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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 228/2010

of 18 March 2010

entering a name in the register of protected designations of origin and protected geographical indications (Patata di Bologna (PDO))

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Patata di Bologna' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

*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, 18 March 2010.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 186, 8.8.2009, p. 23.

ANNEX

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

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

ITALY

Patata di Bologna (PDO)

COMMISSION REGULATION (EU) No 229/2010**of 18 March 2010****entering a name in the register of protected designations of origin and protected geographical indications (Ricciarelli di Siena (PGI))**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Ricciarelli di Siena' was published in the *Official Journal of the European Union* ⁽²⁾.

(2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

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, 18 March 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 186, 8.8.2009, p. 20.

ANNEX

Foodstuffs referred to in Annex I to Regulation (EC) No 510/2006:

Class 2.4. Bread, pastry, cakes, confectionery, biscuits and other baker's wares

ITALY

Ricciarelli di Siena (PGI)

COMMISSION REGULATION (EU) No 230/2010**of 18 March 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 19 March 2010.

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

Done at Brussels, 18 March 2010.

*For the Commission,
On behalf of the President,*

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	106,9
	JO	59,9
	MA	79,9
	TN	122,8
	TR	107,3
	ZZ	95,4
0707 00 05	EG	219,6
	JO	121,4
	MK	124,9
	TR	136,7
	ZZ	150,7
0709 90 70	JO	97,9
	MA	186,1
	TR	111,2
	ZZ	131,7
0805 10 20	EG	38,4
	IL	57,4
	MA	46,8
	TN	49,5
	TR	62,7
	ZZ	51,0
0805 50 10	EG	76,3
	IL	89,3
	MA	42,8
	TR	61,7
	ZZ	67,5
0808 10 80	AR	89,5
	BR	87,8
	CA	95,5
	CL	77,8
	CN	67,5
	MK	24,7
	US	119,3
	UY	70,1
	ZZ	79,0
0808 20 50	AR	81,2
	CL	128,9
	CN	49,4
	ZA	94,5
	ZZ	88,5

⁽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 (EU) No 231/2010**of 18 March 2010****granting no export refund for butter in the framework of the standing invitation to tender provided
for in Regulation (EC) No 619/2008**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 164(2), in conjunction with Article 4, thereof,

Whereas:

(1) Commission Regulation (EC) No 619/2008 of 27 June 2008 opening a standing invitation to tender for export refunds concerning certain milk products ⁽²⁾ provides for a permanent tender.

(2) Pursuant to Article 6 of Commission Regulation (EC) No 1454/2007 of 10 December 2007 laying down common rules for establishing a tender procedure for fixing export refunds for certain agricultural products ⁽³⁾ and following

an examination of the tenders submitted in response to the invitation to tender, it is appropriate not to grant any refund for the tendering period ending on 16 March 2010.

(3) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

For the standing invitation to tender opened by Regulation (EC) No 619/2008, for the tendering period ending on 16 March 2010, no export refund shall be granted for the products and destinations referred to in points (a) and (b) of Article 1 and in Article 2 of that Regulation.

Article 2

This Regulation shall enter into force on 19 March 2010.

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

Done at Brussels, 18 March 2010.

*For the Commission,
On behalf of the President,*

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 168, 28.6.2008, p. 20.

⁽³⁾ OJ L 325, 11.12.2007, p. 69.

COMMISSION REGULATION (EU) No 232/2010**of 18 March 2010****granting no export refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 619/2008**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 164(2), in conjunction with Article 4, thereof,

Whereas:

- (1) Commission Regulation (EC) No 619/2008 of 27 June 2008 opening a standing invitation to tender for export refunds concerning certain milk products ⁽²⁾ provides for a standing invitation to tender procedure.
- (2) Pursuant to Article 6 of Commission Regulation (EC) No 1454/2007 of 10 December 2007 laying down common rules for establishing a tender procedure for

fixing export refunds for certain agricultural products ⁽³⁾ and following an examination of the tenders submitted in response to the invitation to tender, it is appropriate not to grant any refund for the tendering period ending on 16 March 2010.

- (3) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

For the standing invitation to tender opened by Regulation (EC) No 619/2008, for the tendering period ending on 16 March 2010, no export refund shall be granted for the product and destinations referred to in point (c) of Article 1 and in Article 2 respectively of that Regulation.

Article 2

This Regulation shall enter into force on 19 March 2010.

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

Done at Brussels, 18 March 2010.

*For the Commission,
On behalf of the President,*

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 168, 28.6.2008, p. 20.

⁽³⁾ OJ L 325, 11.12.2007, p. 69.

COMMISSION REGULATION (EU) No 233/2010**of 18 March 2010****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of 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 143 thereof,

Having regard to Council Regulation (EC) No 614/2009 of 7 July 2009 on the common system of trade for ovalbumin and lactalbumin ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices for poultrymeat and egg products and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for

egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin. The representative prices should therefore be published.

(3) In view of the situation on the market, this amendment should be applied as soon as possible.

(4) 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

Annex I to Regulation (EC) No 1484/95 is replaced by the Annex to this Regulation.

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, 18 March 2010.

*For the Commission,
On behalf of the President,*

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 181, 14.7.2009, p. 8.

⁽³⁾ OJ L 145, 29.6.1995, p. 47.

ANNEX

**to the Commission Regulation of 18 March 2010 fixing representative prices in the poultrymeat and egg sectors
and for egg albumin, and amending Regulation (EC) No 1484/95**

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security under Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen	108,2	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen	128,1	0	BR
		109,7	3	AR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	222,4	23	BR
		214,1	26	AR
		291,4	3	CL
0207 14 50	Fowls of the species <i>Gallus domesticus</i> , breasts, frozen	190,1	7	BR
0207 14 60	Fowl of the species <i>Gallus domesticus</i> , legs, frozen	103,7	12	BR
0207 25 10	Turkeys, not cut in pieces, presented as “80 % turkeys”, frozen	146,0	4	BR
0207 27 10	Turkeys, boneless cuts, frozen	255,6	12	BR
		285,3	3	CL
0408 11 80	Egg yolks	330,8	0	AR
0408 91 80	Eggs, not in shell, dried	346,8	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	278,5	2	BR
		162,0	43	AR
		311,4	0	TH
3502 11 90	Egg albumin, dried	531,4	0	AR

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). The code “ZZ” represents “other origins”.

DIRECTIVES

COMMISSION DIRECTIVE 2010/25/EU

of 18 March 2010

amending Council Directive 91/414/EEC to include penoxsulam, proquinazid and spirodiclofen as active substances

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.

Having regard to the Treaty on the Functioning of the European Union,

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 Article 6(1) thereof,

Whereas:

(1) In accordance with Article 6(2) of Directive 91/414/EEC Italy received on 29 November 2002 an application from Dow AgroScience for the inclusion of the active substance penoxsulam in Annex I to Directive 91/414/EEC. Commission Decision 2004/131/EC ⁽²⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.

(2) In accordance with Article 6(2) of Directive 91/414/EEC the United Kingdom received on 9 January 2004 an application from DuPont Ltd for the inclusion of the active substance proquinazid in Annex I to Directive 91/414/EEC. Commission Decision 2004/686/EC ⁽³⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.

(3) In accordance with Article 6(2) of Directive 91/414/EEC the Netherlands received on 23 August 2001 an application from Bayer CropScience for the inclusion of the active substance spirodiclofen in Annex I to Directive 91/414/EEC. Commission Decision 2002/593/EC ⁽⁴⁾ confirmed that the dossier was 'complete' in the sense

(4) For those active substances, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The designated rapporteur Member States submitted a draft assessment report on 10 February 2005 (penoxsulam), 14 March 2006 (proquinazid) and 21 April 2004 (spirodiclofen).

(5) The assessment reports were peer reviewed by the Member States and the EFSA within its Working Group Evaluation and presented to the Commission in the format of the EFSA Scientific Reports on 31 August 2009 for penoxsulam ⁽⁵⁾, on 13 October 2009 ⁽⁶⁾ for proquinazid and on 27 July 2009 ⁽⁷⁾ for spirodiclofen. These reports and the draft assessment reports were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 22 January 2010 in the format of the Commission review reports for penoxsulam, proquinazid and spirodiclofen.

(6) It has appeared from the various examinations made that plant protection products containing the active substances concerned may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include penoxsulam, proquinazid and spirodiclofen in Annex I to that Directive, in order to ensure that in all Member States the authorisations of plant protection products containing these active substances may be granted in accordance with the provisions of that Directive.

⁽⁵⁾ EFSA Scientific Report (2009) 343, 1-90, Conclusion regarding the peer review of the pesticide risk assessment of the active substance penoxsulam (finalised: 31 August 2009).

⁽⁶⁾ EFSA Scientific Report (2009) 7(10):1350, 1-135, Conclusion regarding the peer review of the pesticide risk assessment of the active substance proquinazid (finalised: 13 October 2009).

⁽⁷⁾ EFSA Scientific Report (2009) 339, 1-86, Conclusion regarding the peer review of the pesticide risk assessment of the active substance spirodiclofen (finalised: 27 July 2009).

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 37, 10.2.2004, p. 34.

⁽³⁾ OJ L 313, 12.10.2004, p. 21.

⁽⁴⁾ OJ L 192, 11.7.2002, p. 60.

- (7) Without prejudice to that conclusion, it is appropriate to obtain further information on certain specific points. Article 6(1) of Directive 91/414/EEC provides that the inclusion of a substance in Annex I may be subject to conditions. It is appropriate, as regards penoxsulam, to require that the notifier submits further information on the off-field risk to higher aquatic plants.
- (8) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of six months after inclusion to review existing provisional authorisations of plant protection products containing penoxsulam, proquinazid or spirodiclofen to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should transform existing provisional authorisations into full authorisations, amend them or withdraw them in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (9) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (10) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish by 31 January 2011 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 February 2011.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a

reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing penoxsulam, proquinazid or spirodiclofen as active substance by 31 January 2011. By that date, they shall in particular verify that the conditions in Annex I to that Directive relating to penoxsulam, proquinazid and spirodiclofen, are met, with the exception of those identified in part B of the entry concerning the active substance, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13(2) of that Directive.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing penoxsulam, proquinazid or spirodiclofen as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 July 2010 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account part B of the entry in Annex I to that Directive concerning penoxsulam, proquinazid or spirodiclofen. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing penoxsulam, proquinazid or spirodiclofen as the only active substance, where necessary, amend or withdraw the authorisation by 31 January 2012 at the latest; or
- (b) in the case of a product containing penoxsulam, proquinazid or spirodiclofen as one of several active substances, where necessary, amend or withdraw the authorisation by 31 January 2012 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 4

This Directive shall enter into force on 1 August 2010.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 18 March 2010.

For the Commission

The President

José Manuel BARROSO

ANNEX

In Annex I to Directive 91/414/EEC, the following rows are added at the end of the table:

No	Common name, identification numbers	IUPAC name	Purity (¹)	Entry into force	Expiration of inclusion	Specific provisions
'306	Penoxsulam CAS No 219714-96-2 CIPAC No 758	3-(2,2-difluoroethoxy)-N-(5,8-dimethoxy[1,2,4]triazolo[1,5-c]pyrimidin-2-yl)-α,α,α-trifluorotoluene-2-sulfonamide	> 980 g/kg The impurity Bis-CHYMP 2-chloro-4-[2-(2-chloro-5-methoxy-4-pyrimidinyl)hydrazino]-5-methoxypyrimidine must not exceed 0,1 g/kg in the technical material	1 August 2010	31 July 2020	PART A Only uses as herbicide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on penoxsulam, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 22 January 2010 shall be taken into account. In this overall assessment, Member States must pay particular attention to: — the protection of aquatic organisms, — the dietary exposure of consumers to residues of the metabolite BSCTA in succeeding rotational crops, — the protection of groundwater when the active substance is applied in regions with vulnerable soil and/or climatic conditions. Conditions of authorisation shall include risk mitigation measures, where appropriate. The Member States concerned shall ensure that the notifier submits to the Commission further information to address the off-field risk to higher aquatic plants. They shall ensure that the notifier provides such information to the Commission by 31 July 2012. The Rapporteur Member State shall inform the Commission in accordance with Article 13(5) on the specification of the technical material as commercially manufactured.
307	Proquinazid CAS No 189278-12-4 CIPAC No 764	6-iodo-2-propoxy-3-propylquinazolin-4(3H)-one	> 950 g/kg	1 August 2010	31 July 2020	PART A Only uses as fungicide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on proquinazid, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 22 January 2010 shall be taken into account. In this overall assessment, Member States must pay particular attention: — to the long-term risk to earthworm-eating birds for uses in grapevine, — to the risk to aquatic organisms,

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
						— the dietary exposure of consumers to proquinazid residues in products of animal origin and in succeeding rotational crops, — to the operator safety. Conditions of authorisation shall include risk mitigation measures, where appropriate. The Rapporteur Member State shall inform the Commission in accordance with Article 13(5) on the specification of the technical material as commercially manufactured.
308	Spirodiclofen CAS No 148477-71-8 CIPAC No 737	3-(2,4-dichlorophenyl)-2-oxo-1-oxaspiro[4.5]dec-3-en-4-yl 2,2-dimethylbutyrate	> 965 g/kg The following impurities must not exceed a certain amount in the technical material: 3-(2,4-dichlorophenyl)-4-hydroxy-1-oxaspiro[4.5]dec-3-en-2-one (BA)-2740 enol): ≤ 6 g/kg N,N-dimethylacetamide: ≤ 4 g/kg	1 August 2010	31 July 2020	PART A Only uses as acaricide or insecticide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on spirodiclofen, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 22 January 2010 shall be taken into account. In this overall assessment, Member States must pay particular attention: — to the long-term risk to aquatic organisms, — to the operator safety, — to the risk to bee brood. Conditions of authorisation shall include risk mitigation measures, where appropriate.'

⁽¹⁾ Further details on identity and specification of active substances are provided in the review report.

DECISIONS

COMMISSION DECISION

of 8 March 2010

amending Decision 2008/22/EC laying down rules for the implementation of Decision No 573/2007/EC of the European Parliament and of the Council establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund

(notified under document C(2010) 1210)

(Only the Bulgarian, Czech, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish texts are authentic)

(2010/163/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' and repealing Council Decision 2004/904/EC ⁽¹⁾, and in particular Article 23 thereof,

Whereas:

(1) Decision No 573/2007/EC has been implemented by Commission Decision 2008/22/EC ⁽²⁾.

(2) With regard to the principle of sound financial management, it is appropriate to fix a ceiling for the cumulative total of pre-financing payments to be made to the Member States for annual programmes.

(3) In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, the United Kingdom is bound by the basic act and, as a consequence, by this Decision.

(4) In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland is bound by the basic act and, as a consequence, by this Decision.

(5) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not bound by this Decision nor subject to the application thereof.

(6) Decision 2008/22/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2008/22/EC is amended as follows:

1. the title of Article 24 is replaced by the following:

'Progress and final reports on implementation of annual programmes and requests for payments';

2. in Article 24 the following paragraph 4 is added:

'4. With reference to Article 39(3) and (4) of the basic act, the cumulative total of pre-financing payments made to a Member State shall not exceed 90 % of the total amount allocated to such Member State in the financing decision approving the annual programme.'

Where a Member State has nationally committed less than the total amount allocated by the financing decision approving the annual programme, the cumulative total of the pre-financing payments shall not exceed 90 % of the nationally committed amount.'

⁽¹⁾ OJ L 144, 6.6.2007, p. 1.

⁽²⁾ OJ L 7, 10.1.2008, p. 1.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 8 March 2010.

For the Commission

Cecilia MALMSTRÖM

Member of the Commission

COMMISSION DECISION

of 18 March 2010

recognising in principle the completeness of the dossiers submitted for detailed examination in view of the possible inclusion of tagetes oil and thyme oil in Annex I to Council Directive 91/414/EEC

*(notified under document C(2010) 1579)***(Text with EEA relevance)**

(2010/164/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 Article 6(3) thereof,

Whereas:

- (1) Directive 91/414/EEC provides for the development of a European Union list of active substances authorised for incorporation in plant protection products.
- (2) The dossiers for the active substances tagetes oil and thyme oil were submitted by Plant Impact plc to the authorities of the United Kingdom on 7 September 2009 with the applications to obtain their inclusion in Annex I to Directive 91/414/EEC.
- (3) The authorities of the United Kingdom have indicated to the Commission that, on preliminary examination, the dossiers for the active substances concerned appear to satisfy the data and information requirements set out in Annex II to Directive 91/414/EEC. The dossiers submitted appear also to satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance concerned. In accordance with Article 6(2) of Directive 91/414/EEC, the dossiers were subsequently forwarded by the respective applicant to the Commission and other Member States, and were referred to the Standing Committee on the Food Chain and Animal Health.
- (4) By this Decision it should be formally confirmed at European Union level that the dossiers are considered as satisfying in principle the data and information requirements set out in Annex II and, for at least one plant protection product containing the active substance concerned, the requirements set out in Annex III to Directive 91/414/EEC.

- (5) 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

The dossiers concerning the active substances identified in the Annex to this Decision, which were submitted to the Commission and the Member States with a view to obtaining the inclusion of those substances in Annex I to Directive 91/414/EEC, satisfy in principle the data and information requirements set out in Annex II to that Directive.

The dossiers also satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance, taking into account the uses proposed.

Article 2

The rapporteur Member State shall pursue the detailed examination for the dossiers referred to in Article 1 and shall communicate to the Commission the conclusions of its examinations accompanied by any recommendations on the inclusion or non-inclusion in Annex I to Directive 91/414/EEC of the active substances referred to in Article 1 and any conditions for those inclusions as soon as possible and by 31 May 2011 at the latest.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 March 2010.

For the Commission

John DALLI

Member of the Commission

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

ANNEX

ACTIVE SUBSTANCES CONCERNED BY THIS DECISION

No	Common Name, CIPAC Identification Number	Applicant	Date of application	Rapporteur Member State
1	Tagetes oil CIPAC-No not relevant	Plant Impact plc	7.9.2009	UK
2	Thyme oil CIPAC-No not relevant	Plant Impact plc	7.9.2009	UK

COMMISSION DECISION

of 18 March 2010

withdrawing the reference of standard EN ISO 4869-4: 2000 'Acoustics — Hearing protectors — Part 4: Measurement of effective sound pressure levels for level-dependent sound-restoration ear-muffs (ISO/TR 4869-4: 1998)' in accordance with Council Directive 89/686/EEC

(notified under document C(2010) 1599)

(Text with EEA relevance)

(2010/165/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment ⁽¹⁾ and in particular Article 6(1) thereof,

Having regard to the opinion of the Standing Committee set up by Article 5 of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society Services ⁽²⁾,

Whereas:

(1) The European standard EN ISO 4869-4: 2000, 'Acoustics — Hearing protectors — Part 4: Measurement of effective sound pressure levels for level-dependent sound-restoration ear-muffs (ISO/TR 4869-4: 1998)', was adopted by the European Committee for Standardisation (CEN) in April 2000. The reference of the standard was first published in the *Official Journal of the European Union* on 6 October 2005 ⁽³⁾.

(2) Germany has lodged a formal objection in respect of standard EN ISO 4869-4: 2000.

(3) Germany's formal objection was lodged on the grounds that standard EN ISO 4869-4: 2000 fails to satisfy the requirements set out in Annex II to Directive 89/686/EEC, as the test method for level-dependent sound attenuating ear-muffs specified by that standard tends to overestimate the effectiveness of the hearing protector tested and the results are neither representative of user exposure nor reproducible.

(4) Having examined standard EN ISO 4869-4: 2000 the Commission has established that the standard fails to fully satisfy the basic health and safety requirements set out in Sections 1.1.2.1 and 3.5 of Annex II to Directive 89/686/EEC.

(5) The reference of standard EN ISO 4869-4: 2000 should therefore be withdrawn from the list of harmonised standards in the *Official Journal of the European Union*, with the result that compliance with relevant national standards transposing the harmonised standard EN ISO 4869-4: 2000 no longer confers the presumption of conformity to the basic health and safety requirements of Directive 89/686/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The reference of standard EN ISO 4869-4: 2000 'Acoustics — Hearing protectors — Part 4: Measurement of effective sound pressure levels for level-dependent sound-restoration ear-muffs (ISO/TR 4869-4: 1998)' is withdrawn from the list of harmonised standards published in the *Official Journal of the European Union*.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 March 2010.

For the Commission
Antonio TAJANI
Vice-President

⁽¹⁾ OJ L 399, 30.12.1989, p. 18.

⁽²⁾ OJ L 204, 21.7.1998, p. 37.

⁽³⁾ OJ C 247, 6.10.2005, p. 2.

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