

Official Journal

of the European Union

L 222

English edition

Legislation

Volume 51

20 August 2008

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I

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

REGULATIONS

COMMISSION REGULATION (EC) No 823/2008**of 19 August 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 Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

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 Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 August 2008.

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

Done at Brussels, 19 August 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 510/2008 (OJ L 149, 7.6.2008, p. 61).

⁽²⁾ OJ L 350, 31.12.2007, p. 1. Regulation as last amended by Regulation (EC) No 590/2008 (OJ L 163, 24.6.2008, p. 24).

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	25,6
	XS	24,2
	ZZ	24,9
0707 00 05	MK	23,5
	TR	95,1
	ZZ	59,3
0709 90 70	TR	90,9
	ZZ	90,9
0805 50 10	AR	54,9
	UY	65,7
	ZA	85,1
	ZZ	68,6
0806 10 10	EG	100,0
	IL	87,5
	MK	56,1
	TR	123,3
	ZZ	91,7
0808 10 80	AR	72,1
	BR	86,9
	CL	99,0
	CN	77,4
	NZ	104,6
	US	94,5
	ZA	85,4
	ZZ	88,6
0808 20 50	AR	48,3
	CL	75,8
	TR	160,5
	ZA	102,7
	ZZ	96,8
0809 30	MK	34,9
	TR	146,1
	ZZ	90,5
0809 40 05	IL	129,2
	MK	68,3
	TR	106,0
	XS	70,3
	ZZ	93,5

⁽¹⁾ Nomenclature of countries laid down 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 824/2008**of 18 August 2008****establishing a prohibition of fishing for haddock in Norwegian waters of I and II by vessels flying the flag of Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

or registered in the Member State referred to therein have exhausted the quota allocated for 2008.

Having regard to the Treaty establishing the European Community,

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

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

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

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2008 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Whereas:

(1) Council Regulation (EC) No 40/2008 of 16 January 2008 fixing for 2008 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2008.

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

*Article 3***Entry into force**

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of

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

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

Done at Brussels, 18 August 2008.

For the Commission

Fokion FOTIADIS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1098/2007 (OJ L 248, 22.9.2007, p. 1).

⁽³⁾ OJ L 19, 23.1.2008, p. 1. Regulation as last amended by Regulation (EC) No 718/2008 (OJ L 198, 26.7.2008, p. 8).

ANNEX

No	27/T&Q
Member State	Spain
Stock	HAD/1N2AB.
Species	Haddock (<i>Melanogrammus aeglefinus</i>)
Area	Norwegian waters of I and II
Date	23 June 2008

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 23 October 2007

on the State aid scheme C 33/06 (ex N 576/04) which Germany intended to implement for the introduction of digital terrestrial television in Bavaria

(notified under document number C(2007) 5094)

(Only the German version is authentic)

(Text with EEA relevance)

(2008/680/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the transmission costs of commercial television broadcasters using the digital terrestrial platform.

Having regard to the Treaty establishing the European Community, and in particular the first subparagraph of Article 88(2) thereof,

Having regard to the Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof,

Having called on interested parties to submit their comments pursuant to those provisions ⁽¹⁾,

- (2) By letter of 31 January 2005, the Commission requested additional information to which Germany replied, after extension of the deadline, by letter of 22 March 2005, registered on the same day. A further request for information was sent on 20 May 2005 to which Germany replied by letter of 16 June 2005, registered on 24 June 2005. The measure had similarities to the public funding of digital terrestrial television in Berlin-Brandenburg where the Commission initiated the procedure on 14 July 2004 and adopted a final decision declaring the aid incompatible with the Common Market on 9 November 2005 ⁽²⁾.

Whereas:

- (3) In view of the similarities between the two cases, the Commission and Germany agreed to suspend the notification procedure in the present case in order to allow the authorities to assess the consequences of the Berlin-Brandenburg decision for the present case.

I. PROCEDURE

- (1) By letter of 8 December 2004, registered on 10 December 2004, Germany notified the Commission in accordance with Article 88(3) of the EC Treaty of a measure concerning the financing of the rollout of digital terrestrial television in Bavaria by means of a subsidy for

- (4) By letter of 12 April 2006, the Commission requested Germany to determine its position in the notification procedure referred to in recital 2 within one month. By letter of 12 May 2006, Germany informed the

⁽¹⁾ OJ C 202, 25.8.2006, p. 18, State aid C 33/06 (ex N 576/04) — Introduction of digital terrestrial television (DVB-T) in Bavaria — Invitation to submit comments pursuant to Article 88(2) of the EC Treaty.

⁽²⁾ OJ L 200, 22.7.2006, p. 14.

Commission that it did not intend to withdraw or fundamentally change the notified measure. Germany, however, announced a small modification of the Bavarian notification which it, eventually, submitted by letter of 19 May 2006. The modification introduced a distinction between the subsidies granted to local television channels and those granted to the national television channels. By letter dated 19 July 2006, C(2006) 3175 final, the Commission informed Germany that it had decided to initiate the procedure laid down in Article 88(2) of the EC Treaty in view of the doubts about the compatibility of the measure with the EC Treaty.

- (5) The Commission decision to initiate the procedure was published in the *Official Journal of the European Union* ⁽¹⁾. The Commission called on interested parties to submit their comments.
- (6) Germany submitted its observation by letter registered on 2 October 2006. Comments on the opening were submitted by ESOA (European Satellite Operators Association) on 22 September 2006, ANGA (Verband Privater Kabelnetzbetreiber e.V.) on 22 September 2006, Deutscher Kabelverband on 26 September 2006 and ProSiebenSat.1 on 26 September 2006.
- (7) Following further exchanges of information between the Commission and the German authorities, Germany informed the Commission by letter of 11 July 2007, registered on 17 July 2007, that the notified measure was no longer pursued, the notification was withdrawn and that only *de minimis* aid pursuant to Commission Regulation (EC) No 1998/2006 of 15 December 2006 on the application of Articles 87 and 88 of the Treaty to *de minimis* aid ⁽²⁾ was granted to three local commercial broadcasters in Bavaria.

II. DESCRIPTION OF THE MEASURE

- (8) The objective of the measure was to support the introduction of digital terrestrial television in Bavaria by

means of a subsidy for the transmission costs of commercial television broadcasters ⁽³⁾.

III. COMMENTS FROM GERMANY

- (9) The German authorities, in the letter dated 11 July 2007, informed the Commission that the notified measure has not been implemented and that it is withdrawn.

IV. ASSESSMENT

- (10) After the withdrawal of the notification, the procedure no longer has any relevance.

V. CONCLUSION

- (11) Therefore, the Commission has decided to close the procedure laid down in Article 88(2) of the EC Treaty on the ground that it is without object, recording the withdrawal of the measure by Germany,

HAS ADOPTED THIS DECISION:

Article 1

After the withdrawal by Germany of the notified measure, the present proceedings have become without object. The Commission has thus decided to close the procedure laid down in Article 88(2) of the EC Treaty.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 23 October 2007.

For the Commission

Neelie KROES

Member of the Commission

⁽¹⁾ OJ C 202, 25.8.2006, p. 18, State aid C 33/06 (ex N 576/04) — Introduction of digital terrestrial television (DVB-T) in Bavaria — Invitation to submit comments pursuant to Article 88(2) of the EC Treaty.

⁽²⁾ OJ L 379, 28.12.2006, p. 5.

⁽³⁾ For a detailed description of the measure, reference is made to the decision to initiate the procedure.

COMMISSION DECISION

of 28 July 2008

concerning the non-inclusion of certain substances in Annexes I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market

(notified under document number C(2008) 3854)

(Text with EEA relevance)

(2008/681/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

taking over the role of participant for the substances and product types concerned.

Having regard to the Treaty establishing the European Community,

Having regard to Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ⁽¹⁾, and in particular the second subparagraph of Article 16(2) thereof,

Whereas:

(5) Pursuant to Article 12(5) of Regulation (EC) No 1451/2007, the substances and product types concerned should therefore not be included in Annexes I, IA or IB to Directive 98/8/EC.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Biocidal Products,

(1) Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market ⁽²⁾ establishes a list of active substances to be assessed, with a view to their possible inclusion in Annex I, IA or IB to Directive 98/8/EC.

HAS ADOPTED THIS DECISION:

Article 1

The substances and the product types indicated in the Annex to this Decision shall not be included in Annexes I, IA or IB to Directive 98/8/EC.

(2) For a number of substance/product type combinations included in that list, either all participants have discontinued their participation from the review programme, or no complete dossier was received within the time period specified in Articles 9 and 12(3) of Regulation (EC) No 1451/2007 by the Member State designated as Rapporteur for the evaluation.

Article 2

For the purposes of Article 4(2) of Regulation (EC) No 1451/2007, this Decision shall apply from the day following its publication in the *Official Journal of the European Union*.

(3) Consequently, and pursuant to Articles 11(2), 12(1) and 13(5) of Regulation (EC) No 1451/2007, the Commission informed the Member States accordingly. That information was also made public by electronic means on 22 June 2007.

Article 3

This Decision is addressed to the Member States.

(4) Within the period of three months from that publication, no person or Member State indicated an interest in

Done at Brussels, 28 July 2008.

For the Commission

Stavros DIMAS

Member of the Commission

⁽¹⁾ OJ L 123, 24.4.1998, p. 1. Directive as last amended by Directive 2008/31/EC (OJ L 81, 20.3.2008, p. 57).

⁽²⁾ OJ L 325, 11.12.2007, p. 3.

ANNEX

SUBSTANCES AND PRODUCT TYPES NOT TO BE INCLUDED IN ANNEXES I, IA OR IB TO DIRECTIVE 98/8/EC

Name	EC number	CAS number	Product type
Formaldehyde	200-001-8	50-00-0	11
Formaldehyde	200-001-8	50-00-0	12
Formaldehyde	200-001-8	50-00-0	13
2-(2-butoxyethoxy)ethyl 6-propylpiperonyl ether/Piperonyl butoxide	200-076-7	51-03-6	19
1,3-dibromo-5,5-dimethylhydantoin	201-030-9	77-48-5	2
1,3-dibromo-5,5-dimethylhydantoin	201-030-9	77-48-5	11
1,3-dibromo-5,5-dimethylhydantoin	201-030-9	77-48-5	12
Naphthalene	202-049-5	91-20-3	19
m-Cresol	203-577-9	108-39-4	2
m-Cresol	203-577-9	108-39-4	3
Hexa-2,4-dienoic acid/Sorbic acid	203-768-7	110-44-1	8
Benzyl benzoate	204-402-9	120-51-4	18
Benzothiazole-2-thiol	205-736-8	149-30-4	2
Benzothiazole-2-thiol	205-736-8	149-30-4	7
Benzothiazole-2-thiol	205-736-8	149-30-4	9
Benzothiazole-2-thiol	205-736-8	149-30-4	11
Benzothiazole-2-thiol	205-736-8	149-30-4	12
Benzothiazole-2-thiol	205-736-8	149-30-4	13
2-hydroxy-4-isopropyl-2,4,6-cycloheptatrien-1-one	207-880-7	499-44-5	10
Sodium bromide	231-599-9	7647-15-6	4
Sodium bromide	231-599-9	7647-15-6	6
Sodium bromide	231-599-9	7647-15-6	13
Boric acid	233-139-2	10043-35-3	18
Ammonium bromide	235-183-8	12124-97-9	2
Ammonium bromide	235-183-8	12124-97-9	4
Ammonium bromide	235-183-8	12124-97-9	6
Cis-tricos-9-ene	248-505-7	27519-02-4	18
3-phenoxybenzyl-2-(4-ethoxyphenyl)-2-methylpropylether/Etofenprox	407-980-2	80844-07-1	2
3-phenoxybenzyl-2-(4-ethoxyphenyl)-2-methylpropylether/Etofenprox	407-980-2	80844-07-1	3
(RS)-3-Allyl-2-methyl-4-oxocyclopent-2-enyl-(1R,3R)-2,2-dimethyl-3-(2-methylprop-1-enyl)-cyclopropanecarboxylate (mixture of 2 isomers: 1R trans: 1RS only 1:1)/Bioallethrin/d-trans-Allethrin	Plant protection product	—	18
Spinosad: fermentation product of soil micro-organisms containing Spinosyn A and Spinosyn D	Plant protection product	—	3

COMMISSION DECISION

of 18 August 2008

amending Decision 2007/870/EC as regards the approval of the plan for the emergency vaccination against classical swine fever of pigs in holdings with a marker vaccine in Romania

*(notified under document number C(2008) 4360)***(Only the Romanian text is authentic)**

(2008/682/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 42 thereof,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽¹⁾, and in particular the third subparagraph of Article 19(3),

Whereas:

- (1) Directive 2001/89/EC introduces minimum Community measures for the control of classical swine fever. Those measures include the provision that Member States are to submit to the Commission, following the confirmation of a primary case of classical swine fever in feral pigs, a plan of the measures to eradicate that disease. Those measures also provide for the emergency vaccination of pigs in pig holdings.
- (2) Commission Decision 2007/870/EC of 21 December 2007 approving the plans for 2008 for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs and of pigs in holdings against that disease in Romania ⁽²⁾ was adopted as one of a number of measures to combat classical swine fever in that Member State. That Decision applies until 31 December 2008.

- (3) One of the plans approved by that Decision concerns the emergency vaccination against classical swine fever of pigs in pig holdings with a marker vaccine. The availability of such vaccine was restricted after the approval of that plan. Romania has accordingly amended that emergency vaccination plan.
- (4) That amended vaccination plan was submitted by Romania to the Commission for approval on 30 June 2008.
- (5) The amended plan has been examined by the Commission and found to comply with Directive 2001/89/EC. Accordingly, that plan should be approved.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

In Article 3 to Decision 2007/870/EC, the date '29 November 2007' is replaced by '30 June 2008'.

Article 2

This Decision is addressed to Romania.

Done at Brussels, 18 August 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

⁽¹⁾ OJ L 316, 1.12.2001, p. 5. Directive as last amended by Commission Decision 2007/729/EC (OJ L 294, 13.11.2007, p. 26).

⁽²⁾ OJ L 340, 22.12.2007, p. 105.