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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) No 454/2010 of 26 May 2010 on transitional measures under Regulation (EC) No 767/2009 of the European Parliament and of the Council as regards the labelling provisions for feed ⁽¹⁾** 1
- ★ **Commission Regulation (EU) No 455/2010 of 26 May 2010 concerning the classification of certain goods in the Combined Nomenclature** 3
- Commission Regulation (EU) No 456/2010 of 26 May 2010 establishing the standard import values for determining the entry price of certain fruit and vegetables 5
- Commission Regulation (EU) No 457/2010 of 26 May 2010 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year 7

DECISIONS

2010/301/EU:

- ★ **Commission Decision of 25 May 2010 amending Decision 2004/407/EC as regards authorising imports of photographic gelatine into the Czech Republic (notified under document C(2010) 3244)** 9

Price: EUR 3

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 454/2010

of 26 May 2010

on transitional measures under Regulation (EC) No 767/2009 of the European Parliament and of the Council as regards the labelling provisions for feed**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed ⁽¹⁾, and in particular Article 32(4) thereof,

Whereas:

(1) Regulation (EC) No 767/2009 provides for a complete revision of EU rules concerning the marketing conditions of feed materials and compound feed and its Article 32(4) allows measures in order to facilitate transition to the new rules.

(2) The rules on labelling laid down by Regulation (EC) No 767/2009 will have to be applied as from 1 September 2010. This would imply an abrupt change and not allow a smooth transition for the feed business operators placing feed on the market. Switching the design and production of labels and the conversion of the existing machinery from one day to the other would be expensive for those businesses. The resulting burden would be disproportionate to the objective of the change. It is therefore appropriate to provide for a transitional period during which feed may be labelled in accordance with Regulation (EC) No 767/2009 before 1 September 2010.

(3) As regards feed intended for pet animals, the market consists of a huge number of different products with

specific labels. Compared with the current labelling rules for pet food, only Articles 15(f), 17(1)(f) and 19 of Regulation (EC) No 767/2009 will introduce changes to the labelling of those products, representing only minor changes with no effect on safety. In order to allow a smooth transition for the feed business operators concerned, it is justified to provide for a transitional period of 1 year during which the current labels for pet food may continue to be used after 1 September 2010.

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

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the second paragraph of Article 33 of Regulation (EC) No 767/2009 and without prejudice to Council Directives 79/373/EEC ⁽²⁾, 82/471/EEC ⁽³⁾, 93/74/EEC ⁽⁴⁾ and 96/25/EC ⁽⁵⁾, feed labelled in accordance with Regulation (EC) No 767/2009 may be placed on the market as from the date of entry into force of this Regulation.

Article 2

By way of derogation from the second paragraph of Article 33 of Regulation (EC) No 767/2009, feed intended for pet animals and labelled in accordance with Directive 79/373/EEC and Article 16 of Council Directive 70/524/EEC ⁽⁶⁾ may be placed on the market until 31 August 2011. After that date, it may remain on the market until stocks are exhausted.

⁽¹⁾ OJ L 229, 1.9.2009, p. 1.

⁽²⁾ OJ L 86, 6.4.1979, p. 30.

⁽³⁾ OJ L 213, 21.7.1982, p. 8.

⁽⁴⁾ OJ L 237, 22.9.1993, p. 23.

⁽⁵⁾ OJ L 125, 23.5.1996, p. 35.

⁽⁶⁾ OJ L 270, 14.12.1970, p. 1.

Article 3

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, 26 May 2010.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 455/2010
of 26 May 2010
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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 provisions of the Union, 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 binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked 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

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 three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

This Regulation shall enter into force on the twentieth 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, 26 May 2010.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
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)
An apparatus consisting of an interchangeable ultra-violet (UV) light source, a reflector, a shutter, an intensity control and a shutter-timer in a casing (so-called 'UV spot light source') with overall dimensions of 311 × 160 × 227 mm. The casing is equipped with a carrying handle, controls and fixed light guide. The apparatus is used in a photochemical process, so-called 'UV curing', for surface treatment of various photosensitive materials with UV radiation, in particular for the non-mechanical hardening of different materials and coatings, via controlled emissions of UV light.	8543 70 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8543, 8543 70 and 8543 70 90. Classification under heading 8479 as a machine having an individual function, not specified or included elsewhere in Chapter 84, is excluded as the hardening does not involve any mechanical function, but is the result of a photochemical process. Accordingly, the apparatus is to be considered as UV irradiation equipment for general industrial uses (see also the Harmonised System Explanatory Notes to heading 8543, fourth paragraph, (11)). The apparatus is therefore to be classified under CN code 8543 70 90 as other electrical machines and apparatus, having individual functions, not specified or included elsewhere in Chapter 85.

COMMISSION REGULATION (EU) No 456/2010**of 26 May 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 27 May 2010.

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

Done at Brussels, 26 May 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	MA	65,7
	MK	50,2
	TN	75,5
	TR	59,7
	ZZ	62,8
0707 00 05	MA	41,0
	MK	70,2
	TR	119,6
	ZZ	76,9
0709 90 70	TR	111,2
	ZZ	111,2
0805 10 20	EG	61,3
	IL	62,2
	MA	60,4
	PY	48,3
	ZA	55,4
	ZZ	57,5
0805 50 10	AR	96,4
	BO	58,6
	BR	112,1
	TR	85,0
	ZA	115,4
	ZZ	93,5
0808 10 80	AR	79,2
	BR	81,3
	CA	113,1
	CL	79,8
	CN	71,0
	MK	26,7
	NZ	111,6
	US	141,1
	ZA	91,2
0809 20 95	ZZ	88,3
	TR	597,7
	US	328,1
	ZZ	462,9

⁽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 457/2010**of 26 May 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

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 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 452/2010 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 2010.

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

Done at Brussels, 26 May 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 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 253, 25.9.2009, p. 3.

⁽⁴⁾ OJ L 127, 26.5.2010, p. 12.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 27 May 2010

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	39,80	0,00
1701 11 90 ⁽¹⁾	39,80	2,96
1701 12 10 ⁽¹⁾	39,80	0,00
1701 12 90 ⁽¹⁾	39,80	2,67
1701 91 00 ⁽²⁾	40,53	5,31
1701 99 10 ⁽²⁾	40,53	2,18
1701 99 90 ⁽²⁾	40,53	2,18
1702 90 95 ⁽³⁾	0,41	0,27

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

DECISIONS

COMMISSION DECISION

of 25 May 2010

amending Decision 2004/407/EC as regards authorising imports of photographic gelatine into the Czech Republic*(notified under document C(2010) 3244)***(Only the Czech, Dutch, English, French and German texts are authentic)**

(2010/301/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption⁽¹⁾, and in particular Article 4(4) and the first and second subparagraphs of Article 32(1) thereof,

Whereas:

(1) Regulation (EC) No 1774/2002 prohibits the importation and transit of animal by-products and processed products into the Community, unless they are authorised in accordance with that Regulation.

(2) Commission Decision 2004/407/EC of 26 April 2004 on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards import from certain third countries of photographic gelatine⁽²⁾ provides that Belgium, Luxembourg, the Netherlands and the United Kingdom are to authorise the importation of certain gelatine exclusively intended for the photographic industry (photographic gelatine), in compliance with that Decision.

(3) Decision 2004/407/EC provides that the importation of photographic gelatine is only authorised from the third countries listed in the Annex to that Decision, namely Japan and the United States.

(4) Decision 2004/407/EC, as amended by Commission Decision 2009/960/EC⁽³⁾, authorises imports of photographic gelatine from a specified plant in the United States to the Czech Republic. The Czech Republic has now submitted a new request for the authorisation of imports of photographic gelatine from another plant in the United States. The Czech Republic has confirmed that the strict channelling conditions under Decision 2004/407/EC are to apply in order to prevent potential health risks.

(5) Accordingly, and pending the review of the technical requirements for the import of animal by-products under Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)⁽⁴⁾, the Czech Republic should be allowed to authorise the importation of photographic gelatine from the additional plant in the United States subject to compliance with the conditions set out in Decision 2004/407/EC.

(6) Decision 2004/407/EC should therefore be amended accordingly.

(7) 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

Annex I to Decision 2004/407/EC is replaced by the text in the Annex to this Decision.

⁽¹⁾ OJ L 273, 10.10.2002, p. 1.

⁽²⁾ OJ L 151, 30.4.2004, p. 11.

⁽³⁾ OJ L 330, 16.12.2009, p. 82.

⁽⁴⁾ OJ L 300, 14.11.2009, p. 1.

Article 2

This Decision shall apply from 1 May 2010.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Czech Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 25 May 2010.

For the Commission

John DALLI

Member of the Commission

ANNEX

Annex I is replaced by the following:

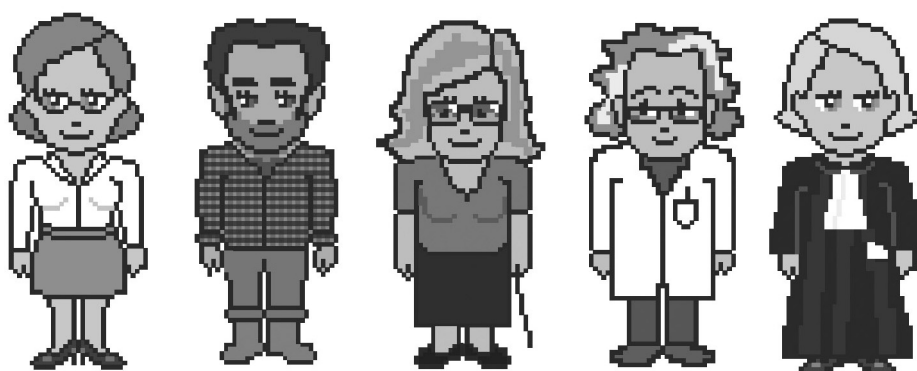
‘ANNEX I

THIRD COUNTRIES AND PLANTS OF ORIGIN, MEMBER STATES OF DESTINATION, BORDER INSPECTION POSTS OF FIRST ENTRY INTO THE UNION AND APPROVED PHOTOGRAPHIC FACTORIES

Third country of origin	Plants of origin	Member State of destination	Border inspection post of first entry into the Union	Approved photographic factories
Japan	Nitta Gelatin Inc. 2-22 Futamata Yao-City, Osaka 581 – 0024 Japan Jellie Co. Ltd 7-1, Wakabayashi 2-Chome, Wakabayashi-ku, Sendai-city, Miyagi, 982 Japan NIPPI Inc. Gelatin Division 1 Yumizawa-Cho Fujinomiya City Shizuoka 418 – 0073 Japan	Netherlands	Rotterdam	Fujifilm Europe BV, Oudenstaart 1 5047 TK Tilburg, Netherlands
	Nitta Gelatin Inc. 2-22 Futamata Yao-City, Osaka 581 – 0024, Japan	United Kingdom	Liverpool Felixstowe	Kodak Ltd Headstone Drive, Harrow, MIDDX HA4 4TY, United Kingdom
		Czech Republic	Hamburg	FOMA Bohemia spol. s r.o. Jana Krušinky 1604 501 04 Hradec Králove, Czech Republic
United States of America	Eastman Gelatine Corporation, 227 Washington Street, Peabody, MA, 01960 USA Gelita North America, 2445 Port Neal Industrial Road Sergeant Bluff, Iowa, 51054 USA	Luxembourg	Antwerp Zaventem Luxembourg	DuPont Teijin Luxembourg SA PO Box 1681 1016 Luxembourg
		United Kingdom	Liverpool Felixstowe	Kodak Ltd Headstone Drive, Harrow, MIDDX HA4 4TY, United Kingdom
		Czech Republic	Hamburg	FOMA Bohemia spol. s r.o. Jana Krušinky 1604 501 04 Hradec Králove, Czech Republic’

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