadzki, Brzozowski, Jasielski, Krośnieński, Krosno, Leski, Leżajski, Łańcucki, Rzeszowski, Rzeszów, Sanocki, Strzyżowski.
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— Voivodship Śląskie

Powiaty:	Będziński, Bielski, Bielsko Biała, Bytom, Chorzów, Cieszyński, Częstochowski, Częstochowa, Dąbrowa, Gliwicki, Gliwice, Jastrzębie Zdrój, Jaworzno, Katowice, Kłobucki, Lubliniecki, Mikołowski, Mysłówice, Myszkowski, Piekary Śląskie, Pszczyński, Raciborski, Ruda Śląska, Rybnicki, Rybnik, Siemianowice, Sosnowiec, Świętochłowice, Tarnogórski, Tychy, Tyski, Wodzisławski, Zabrze, Zawierciański, Żory, Żywiecki.
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— Voivodship Świętokrzyskie

Powiaty:	Buski, Jędrzejowski, Kazimierski, Kielecki, Kielce, Konecki, Opatowski, Ostrowiecki, Pińczowski, Sandomierski, Skarżyski, Starachowicki, Staszowski, Włoszczowski.
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— Voivodship Wielkopolskie

Powiaty:	Jarociński, Kaliski, Kalisz, Kępiński, Kolski, Koniński, Konin, Krotoszyński, Ostrzeszowski, Śłupecki, Turecki, Wrzesiński.
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RECOMMENDATIONS

COMMISSION

COMMISSION RECOMMENDATION

of 28 May 2008

on risk reduction measures for the substances 2-nitrotoluene and 2,4-dinitrotoluene*(notified under document number C(2008) 2233)***(Text with EEA relevance)**

(2008/405/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances ⁽¹⁾ and in particular Article 11(2) thereof,

Whereas:

- (1) In the framework of Regulation (EEC) No 793/93 the following substances have been identified as priority substances for evaluation in accordance with Commission Regulation (EC) No 2364/2000 of 25 October 2000 concerning the fourth list of priority substances as foreseen under Council Regulation (EEC) No 793/93 ⁽²⁾:

— 2-nitrotoluene,

— 2,4-dinitrotoluene.

- (2) The rapporteur Member State designated pursuant to those Regulations has completed the risk evaluation activities with regard to man and the environment for those substances in accordance with Commission Regulation (EC) No 1488/94 of 28 June 1994 laying down

the principles for the assessment of risks to man and the environment of existing substances in accordance with Council Regulation (EEC) No 793/93 ⁽³⁾ and has suggested a strategy for limiting the risks.

- (3) The Scientific Committee on Health and Environmental Risks (SCHER) has been consulted and has issued opinions with respect to the risk evaluations carried out by the rapporteur. The opinions have been published on the website of the Scientific Committee.

- (4) The results of the risk evaluation and further results of the strategies for limiting the risks are set out in the corresponding Commission Communication ⁽⁴⁾.

- (5) It is appropriate, on the basis of that evaluation, to recommend certain risk reduction measures for certain substances. For the substances which are not specifically listed, there are no recommendations for the addressees of this Recommendation.

- (6) The risk reduction measures recommended for workers should be considered within the framework of the legislation for workers protection, which is considered to provide an adequate framework to limit the risks of the relevant substances to the extent needed.

- (7) The risk reduction measures provided for in this recommendation are in accordance with the opinion of the Committee set up pursuant to Article 15(1) of Regulation (EEC) No 793/93,

⁽¹⁾ OJ L 84, 5.4.1993, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 273, 26.10.2000, p. 5.

⁽³⁾ OJ L 161, 29.6.1994, p. 3.

⁽⁴⁾ OJ C 134, 31.5.2008, p. 4.

HEREBY RECOMMENDS:

SECTION 1

2,4-DINITROTOLUENE

(CAS No 121-14-2; EINECS No 204-450-0)

Risk reduction measures for the environment (1, 2, 3)

1. Competent authorities in the Member States concerned should lay down, in the permits issued under Directive 2008/1/EC of the European Parliament and of the Commission ⁽¹⁾, conditions, emission limit values or equivalent parameters or technical measures regarding 2,4-dinitrotoluene in order to operate according to the Best Available Techniques (BAT) taking into account the technical characteristic of the installations concerned, their geographical location and the local environmental conditions.
2. Member States should carefully monitor the implementation of BAT regarding 2,4-dinitrotoluene and report any important developments to the Commission in the framework of the exchange of information on BAT.

3. Local emissions to the aquatic environment and via air emissions of 2,4-DNT should, where necessary, be controlled by national rules to ensure that no risk for the environment is expected.

SECTION 2

ADDRESSEES

4. This Recommendation is addressed to all sectors importing, producing, transporting, storing, formulating into a preparation or other processing, using, disposing or recovering the substances and to the Member States.

Done at Brussels, 28 May 2008.

For the Commission

Stavros DIMAS

Member of the Commission

⁽¹⁾ OJ L 24, 29.1.2008, p. 8.

CORRIGENDA

Corrigendum to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC

(Official Journal of the European Union L 396 of 30 December 2006, p. 1)

(Corrected version in Official Journal of the European Union L 136 of 29 May 2007, p. 3)

The following reference is to the publication in OJ L 136, 29.5.2007, as amended by Regulation (EC) No 1354/2007 (OJ L 304, 22.11.2007, p. 1).

On page 21, Article 3(20)(c):

for: '(c) it was placed on the market in the Community, or in the countries acceding to the European Union on 1 January 1995, on 1 May 2004 or on 1 January 2007, before entry into force of this Regulation by the manufacturer or importer and was considered as having been notified in accordance with the first indent of Article 8(1) of Directive 67/548/EEC but does not meet the definition of a polymer as set out in this Regulation, provided the manufacturer or importer has documentary evidence of this;'

read: '(c) it was placed on the market in the Community, or in the countries acceding to the European Union on 1 January 1995, on 1 May 2004 or on 1 January 2007, by the manufacturer or importer at any time between 18 September 1981 and 31 October 1993 inclusive, and before the entry into force of this Regulation it was considered as having been notified in accordance with the first indent of Article 8(1) of Directive 67/548/EEC in the version of Article 8(1) resulting from the amendment effected by Directive 79/831/EEC, but it does not meet the definition of a polymer as set out in this Regulation, provided the manufacturer or importer has documentary evidence of this;'

Corrigendum to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC

(Official Journal of the European Communities L 268 of 24 September 1991)

On page 60, in Article 7(3), second subparagraph:

for: 'In particular, the information from the competent authority of the place of destination given by means of the information exchange system provided for in Article 20 of Directive 90/425/EEC, must specify whether:'

read: 'In particular, the information to the competent authority of the place of destination given by means of the information exchange system provided for in Article 20 of Directive 90/425/EEC, must specify whether:'
