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I

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

REGULATIONS

COMMISSION REGULATION (EC) No 982/2008**of 8 October 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 9 October 2008.

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

Done at Brussels, 8 October 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

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	MA	88,1
	MK	52,8
	TR	59,4
	ZZ	66,8
0707 00 05	JO	156,8
	MK	68,9
	TR	68,6
	ZZ	98,1
0709 90 70	TR	120,1
	ZZ	120,1
0805 50 10	AR	75,6
	BR	51,8
	TR	102,0
	UY	95,7
	ZA	84,5
	ZZ	81,9
0806 10 10	BR	224,6
	TR	87,6
	US	226,0
	ZZ	179,4
0808 10 80	AR	67,2
	BR	145,7
	CL	122,9
	CN	73,4
	CR	67,4
	MK	37,6
	NZ	118,2
	US	123,1
	ZA	84,1
	ZZ	93,3
0808 20 50	CL	45,1
	CN	43,2
	TR	128,6
	ZA	108,8
	ZZ	81,4

⁽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 983/2008**of 3 October 2008****adopting the plan allocating to the Member States resources to be charged to the 2009 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community**

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⁾, and in particular Article 43(g) in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽²⁾, and in particular Article 3(2) thereof,

Whereas:

(1) In accordance with Article 2 of Commission Regulation (EEC) No 3149/92 of 29 October 1992 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community ⁽³⁾, the Commission should adopt a distribution plan to be financed from resources available in the 2009 budget year. The plan should lay down in particular, for each of the Member States applying the measure, the maximum financial resources available to carry out its part of the plan, and the quantity of each type of product to be withdrawn from the stocks held by the intervention agencies.

(2) The Member States involved in the plan for the 2009 budget year have supplied the information required in accordance with Article 1 of Regulation (EEC) No 3149/92.

(3) For the purposes of resource allocation, account must be taken of experience and of the degree to which the Member States used the resources allocated to them in previous years.

(4) Point 1(c) of Article 2(3) of Regulation (EEC) No 3149/92 provides for the allocation of resources for the purchase on the market of products temporarily unavailable in intervention stocks. The stocks of cereals

suitable for human consumption currently held by the intervention agencies are very low and measures have already been taken, regarding their sale on the market. Moreover, no stock of rice and skimmed milk powder is at present held by the intervention agencies and no offers of these agricultural commodities into intervention are foreseen for 2008. Therefore, resource allocations should be fixed to enable the purchase on the market of cereals, skimmed milk powder and rice as required to implement the plan for the 2009 budget year.

(5) Article 7(1) of Regulation (EEC) No 3149/92 provides for the transfer between Member States of products unavailable in the intervention stocks of the Member State in which such products are required to implement the annual plan. Accordingly the intra-Community transfers necessary to implement the plan for 2009 should be authorised, subject to the conditions laid down in Article 7 of Regulation (EEC) No 3149/92.

(6) To implement the plan, the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 should be the date on which the financial year for administration of stocks in public storage starts.

(7) In accordance with Article 2(2) of Regulation (EEC) No 3149/92, the Commission has consulted the major organisations familiar with the problems of the most deprived persons in the Community when drawing up the plan.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

In 2009, the distribution of food to the most deprived persons in the Community under Article 27 of Regulation (EC) No 1234/2007 shall be implemented in accordance with the annual distribution plan set out in Annex I to this Regulation.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 1.

⁽³⁾ OJ L 313, 30.10.1992, p. 50.

Article 2

Allocations to Member States for the purchase of cereals, skimmed milk powder and rice on the market, as required under the plan referred to in Article 1, shall be as set out in Annex II.

Article 3

The intra-Community transfer of the products listed in Annex III to this Regulation shall be authorised, subject to the conditions laid down in Article 7 of Regulation (EEC) No 3149/92.

Article 4

For the purpose of implementing the annual plan referred to in Article 1 of this Regulation, the date of the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 shall be 1 October 2008.

Article 5

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, 3 October 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

ANNEX I

ANNUAL DISTRIBUTION PLAN FOR 2009

(a) Financial resources made available to implement the plan in each Member State:

(in EUR)

Member State	Distribution
Belgique/België	6 984 395
България	8 666 207
Eesti	320 646
Éire/Ireland	397 711
Elláda	20 045 000
España	61 957 787
France	77 884 234
Italia	129 220 273
Latvija	5 463 353
Lietuva	9 392 047
Luxembourg	128 479
Magyarország	13 417 068
Malta	725 419
Polska	102 177 040
Portugal	24 718 296
România	28 202 682
Slovenija	2 279 813
Suomi/Finland	4 019 550
Total	496 000 000

(b) Quantity of each type of product to be withdrawn from Community intervention stocks for distribution in each Member State subject to the maximum amounts laid down in (a):

(in tonnes)

Member State	Sugar
Belgique/België	4 000
България	5 700
España	8 450
France	4 995
Italia	12 556
Lietuva	5 614
Magyarország	5 000
Malta	571
Polska	49 554
Portugal	2 158
România	20 000
Slovenija	1 100
Total	119 687

ANNEX II

Allocations to Member States for purchase on the Community market, subject to the maximum amounts laid down in Annex I(a):

(in EUR)

Member State	Cereals	Rice	Skimmed milk powder
Belgique/België	2 026 200	300 000	3 000 000
България	3 545 850	2 400 000	424 500
Eesti	303 930	0	0
Éire/Ireland	0	0	376 977
Elláda	6 000 000	3 000 000	10 000 000
España	13 170 300	2 340 000	40 483 716
France	16 412 220	7 897 500	47 898 216
Italia	34 458 775	3 000 000	80 962 837
Latvija	3 312 432	0	1 866 102
Lietuva	3 317 885	1 543 920	2 224 368
Luxembourg	0	0	121 781
Magyarország	9 000 000	0	2 100 000
Malta	80 964	34 250	387 714
Polska	36 471 600	0	44 350 200
Portugal	2 623 162	3 074 726	17 033 678
România	20 262 000	0	0
Slovenija	486 288	300 000	1 018 800
Suomi/Finland	2 640 000	0	1 170 000
Total	154 111 606	23 890 396	253 418 889

ANNEX III

Intra-Community transfers of sugar authorised under the plan for the 2009 budget year:

	Quantity (tonnes)	Holder	Recipient
1.	8 450	OFI, Ireland	FEGA, España
2.	2 158	OFI, Ireland	Ministério das Finanças, Direcção-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo, Direcção de Serviços de Licenciamento, Portugal
3.	4 995	BIRB, Belgique	ONIGC, France
4.	5 614	Statní zemědělský intervenční fond, Česká republika	NMA, Lietuva
5.	23 000	Statní zemědělský intervenční fond, Česká republika	ARR, Polska
6.	14 000	Pôdohospodárska platobná agentúra, Slovensko	ARR, Polska
7.	12 544	AGEA, Italia	ARR, Polska
8.	20 000	Pôdohospodárska platobná agentúra, Slovensko	Agentia de Plati si Interventie pentru Agricultură, România
9.	571	AGEA, Italia	AP, Malta
10.	1 100	AGEA, Italia	Agencija Republike Slovenije za kmetijske trge in razvoj podeželja, Slovenija
11.	5 700	AGEA, Italia	Държавен фонд „Земеделие“-Разплащателна агенция, България

COMMISSION REGULATION (EC) No 984/2008**of 6 October 2008****establishing a prohibition of fishing for cod in ICES zones I and IIb by vessels flying the flag of Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Council Regulation (EC) No 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.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2008.

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated 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**

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**

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, 6 October 2008.

For the Commission

Fokion FOTIADIS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1.

⁽³⁾ OJ L 19, 23.1.2008, p. 1.

ANNEX

No	42/T&Q
Member State	DEU
Stock	COD/1/2B.
Species	Cod (<i>Gadus morhua</i>)
Area	I and IIb
Date	27 August 2008

COMMISSION REGULATION (EC) No 985/2008**of 6 October 2008****prohibiting fishing for red seabream in Community waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII and VIII by vessels flying the flag of Great Britain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

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

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

This Regulation shall enter into force on the day following 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, 6 October 2008.

For the Commission

Fokion FOTIADIS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1.

⁽³⁾ OJ L 384, 29.12.2006, p. 28.

ANNEX

No	06/DSS
Member State	GBR
Stock	SBR/678-
Species	Red seabream (<i>Pagellus bogaraveo</i>)
Area	Community waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII and VIII
Date	3 September 2008

COMMISSION REGULATION (EC) No 986/2008**of 7 October 2008**

prohibiting fishing for black scabbardfish in ICES zones V, VI, VII and XII (Community waters and waters not under the sovereignty or jurisdiction of third countries) by vessels flying the flag of a Member State except Germany, Spain, Estonia, France, Ireland, Latvia, Lithuania, Poland and the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated for 2008 to the Member States referred to in the Annex to this Regulation for the stock referred to therein shall be deemed to be exhausted.

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

This Regulation shall enter into force on the day following 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, 7 October 2008.

For the Commission

Fokion FOTIADIS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1.

⁽³⁾ OJ L 384, 29.12.2006, p. 28.

ANNEX

No	07/DSS
Member State	All Member States except Germany, Spain, Estonia, France, Ireland, Latvia, Lithuania, Poland and the United Kingdom
Stock	BSF/56712-
Species	Black scabbardfish (<i>Aphanopus carbo</i>)
Area	Community waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII and XII

COMMISSION REGULATION (EC) No 987/2008

of 8 October 2008

amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annexes IV and V

(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 1907/2006 of 18 December 2006 of the European Parliament and of the Council 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⁽¹⁾, and in particular Article 131 thereof,

Whereas:

- (1) Regulation (EC) No 1907/2006 establishes registration obligations of Community manufacturers or importers of substances on their own, in preparations or articles, as well as provisions concerning evaluation of substances and the obligations of downstream users. Article 2(7)(a) of that Regulation provides that substances included in Annex IV are exempted from Titles II, V and VI of the same regulation as sufficient information is known about these substances that they are considered to cause minimum risk because of their intrinsic properties. In addition, Article 2(7)(b) of the same Regulation provides that substances covered by Annex V are exempted from the same titles of the Regulation, as registration is deemed inappropriate or unnecessary for these substances and their exemption from these titles does not prejudice the objectives of the Regulation.
- (2) Article 138(4) of that Regulation requires the Commission to review Annexes IV and V by 1 June 2008 with a view to proposing amendments, if appropriate.
- (3) The review carried out by the Commission pursuant to Article 138(4) has revealed that three substances listed in Annex IV should be removed from that Annex, as insufficient information is known about these substances for them to be considered as causing minimum risk because of their intrinsic properties. This is the case with vitamin A, as that substance may present significant risks of

reproductive toxicity. This is also the case with carbon and graphite, in particular due to the fact that the concerned Einescs and/or CAS numbers are used to identify forms of carbon or graphite at the nano-scale, which do not meet the criteria for inclusion in this Annex.

- (4) Furthermore, three noble gases (helium, neon and xenon) fulfil the criteria for inclusion into Annex IV and should therefore be moved there from Annex V. Another noble gas, krypton, which meets the criteria for inclusion in Annex IV, should be added to the Annex for reasons of consistency. Three other substances (fructose, galactose and lactose) should be added because they have been identified as meeting the criteria for inclusion in Annex IV. Limestone should be deleted from Annex IV as it is a mineral and is already exempted in Annex V. Finally, certain existing entries on oils, fats, waxes, fatty acids and their salts should be deleted, as not all of those substances meet the criteria for inclusion in Annex IV and it is more consistent to include them in a generic entry in Annex V, using a formulation to limit the exemption to substances with a lower hazard profile.
- (5) The review carried out by the Commission pursuant to Article 138(4) of the Regulation has revealed that certain amendments should also be made to Annex V. Magnesia should be added, as it has been identified as a substance meeting the criteria for inclusion in Annex V. What is more, it is appropriate to add certain types of glass and ceramic frits which do not meet the classification criteria set out in Council Directive 67/548/EEC⁽²⁾ and which, in addition, do not have dangerous constituents above the relevant concentration limits, unless there is scientific data proving that these constituents are not available. Certain vegetable oils, fats and waxes and animal oils, fats and waxes, as well as glycerol, that are obtained from natural sources, which are not chemically modified and which do not have any hazardous properties beyond flammability and skin or eye irritancy, should be added to Annex V in order to provide a more consistent treatment of comparable substances and to limit the exemption to substances with lower hazard properties. The same applies to certain fatty acids, which are obtained from natural sources and which are not chemically modified and which do not have any hazardous properties beyond flammability and skin or eye irritancy. The addition of oils, fats, waxes and fatty acids in Annex V corresponds to the deletion of certain individual substances of these groups listed in Annex IV.

⁽¹⁾ OJ L 396, 30.12.2006, p. 1; as corrected by OJ L 136, 29.5.2007, p. 3.

⁽²⁾ OJ 196, 16.8.1967, p. 1.

- (6) The amendments provided for in this Regulation, in particular compost and biogas, are without prejudice to Community legislation on waste.

Article 2

Annex V to Regulation (EC) No 1907/2006 is replaced by Annex II to this Regulation.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

Article 3

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

HAS ADOPTED THIS REGULATION:

Done at Brussels, 8 October 2008.

Article 1

Annex IV to Regulation (EC) No 1907/2006 is replaced by Annex I to this Regulation.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX I

‘ANNEX IV

EXEMPTIONS FROM THE OBLIGATION TO REGISTER IN ACCORDANCE WITH ARTICLE 2(7)(a)

Einecs No	Name/Group	CAS No
200-061-5	D-glucitol $C_6H_{14}O_6$	50-70-4
200-066-2	Ascorbic acid $C_6H_8O_6$	50-81-7
200-075-1	Glucose $C_6H_{12}O_6$	50-99-7
200-233-3	Fructose $C_6H_{12}O_6$	57-48-7
200-294-2	L-lysine $C_6H_{14}N_2O_2$	56-87-1
200-334-9	Sucrose, pure $C_{12}H_{22}O_{11}$	57-50-1
200-405-4	α -tocopheryl acetate $C_{31}H_{52}O_3$	58-95-7
200-416-4	Galactose $C_6H_{12}O_6$	59-23-4
200-432-1	DL-methionine $C_5H_{11}NO_2S$	59-51-8
200-559-2	Lactose $C_{12}H_{22}O_{11}$	63-42-3
200-711-8	D-mannitol $C_6H_{14}O_6$	69-65-8
201-771-8	L-sorbose $C_6H_{12}O_6$	87-79-6
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205-756-7	DL-phenylalanine $C_9H_{11}NO_2$	150-30-1
208-407-7	Sodium gluconate $C_6H_{12}O_7.Na$	527-07-1
215-665-4	Sorbitan oleate $C_{24}H_{44}O_6$	1338-43-8
231-098-5	Krypton Kr	7439-90-9
231-110-9	Neon Ne	7440-01-9
231-147-0	Argon Ar	7440-37-1
231-168-5	Helium He	7440-59-7
231-172-7	Xenon Xe	7440-63-3
231-783-9	Nitrogen N_2	7727-37-9
231-791-2	Water, distilled, conductivity or of similar purity H_2O	7732-18-5
232-307-2	Lecithins The complex combination of diglycerides of fatty acids linked to the choline ester of phosphoric acid	8002-43-5
232-436-4	Syrups, hydrolyzed starch A complex combination obtained by the hydrolysis of cornstarch by the action of acids or enzymes. It consists primarily of d-glucose, maltose and malto-dextrins	8029-43-4

Einecs No	Name/Group	CAS No
232-442-7	Tallow, hydrogenated	8030-12-4
232-675-4	Dextrin	9004-53-9
232-679-6	Starch High-polymeric carbohydrate material usually derived from cereal grains such as corn, wheat and sorghum, and from roots and tubers such as potatoes and tapioca. Includes starch which has been pregelatinised by heating in the presence of water	9005-25-8
232-940-4	Maltodextrin	9050-36-6
238-976-7	Sodium D-gluconate $C_6H_{12}O_7 \cdot xNa$	14906-97-9
248-027-9	D-glucitol monostearate $C_{24}H_{48}O_7$	26836-47-5
262-988-1	Fatty acids, coco, Me esters	61788-59-8
265-995-8	Cellulose pulp	65996-61-4
266-948-4	Glycerides, C_{16-18} and C_{18} -unsaturated. This substance is identified by SDA Substance Name: $C_{16}-C_{18}$ and C_{18} unsaturated trialkyl glyceride and SDA Reporting Number: 11-001-00	67701-30-8
268-616-4	Syrups, corn, dehydrated	68131-37-3
269-658-6	Glycerides, tallow mono-, di- and tri-, hydrogenated	68308-54-3
270-312-1	Glycerides, C_{16-18} and C_{18} -unsaturated, mono- and di- This substance is identified by SDA Substance Name: $C_{16}-C_{18}$ and C_{18} unsaturated alkyl and $C_{16}-C_{18}$ and C_{18} unsaturated dialkyl glyceride and SDA Reporting Number: 11-002-00	68424-61-3
288-123-8	Glycerides, C_{10-18}	85665-33-4'

ANNEX II

‘ANNEX V

EXEMPTIONS FROM THE OBLIGATION TO REGISTER IN ACCORDANCE WITH ARTICLE 2(7)(b)

1. Substances which result from a chemical reaction that occurs incidental to exposure of another substance or article to environmental factors such as air, moisture, microbial organisms or sunlight.
2. Substances which result from a chemical reaction that occurs incidental to storage of another substance, preparation or article.
3. Substances which result from a chemical reaction occurring upon end use of other substances, preparations or articles and which are not themselves manufactured, imported or placed on the market.
4. Substances which are not themselves manufactured, imported or placed on the market and which result from a chemical reaction that occurs when:
 - (a) a stabiliser, colorant, flavouring agent, antioxidant, filler, solvent, carrier, surfactant, plasticiser, corrosion inhibitor, antifoamer or defoamer, dispersant, precipitation inhibitor, desiccant, binder, emulsifier, de-emulsifier, dewatering agent, agglomerating agent, adhesion promoter, flow modifier, pH neutraliser, sequesterant, coagulant, flocculant, fire retardant, lubricant, chelating agent, or quality control reagent functions as intended; or
 - (b) a substance solely intended to provide a specific physicochemical characteristic functions as intended.
5. By-products, unless they are imported or placed on the market themselves.
6. Hydrates of a substance or hydrated ions, formed by association of a substance with water, provided that the substance has been registered by the manufacturer or importer using this exemption.
7. The following substances which occur in nature, if they are not chemically modified:

Minerals, ores, ore concentrates, raw and processed natural gas, crude oil, coal.
8. Substances which occur in nature other than those listed under paragraph 7, if they are not chemically modified, unless they meet the criteria for classification as dangerous according to Directive 67/548/EEC or unless they are persistent, bioaccumulative and toxic or very persistent and very bioaccumulative in accordance with the criteria set out in Annex XIII or unless they were identified in accordance with Article 59(1) at least two years previously as substances giving rise to an equivalent level of concern as set out in Article 57(f).
9. The following substances obtained from natural sources, if they are not chemically modified, unless they meet the criteria for classification as dangerous according to Directive 67/548/EEC with the exception of those only classified as flammable [R10], as a skin irritant [R38] or as an eye irritant [R36] or unless they are persistent, bioaccumulative and toxic or very persistent and very bioaccumulative in accordance with the criteria set out in Annex XIII or unless they were identified in accordance with Article 59(1) at least two years previously as substances giving rise to an equivalent level of concern as set out in Article 57(f):

Vegetable fats, vegetable oils, vegetable waxes; animal fats, animal oils, animal waxes; fatty acids from C₆ to C₂₄ and their potassium, sodium, calcium and magnesium salts; glycerol.
10. The following substances if they are not chemically modified:

Liquefied petroleum gas, natural gas condensate, process gases and components thereof, coke, cement clinker, magnesite.

11. The following substances unless they meet the criteria for classification as dangerous according to Directive 67/548/EEC and provided that they do not contain constituents meeting the criteria as dangerous in accordance with Directive 67/548/EEC present in concentrations above the lowest of the applicable concentration limits set out in Directive 1999/45/EC or concentration limits set out in Annex I to Directive 67/548/EEC, unless conclusive scientific experimental data show that these constituents are not available throughout the lifecycle of the substance and those data have been ascertained to be adequate and reliable:

Glass, ceramic frits.

12. Compost and biogas.

13. Hydrogen and oxygen.'
-

COMMISSION REGULATION (EC) No 988/2008**of 8 October 2008****setting the allocation coefficient for the issuing of import licences applied for from 29 September to 3 October 2008 for sugar products under tariff quotas and preferential agreements**

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 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/07, 2007/08 and 2008/09 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements ⁽²⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Applications for import licences were submitted to the competent authorities in the period from 29 September to 3 October 2008 in accordance with Commission Regulation (EC) No 950/2006 and/or Council Regulation (EC) No 508/2007 of 7 May 2007 opening tariff quotas for imports into Bulgaria and Romania of raw cane sugar for supply to refineries in the marketing years 2006/07,

2007/08 and 2008/09 ⁽³⁾, for a total quantity equal to or exceeding the quantity available for order number 09.4317, 09.4318, 09.4319, 09.4320, 09.4325 and 09.4365.

- (2) In these circumstances, the Commission should establish an allocation coefficient for licences to be issued in proportion to the quantity available and/or inform the Member States that the limit established has been reached,

HAS ADOPTED THIS REGULATION:

Article 1

Licences shall be issued within the quantitative limits set in the Annex to this Regulation in respect of import licence applications submitted from 29 September to 3 October 2008, in accordance with Article 4(2) of Regulation (EC) No 950/2006 and/or Article 3 of Regulation (EC) No 508/2007.

Article 2

This Regulation shall enter into force on the day 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 October 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 1.

⁽³⁾ OJ L 122, 11.5.2007, p. 1.

ANNEX

ACP/India Preferential Sugar
Chapter IV of Regulation (EC) No 950/2006
2007/08 marketing year

Order No	Country	Week of 29.9.2008-3.10.2008: percentage of requested quantity to be granted	Limit
09.4331	Barbados	100	
09.4332	Belize	100	
09.4333	Côte d'Ivoire	100	
09.4334	Republic of the Congo	—	
09.4335	Fiji	100	
09.4336	Guyana	0	Reached
09.4337	India	0	Reached
09.4338	Jamaica	100	
09.4339	Kenya	100	
09.4340	Madagascar	0	Reached
09.4341	Malawi	100	
09.4342	Mauritius	100	
09.4343	Mozambique	0	Reached
09.4344	Saint Kitts and Nevis	—	
09.4345	Suriname	—	
09.4346	Swaziland	100	
09.4347	Tanzania	100	
09.4348	Trinidad and Tobago	—	
09.4349	Uganda	—	
09.4350	Zambia	100	
09.4351	Zimbabwe	0	Reached

ACP/India Preferential Sugar
Chapter IV of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.9.2008-3.10.2008: percentage of requested quantity to be granted	Limit
09.4331	Barbados	100	Reached
09.4332	Belize	100	
09.4333	Côte d'Ivoire	100	
09.4334	Republic of the Congo	100	
09.4335	Fiji	100	
09.4336	Guyana	100	
09.4337	India	0	
09.4338	Jamaica	100	
09.4339	Kenya	100	
09.4340	Madagascar	100	
09.4341	Malawi	100	
09.4342	Mauritius	100	
09.4343	Mozambique	100	
09.4344	Saint Kitts and Nevis	—	
09.4345	Suriname	—	
09.4346	Swaziland	100	
09.4347	Tanzania	100	
09.4348	Trinidad and Tobago	100	
09.4349	Uganda	—	
09.4350	Zambia	100	
09.4351	Zimbabwe	100	

Complementary sugar
Chapter V of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.9.2008-3.10.2008: percentage of requested quantity to be granted	Limit
09.4315	India	—	
09.4316	ACP Protocol signatory countries	—	

CXL Concessions Sugar
Chapter VI of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.9.2008-3.10.2008: percentage of requested quantity to be granted	Limit
09.4317	Australia	20	Reached
09.4318	Brazil	14,2857	Reached
09.4319	Cuba	21,7686	Reached
09.4320	Other third countries	16,6666	Reached

Balkans sugar
Chapter VII of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.9.2008-3.10.2008: percentage of requested quantity to be granted	Limit
09.4324	Albania	100	Reached
09.4325	Bosnia and Herzegovina	100	
09.4326	Serbia and Kosovo	100	
09.4327	Former Yugoslav Republic of Macedonia	100	
09.4328	Croatia	100	

Exceptional import sugar and industrial import sugar
Chapter VIII of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Type	Week of 29.9.2008-3.10.2008: percentage of requested quantity to be granted	Limit
09.4380	Exceptional	—	
09.4390	Industrial	100	

Additional EPA sugar
Chapter VIIIa of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.9.2008-3.10.2008: percentage of requested quantity to be granted	Limit
09.4431	Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe	100	
09.4432	Burundi, Kenya, Rwanda, Tanzania, Uganda	100	
09.4433	Swaziland	100	
09.4434	Mozambique	100	
09.4435	Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago	100	
09.4436	Dominican Republic	100	
09.4437	Fiji, Papua New Guinea	100	

Import of sugar under the transitional tariff quotas opened for Bulgaria and Romania
Article 1 of Regulation (EC) No 508/2007
2008/09 marketing year

Order No	Type	Week of 29.9.2008-3.10.2008: percentage of requested quantity to be granted	Limit
09.4365	Bulgaria	100	Reached
09.4366	Romania	100	

COMMISSION REGULATION (EC) No 989/2008**of 8 October 2008****establishing the allocation coefficient to be applied to applications for export licences for cheese to be exported to the United States of America in 2009 under certain GATT quotas**

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 1282/2006 of 17 August 2006 laying down special detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards export licences and export refunds for milk and milk products ⁽²⁾, and in particular Article 25(1) and (3) thereof,

Whereas:

(1) Commission Regulation (EC) No 850/2008 ⁽³⁾ opens the procedure for the allocation of export licences for cheese to be exported to the United States of America in 2009 under the GATT quotas referred to in Article 23 of Regulation (EC) No 1282/2006.

(2) Applications for export licences for certain quotas and product groups exceed the quantities available for the 2009 quota year. Allocation coefficients as provided for in Article 25(1) of Regulation (EC) No 1282/2006 should therefore be established.

(3) In the case of product groups and quotas for which the applications lodged are for quantities less than those available, it is appropriate, in accordance with Article 25(3) of Regulation (EC) No 1282/2006, to provide for the allocation of the remaining quantities

to the applicants in proportion to the quantities applied for. The allocation of such further quantities should be conditional upon the competent authority being notified of the quantities accepted by the operator concerned and upon the interested operators lodging a security.

(4) Given the time limit for carrying out the procedure for establishing those coefficients, as provided for in Article 4 of Regulation (EC) No 850/2008, this Regulation should apply as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences lodged pursuant to Regulation (EC) No 850/2008 in respect of the product groups and quotas identified by 16-Tokyo, 16-, 17-, 18-, 20- and 21-Uruguay, 22-Tokyo, 22-Uruguay and 25-Tokyo in column 3 of the Annex to this Regulation shall be accepted, subject to the application of the allocation coefficients in column 5 of that Annex.

Article 2

Applications for export licences lodged pursuant to Regulation (EC) No 850/2008 in respect of the product group and quota identified by 25-Uruguay in column 3 of the Annex to this Regulation shall be accepted for the quantities requested.

Export licences may be issued for further quantities distributed in accordance with the allocation coefficient in column 6 of the Annex, after acceptance by the operator within one week of publication of this Regulation and subject to the lodging of the security applicable.

Article 3

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 234, 29.8.2006, p. 4.

⁽³⁾ OJ L 231, 29.8.2008, p. 12.

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

Done at Brussels, 8 October 2008.

For the Commission
Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

ANNEX

Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonised Tariff Schedule of the United States		Identification of group and quota	Quantity available for 2009 (in tonnes)	Allocation coefficient provided for under Article 1	Allocation coefficient provided for under Article 2
Note No	Group				
(1)	(2)	(3)	(4)	(5)	(6)
16	Not specifically provided for (NSPF)	16-Tokyo	908,877	0,2204967	
		16-Uruguay	3 446,000	0,1284613	
17	Blue Mould	17-Uruguay	350,000	0,0806452	
18	Cheddar	18-Uruguay	1 050,000	0,3143713	
20	Edam/Gouda	20-Uruguay	1 100,000	0,1351351	
21	Italian type	21-Uruguay	2 025,000	0,0781853	
22	Swiss or Emmentaler cheese other than with eye formation	22-Tokyo	393,006	0,4661993	
		22-Uruguay	380,000	0,8444444	
25	Swiss or Emmentaler cheese with eye formation	25-Tokyo	4 003,172	0,8874245	
		25-Uruguay	2 420,000		1,1255814

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 29 September 2008

on the conclusion, on behalf of the European Community, of the Southern Indian Ocean Fisheries Agreement

(2008/780/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Management of straddling Fish Stocks and Highly Migratory Fish Stocks.

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

- (4) The Community has participated in the negotiation process for the Southern Indian Ocean Fisheries Agreement (SIOFA) from the outset and has played an active and constructive role in that process which culminated in the adoption of that Agreement during the Diplomatic Conference held in Rome on 7 July 2006.

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

- (5) The SIOFA was opened for signature on 7 July 2006 and signed by the Community the same day in accordance with Council Decision 2006/496/EC ⁽¹⁾.

Whereas:

- (1) The Community is competent to adopt measures for the conservation and management of fisheries resources and to enter into agreements with other countries and international organisations.

- (6) The Community fleet fishes in the area covered by the Agreement and it is in the interest of the Community to play an effective role in the implementation of that Agreement.

- (2) The Community is a Contracting Party to the United Nations Convention on the Law of the Sea, which requires all members of the international community to cooperate in managing and conserving the biological resources of the sea.

- (7) The Agreement should therefore be approved,

HAS DECIDED AS FOLLOWS:

Article 1

- (3) The Community and its Member States have ratified the Agreement on the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, relating to the Conservation and

The Southern Indian Ocean Fisheries Agreement ⁽²⁾ is hereby approved on behalf of the Community.

⁽¹⁾ OJ L 196, 18.7.2006, p. 14.

⁽²⁾ OJ L 196, 18.7.2006, p. 15.

Article 2

The President of the Council is hereby authorised to designate the person or persons empowered to deposit the instrument of approval with the Director-General of the Food and Agriculture Organisation of the United Nations acting in his capacity as Depositary of the Agreement in accordance with Article 25 of the Agreement.

Done at Brussels, 29 September 2008.

For the Council
The President
M. BARNIER

COUNCIL DECISION

of 2 October 2008

appointing seven Bulgarian members and seven alternate Bulgarian members of the Committee of the Regions

(2008/781/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal of the Bulgarian Government,

Whereas:

- (1) On 24 January 2006, the Council adopted Decision 2006/116/EC⁽¹⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010.
- (2) Four members' seats on the Committee of the Regions have become vacant following the expiry of the mandates of Ms Antoaneta GEORGIEVA, Mr Yoan KOSTADINOV, Mr Veselin ZLATEV and Mr Bogomil BELCHEV. Three members' seats have become vacant following the resignations of Mr Remzi YUSEINOV, Mr Kiril YORDANOV and Mr Yordan LECHKOV. Four alternate members' seats have become vacant following the expiry of the mandates of Mr Delyan ENKIN, Mr Lachezar ROSENOV, Mr Nikola KOLEV and Ms Rumiana BOZUKOVA.
- (3) One alternate member's seat has become vacant following the resignation of Ms Anastasia MLADENOVA. Two alternate members' seats become vacant following the appointment of Mr Zlatko ZHIVKOV and Mr Vladimir MOSKOV as members of the Committee of the Regions,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2010:

(a) as members:

Ms Dora Ilieva YANKOVA — Mayor of Smolian municipality, Chairman of the management council of the National Assembly of the Municipalities of the Republic of

Bulgaria (NAMRB) (кмет на община Смолян, председател на управителния съвет на Националното сдружение на общините в Република България (НСОРБ)),

Mr Georgi Ivanov SLAVOV — Mayor of Yambol municipality (кмет на община Ямбол),

Mr Guner Fariz SERBEST — Mayor of Stambolovo, Member of the management council of the National Assembly of the Municipalities of the Republic of Bulgaria (NAMRB) (кмет на Стамболово, член на управителния съвет на Националното сдружение на общините в Република България (НСОРБ)),

Ms Penka Nedelkova PENKOVA — Mayor of Lom, Vice-Chairman of the management council of the National Assembly of the Municipalities of the Republic of Bulgaria (NAMRB) (кмет на Лом, заместник-председател на управителния съвет на Националното сдружение на общините в Република България (НСОРБ)),

Mr Bojidar Ivanov YOTOV — Mayor of Ruse (кмет на Русе),

Mr Zlatko ZHIVKOV — Vice-Chairman of the management council of the National Assembly of the Municipalities of the Republic of Bulgaria (NAMRB), Mayor of Montana (заместник-председател на управителния съвет на Националното сдружение на общините в Република България (НСОРБ), кмет на Монтана),

Mr Vladimir MOSKOV — Member of the management council of the National Assembly of the Municipalities of the Republic of Bulgaria (NAMRB), Mayor of Gotse Delchev (член на управителния съвет на Националното сдружение на общините в Република България (НСОРБ), кмет на Гоце Делчев);

(b) as alternate members:

Mr Emil Hristov NAIDENOV — Mayor of Gorna Malina (кмет на Горна Малина),

Mr Svetlin Genov TANCHEV — Mayor of Stara Zagora (кмет на Стара Загора),

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

Mr Pavel Iliev DIMITROV — Municipal councillor, Varna (общински съветник, Варна),

Mr Veselin Petrov LICHEV — Mayor of Sopot (кмет на Сопот),

Mr Krasimir Blagoev KOSTOV — Mayor of Shumen (кмет на Шумен),

Mr Ivo Kirilov ANDONOV — Mayor of Silistra, Member of the management council of the National Assembly of the Municipalities of the Republic of Bulgaria (NAMRB) (кмет на Силистра, член на управителния съвет на Националното сдружение на общините в Република България (НСОРБ)),

Mr Rumen Georgiev RASHEV — Mayor of Veliko Turnovo, Member of the management council of the National Assembly of the Municipalities of the Republic of Bulgaria (NAMRB) (кмет на Велико Търново, член на управителния съвет на Националното сдружение на общините в Република България (НСОРБ)).

Article 2

This Decision shall take effect on the day of its adoption.

Done at Luxembourg, 2 October 2008.

For the Council

The President

X. BERTRAND

COMMISSION

COMMISSION DECISION

of 7 October 2008

correcting Directive 2007/5/EC amending Council Directive 91/414/EEC to include captan, folpet, formetanate and methiocarb as active substances

(notified under document number C(2008) 5583)

(Text with EEA relevance)

(2008/782/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular the second indent of the second subparagraph of Article 6(1) thereof,

In the Annex to Directive 2007/5/EC in the column 'Purity' of row 151 concerning captan, the third indent 'Carbon tetrachloride not more than 0,01 g/Kg' is replaced by 'Carbon tetrachloride not more than 0,1 g/Kg'.

Article 2

Whereas:

This Decision shall apply from 1 October 2007.

Article 3

(1) Commission Directive 2007/5/EC ⁽²⁾ contains an error which must be corrected, namely the value for a maximum level of an impurity of captan in its Annex.

This Decision is addressed to the Member States.

(2) It is necessary for that correction to take effect from the date of entry into force of Directive 2007/5/EC. This retroactive effect does not interfere with the rights of any individuals.

Done at Brussels, 7 October 2008.

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

For the Commission
Androulla VASSILIOU
Member of the Commission

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 35, 8.2.2007, p. 11.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL DECISION 2008/783/CFSP

of 15 September 2008

concerning the conclusion of the Agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union, and in particular Article 24 thereof,

Having regard to the recommendation from the Presidency,

Whereas:

- (1) On 15 October 2007, the Council adopted Joint Action 2007/677/CFSP on the European Union military operation in the Republic of Chad and in the Central African Republic ⁽¹⁾ (Operation EUFOR Tchad/RCA).
- (2) Article 10(3) of that Joint Action provides that detailed arrangements regarding the participation of third States are to be the subject of an agreement, in accordance with Article 24 of the Treaty.
- (3) Following authorisation by the Council on 13 September 2004, the Presidency, assisted by the Secretary-General of the Council of the European Union/High Representative for the Common Foreign and Security Policy, negotiated an Agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in Operation EUFOR Tchad/RCA (the Agreement).
- (4) The Agreement should be approved on behalf of the European Union,

Article 1

The Agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union military operation in the Republic of Chad and in the Central African Republic is hereby approved on behalf of the European Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the European Union.

Article 3

This Decision shall take effect on the day of its adoption.

Article 4

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

Done at Brussels, 15 September 2008.

For the Council
The President
B. KOUCHNER

⁽¹⁾ OJ L 279, 23.10.2007, p. 21.

AGREEMENT**between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA)**

THE EUROPEAN UNION (EU),

of the one part, and

THE REPUBLIC OF CROATIA,

of the other part,

hereinafter referred to as the 'Parties',

TAKING INTO ACCOUNT:

- the adoption by the Council of the European Union of Council Joint Action 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA),
- the invitation to the Republic of Croatia to participate in the EU-led operation,
- the successful completion of the Force Generation Process and the recommendation by the EU Operation Commander and the EU Military Committee to agree on the participation of the Republic of Croatia's forces in the EU-led operation,
- Political and Security Committee Decision CHAD/1/2008 of 13 February 2008 on the acceptance of third States' contributions to the European Union military operation in the Republic of Chad and in the Central African Republic ⁽¹⁾ and Political and Security Committee Decision CHAD/2/2008 of 18 March 2008 on the setting-up of the Committee of Contributors for the European Union military operation in the Republic of Chad and in the Central African Republic ⁽²⁾, both as amended by Political and Security Committee Decision CHAD/3/2008 of 14 May 2008 ⁽³⁾ and by Political and Security Committee Decision CHAD/4/2008 of 2 September 2008 ⁽⁴⁾,
- the decision by the Republic of Croatia of 15 July 2008 to participate in Operation EUFOR Tchad/RCA,

HAVE AGREED AS FOLLOWS:

Article 1

Participation in the operation

1. The Republic of Croatia shall associate itself with Joint Action 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA) and with any Joint Action or Decision by which the Council of the European Union decides to extend Operation EUFOR Tchad/RCA, in accordance with the provisions of this Agreement and any required implementing arrangements.

2. The contribution of the Republic of Croatia to Operation EUFOR Tchad/RCA is without prejudice to the decision-making autonomy of the European Union.

3. The Republic of Croatia shall ensure that its forces and personnel participating in Operation EUFOR Tchad/RCA undertake their mission in conformity with:

- Joint Action 2007/677/CFSP and possible subsequent amendments,
- the Operation Plan,
- any implementing measures.

⁽¹⁾ OJ L 56, 29.2.2008, p. 64.

⁽²⁾ OJ L 107, 17.4.2008, p. 60.

⁽³⁾ OJ L 144, 4.6.2008, p. 82.

⁽⁴⁾ OJ L 247, 16.9.2008, p. 54.

4. Forces and personnel seconded to the operation by the Republic of Croatia shall carry out their duties and conduct themselves solely with the interest of Operation EUFOR Tchad/RCA in mind.

5. The Republic of Croatia shall inform the EU Operation Commander in due time of any change to its participation in the operation.

Article 2

Status of forces

1. The status of the forces and personnel contributed to Operation EUFOR Tchad/RCA by the Republic of Croatia shall be governed by the provisions on the status of forces, agreed between the European Union and the states concerned.

2. The status of the forces and personnel contributed to headquarters or command elements located outside the Republic of Chad and the Central African Republic shall be governed by arrangements between the headquarters and command elements concerned and the Republic of Croatia.

3. Without prejudice to the provisions on the status of forces referred to in paragraph 1, the Republic of Croatia shall exercise jurisdiction over its forces and personnel participating in Operation EUFOR Tchad/RCA.

4. The Republic of Croatia shall be responsible for answering any claims linked to participation in Operation EUFOR Tchad/RCA, from or concerning any of its forces and personnel. The Republic of Croatia shall be responsible for bringing any action, in particular legal or disciplinary, against any of its forces and personnel, in accordance with its laws and regulations.

5. The Republic of Croatia undertakes to make a declaration as regards the waiver of claims against any State participating in Operation EUFOR Tchad/RCA, and to do so when signing this Agreement. The text of such a declaration is annexed to this Agreement.

Article 3

Classified information

1. The Republic of Croatia shall take appropriate measures to ensure that EU classified information is protected in accordance with the security regulations of the Council of the European Union, contained in Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations⁽¹⁾, and in accordance with further guidance issued by competent authorities, including the EU Operation Commander.

2. The provisions of the Agreement between the European Union and the Republic of Croatia on security procedures for the exchange of classified information, signed on 10 April 2006, shall apply in the context of Operation EUFOR Tchad/RCA.

Article 4

Chain of command

1. All forces and personnel participating in Operation EUFOR Tchad/RCA the EU shall remain under the full command of their national authorities.

2. National authorities shall transfer the operational and tactical command and/or control of their forces and personnel to the EU Operation Commander. The EUFOR Tchad/RCA Operation Commander is entitled to delegate his authority.

3. The Republic of Croatia shall have the same rights and obligations in terms of the day-to-day management of the operation as participating European Union Member States.

4. The EUFOR Tchad/RCA Operation Commander may, following consultations with the Republic of Croatia, at any time request the withdrawal of the Republic of Croatia's contribution.

5. A Senior Military Representative (SMR) shall be appointed by the Republic of Croatia to represent its national contingent in Operation EUFOR Tchad/RCA. The SMR shall consult with the EU Force Commander on all matters affecting the operation and shall be responsible for day-to-day contingent discipline.

Article 5

Financial aspects

1. The Republic of Croatia shall assume all the costs associated with its participation in Operation EUFOR Tchad/RCA unless the costs are subject to common funding as provided for in the legal instruments referred to in Article 1(1) of this Agreement, as well as in Council Decision 2007/384/CFSP of 14 May 2007 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena)⁽²⁾.

2. In case of death, injury, loss or damage to natural or legal persons from the State(s) in which the operation is conducted, the Republic of Croatia shall, when its liability has been established, pay compensation under the conditions foreseen in the provisions on status of forces, as referred to in Article 2(1) of this Agreement.

⁽¹⁾ OJ L 101, 11.4.2001, p. 1.

⁽²⁾ OJ L 152, 13.6.2007, p. 14.

*Article 6***Contribution to the common costs**

The Republic of Croatia is exempted from contributions to the common costs of Operation EUFOR Tchad/RCA.

*Article 7***Arrangements to implement this Agreement**

Any necessary technical and administrative arrangements in pursuance of the implementation of this Agreement shall be concluded between the Secretary-General of the Council of the European Union/High Representative for the Common Foreign and Security Policy and the appropriate authorities of the Republic of Croatia.

*Article 8***Non-compliance**

Should one of the Parties fail to comply with its obligations laid down in the previous Articles, the other Party shall have the right to terminate this Agreement by giving one month's written notice through diplomatic channels.

*Article 9***Dispute settlement**

Disputes concerning the interpretation or application of this Agreement shall be settled by diplomatic means between the Parties.

*Article 10***Entry into force**

1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other through diplomatic channels of the completion of the internal procedures necessary for this purpose.

2. This Agreement shall be provisionally applied from the date of signature.

3. This Agreement shall remain in force for the duration of the Republic of Croatia's contribution to Operation EUFOR Tchad/RCA.

Done at Brussels, on 26 September 2008 in two originals in the English language.



For the European Union



For the Republic of Croatia

DECLARATIONS**REFERRED TO IN ARTICLE 2(5) AND (6) OF THE AGREEMENT****Declaration by the EU Member States**

The EU Member States applying Joint Action 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA) will endeavour, in so far as their internal legal systems so permit, to waive as far as possible claims against the Republic of Croatia for injury, death of their personnel, or damage to, or loss of, any assets owned by themselves and used by Operation EUFOR Tchad/RCA if such injury, death, damage or loss:

- was caused by personnel from the Republic of Croatia in the execution of their duties in connection with Operation EUFOR Tchad/RCA, except in case of gross negligence or wilful misconduct, or
- arose from the use of any assets owned by the Republic of Croatia, provided that the assets were used in connection with Operation EUFOR Tchad/RCA and except in case of gross negligence or wilful misconduct of Operation EUFOR Tchad/RCA personnel using those assets.'

Declaration by the Republic of Croatia

The Republic of Croatia associating itself with Joint Action 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA) will endeavour, in so far as its internal legal system so permits, to waive as far as possible claims against any other State participating in Operation EUFOR Tchad/RCA for injury, death of its personnel, or damage to, or loss of, any assets owned by itself and used by Operation EUFOR Tchad/RCA if such injury, death, damage or loss:

- was caused by personnel in the execution of their duties in connection with Operation EUFOR Tchad/RCA, except in case of gross negligence or wilful misconduct, or
 - arose from the use of any assets owned by States participating in Operation EUFOR Tchad/RCA, provided that the assets were used in connection with the operation and except in case of gross negligence or wilful misconduct of Operation EUFOR Tchad/RCA personnel using those assets.'
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IV

(Other acts)

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

EFTA SURVEILLANCE AUTHORITY DECISION

No 298/08/COL

of 21 May 2008

regarding disease-free zones and additional guarantees for *Gyrodactylus salaris* for Norway

THE EFTA SURVEILLANCE AUTHORITY,

HAVING REGARD to the Agreement on the European Economic Area (hereinafter referred to as the EEA Agreement), in particular Article 109 and Protocol 1 thereof,

HAVING REGARD to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, in particular Article 5(2)(d) and Protocol 1 thereof,

HAVING REGARD to the Act referred to at point 4.1.5 of Chapter I of Annex I to the EEA Agreement,

Council Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products,

as amended and in particular to Article 13 thereof,

HAVING REGARD to the Act referred to at point 4.2.79 of Chapter I of Annex I to the EEA Agreement,

Commission Decision 2004/453/EC of 29 April 2004 implementing Council Directive 91/67/EEC as regards measures against certain fish diseases in aquaculture animals, as amended,

WHEREAS, on 8 December 2006, and in accordance with Article 13 of Council Directive 91/67/EEC, Norway submitted to the EFTA Surveillance Authority (hereafter referred to as 'the Authority') an application regarding disease-free zones and additional guarantees for *Gyrodactylus salaris*,

WHEREAS the requirements to be fulfilled in order for a territory or parts of a territory to be considered free of *Gyrodactylus salaris* are laid down in Annex I, Chapter I of Commission Decision 2004/453/EC,

WHEREAS, by letter of 30 March 2007 (event No 415801), the Government of Norway was invited to provide to the Authority certain information, including maps for the relevant rivers and catchments areas, related to its application for disease-free zones and relevant additional guarantees concerning *Gyrodactylus salaris*,

WHEREAS, on 8 February 2008 (event No 464407), the Authority received a letter from Norway whereby the points raised in previous correspondence were clarified,

WHEREAS, by e-mail dated 17 April 2008 (event No 473856), the Authority received the final list of relevant water catchments areas in Norway still reported to be positive for *Gyrodactylus salaris*,

WHEREAS the Authority, in close co-operation with the Commission of the European Communities, has examined the Norwegian application for disease-free zones,

WHEREAS the examination shows that the disease-free status concerning *Gyrodactylus salaris* and relevant additional guarantees referred to in Article 5 of Commission Decision 2004/453/EC can be granted to the continental parts of the Norwegian territory with the exemption of the water catchments areas referred to in the Annex to this Decision,

WHEREAS the Authority by its Decision 271/08/COL referred the matter to the EFTA Veterinary Committee assisting the Authority,

WHEREAS the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the Authority,

HAS ADOPTED THIS DECISION:

1. The continental parts of Norway, with the exemption of the areas referred to in the Annex to this Decision, are hereby recognised as disease-free zones for *Gyrodactylus salaris*.
2. Live aquaculture fish, eggs and gametes which are introduced into the continental parts of Norway shall comply with the guarantees, including those for packaging and labelling and the appropriate specific additional requirements, as laid down in the health certificate, drawn up in conformity with model health certificate in Annex III of Commission Decision 2004/453/EC. These requirements shall not apply

when eggs are introduced into the disease-free zones for the purpose of human consumption.

3. This Decision shall enter into force on 21 May 2008.
4. This Decision is addressed to Norway.
5. This Decision shall be authentic in the English language.

Done at Brussels, 21 May 2008.

For the EFTA Surveillance Authority

Per SANDERUD
President

Kristján Andri STEFÁNSSON
College Member

ANNEX

County	Municipality	Name of river system
Buskerud	Lier	Lierelva
Buskerud	Drammen	Drammenselva
Vestfold	Sande	Sandevassdraget
Sogn og Fjordane	Lærdal	Lærdalselva
Møre og Romsdal	Rauma	Innfjordelva
Møre og Romsdal	Rauma	Isa
Møre og Romsdal	Rauma	Skorgeelva
Møre og Romsdal	Rauma	Raumavassdraget
Møre og Romsdal	Gjemnes	Batnfjordselva
Møre og Romsdal	Sunndal	Usma
Møre og Romsdal	Sunndal	Litledalselva
Møre og Romsdal	Sunndal	Drivavassdraget
Nord-Trøndelag	Steinkjer	Figga
Nord-Trøndelag	Steinkjer	Lundselva
Nord-Trøndelag	Steinkjer	Steinkjervassdraget
Nordland	Vefsn	Hestdalselva
Nordland	Vefsn	Halsanelva
Nordland	Vefsn	Hundåla
Nordland	Vefsn	Vefsnavassdraget
Nordland	Vefsn	Drevjavassdraget
Nordland	Vefsn	Fustavassdraget
Nordland	Leirfjord	Leirelvassdraget
Nordland	Leirfjord	Ranelva
Nordland	Leirfjord	Bardalselva
Nordland	Vefsn	Sannaelva
Nordland	Hemnes	Bjerka
Nordland	Hemnes	Røssågvassdraget med Leirelva
Nordland	Rana	Slettenelva
Nordland	Rana	Ranavassdraget
Troms	Storfjord	Signaldalselva
Troms	Storfjord	Skibotnelva

CORRIGENDA

Corrigendum to Commission Decision 2007/559/EC of 2 August 2007 amending Decision 2003/467/EC as regards the declaration that certain administrative regions of Poland are officially free of enzootic bovine leukosis*(Official Journal of the European Union L 212 of 14 August 2007)*

On page 21, in the Annex to Decision 2007/559/EC, in the entry for Poland, the entry concerning the Voivodship Śląskie:

for:

‘— Voivodship Śląskie

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

‘— Voivodship Śląskie

Powiaty:	będziński, bielski, Bielsko-Biała, bieruńsko-lędziński, Bytom, Chorzów, cieszyński, częstochowski, Częstochowa, Dąbrowa Górnicza, gliwicki, Gliwice, Jastrzębie Zdrój, Jaworzno, Katowice, kłobucki, lubliniecki, mikołowski, Mysłowice, myszkowski, Piekary Śląskie, pszczyński, raciborski, Ruda Śląska, rybnicki, Rybnik, Siemianowice Śląskie, Sosnowiec, Świętochłowice, tarnogórski, Tychy, wodzisławski, Zabrze, zawierciański, Żory, żywiecki.’
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