

Official Journal

of the European Union

L 278

English edition

Legislation

Volume 51

21 October 2008

Contents

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

REGULATIONS

Commission Regulation (EC) No 1027/2008 of 20 October 2008 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
★ Commission Regulation (EC) No 1028/2008 of 19 September 2008 concerning the classification of certain goods in the Combined Nomenclature	3
★ Commission Regulation (EC) No 1029/2008 of 20 October 2008 amending Regulation (EC) No 882/2004 of the European Parliament and of the Council to update a reference to certain European standards ⁽¹⁾	6
★ Commission Regulation (EC) No 1030/2008 of 20 October 2008 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Chasselas de Moissac (PDO))	7

Note to the reader (see page 3 of the cover)

⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 1027/2008

of 20 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 21 October 2008.

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

Done at Brussels, 20 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	IL	107,3
	MA	62,8
	MK	51,5
	TR	98,8
	ZZ	80,1
0707 00 05	TR	108,1
	ZZ	108,1
0709 90 70	TR	138,0
	ZZ	138,0
0805 50 10	AR	64,2
	TR	101,1
	ZA	77,1
	ZZ	80,8
0806 10 10	BR	231,7
	TR	106,5
	US	174,6
	ZZ	170,9
0808 10 80	AU	161,1
	CA	97,3
	CL	72,8
	CN	93,4
	MK	37,6
	NZ	98,9
	US	113,9
	ZA	84,9
	ZZ	95,0
0808 20 50	CL	60,3
	CN	66,4
	TR	132,8
	ZA	83,4
	ZZ	85,7

⁽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 1028/2008
of 19 September 2008
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN code indicated in column 2, by virtue of the reasons set out in column 3 of that table.
- (4) It is appropriate to provide that, subject to the measures in force in the Community relating to double-checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the

customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column 2 of that table.

Article 2

Subject to the measures in force in the Community relating to double-checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the customs authorities of Member States which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days, under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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, 19 September 2008.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
Article made up of knitted fabric of different colour, of man-made fibres. The fabric is suitable for swimwear. The article is to be worn next to the skin, reaching down to just below the bust. Two triangle-shaped pieces of textile fabric form cups for the breasts, when the article is worn. Each of the two triangles is lined with a single-coloured knitted fabric and is hemmed at the three edges. The hem at the lower edge forms a tunnel through which an elastic textile string is passed. An elastic textile string is sewn on the pointed upper edge of each triangle. The two vertical elastic strings are tied behind the neck and the horizontal elastic string is tied at the back of the wearer. (brassiere) (See photographs Nos 644 A, 644 B and 644 C) (*)	6212 10 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(a) to Chapter 61 and the wording of CN codes 6212, 6212 10 and 6212 10 90. Although, from its general appearance, cut and nature of fabric the article appears to be an upper part of a two-piece bathing costume ('bikini'), classification in heading 6112 (swimwear) is excluded, because the article lacks the lower part of the 'two-piece bathing costume'. See also the HS Explanatory Notes to heading 6112, (C). Moreover, the article is not an 'incomplete article' of heading 6112 (swimwear) within the meaning of GIR 2 (a), because the article does not have the essential character of the complete article (i.e. a two-piece bathing costume), since it cannot be used for swimming as such. The article has the characteristics of a brassiere, since by means of the textile strings the two triangle-shaped pieces of textile fabric form cups for the breasts, when the article is worn. By tying the horizontal and vertical strings tightly around the body, allows the breasts to be raised and supported. Thus, the article is of a kind 'designed for wear as body-supporting garment' within the meaning of the HS Explanatory Notes to heading 6212, first paragraph. Furthermore, like other brassieres, the article is designed to be worn next to the skin. The article is to be classified as a brassiere in heading 6212, because this heading includes brassieres of all kinds (see the HS Explanatory Notes to heading 6212, second paragraph, (1)).

(*) The photographs are purely for information.

**644 A****644 B****644 C**

COMMISSION REGULATION (EC) No 1029/2008**of 20 October 2008****amending Regulation (EC) No 882/2004 of the European Parliament and of the Council to update a reference to certain European standards****(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 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽¹⁾, and in particular Article 64(2) thereof,

Whereas:

- (1) Regulation (EC) No 882/2004 establishes a harmonised framework of general rules for the organisation of official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.
- (2) According to Article 12 of Regulation (EC) No 882/2004 the competent authority designates laboratories that may carry out the analysis of samples taken during official controls. Those laboratories must be accredited in accordance with certain European standards.
- (3) The European Committee for Standardisation (CEN) has developed European standards (EN standards) appropriate for the purpose of Regulation (EC) No 882/2004, and in particular for the accreditation of laboratories.
- (4) CEN has replaced the European standards EN 45002 on 'General criteria for assessment of testing laboratories' and EN 45003 on 'Calibration and testing laboratory accreditation system — General requirements for

operation and recognition' by standard EN ISO/IEC 17011 on 'General requirements for accreditation bodies accrediting conformity assessment bodies'. It is therefore appropriate to update the reference to those European standards in Article 12 of Regulation (EC) No 882/2004.

- (5) Regulation (EC) No 882/2004 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Article 12 of Regulation (EC) No 882/2004 is amended as follows:

1. Article 12(2)(b) is replaced by the following text:

'(b) EN ISO/IEC 17011 on "General requirements for accreditation bodies accrediting conformity assessment bodies";'

2. Article 12(2)(c) is deleted.

Article 2

This Regulation shall enter into force on the 20th 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, 20 October 2008.

For the Commission
Androulla VASSILOU
Member of the Commission

⁽¹⁾ OJ L 165, 30.4.2004, p. 1. Corrected by OJ L 191, 28.5.2004, p. 1.

COMMISSION REGULATION (EC) No 1030/2008**of 20 October 2008****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Chasselas de Moissac (PDO))**

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) By virtue of the first subparagraph of Article 9(1) and having regard to Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined France's request for approval of amendments to the specification for the protected geographical indication 'Chasselas de Moissac', registered under Commission Regulation (EC) No 1107/96 ⁽²⁾.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been sent to the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the 20th 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, 20 October 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ L 148, 21.6.1996, p. 1.

⁽³⁾ OJ C 43, 16.2.2008, p. 31.

ANNEX

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

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

FRANCE

Chasselas de Moissac (PDO)

NOTE TO THE READER

The institutions have decided no longer to quote in their texts the last amendment to cited acts.

Unless otherwise indicated, references to acts in the texts published here are to the version of those acts currently in force.