

Official Journal

of the European Union

L 178



English edition

Legislation

Volume 53

13 July 2010

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Council Implementing Regulation (EU) No 610/2010 of 12 July 2010 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Implementing Regulation (EU) No 1285/2009.....** 1
- ★ **Commission Regulation (EU) No 611/2010 of 12 July 2010 approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Basilico Genovese (PDO))** 5
- ★ **Commission Regulation (EU) No 612/2010 of 12 July 2010 entering a name in the register of protected designations of origin and protected geographical indications (Fasola korczyńska (PGI))** 11
- ★ **Commission Regulation (EU) No 613/2010 of 12 July 2010 entering a name in the register of protected designations of origin and protected geographical indications (Miód kurpiowski (PGI))** 13
- Commission Regulation (EU) No 614/2010 of 12 July 2010 establishing the standard import values for determining the entry price of certain fruit and vegetables 15

Price: EUR 3

(Continued overleaf)

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.

DECISIONS

2010/385/EU:

- ★ **Council Decision of 24 June 2010 on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Union** 17

- ★ **Council Decision 2010/386/CFSP of 12 July 2010 updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism** 28

2010/387/EU:

- ★ **Commission Decision of 12 July 2010 amending Decision 2008/630/EC on emergency measures applicable to crustaceans imported from Bangladesh and intended for human consumption** (*notified under document C(2010) 4739*) ⁽¹⁾ 31

II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) No 610/2010

of 12 July 2010

implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Implementing Regulation (EU) No 1285/2009

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽¹⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) On 22 December 2009, the Council adopted Implementing Regulation (EU) No 1285/2009 implementing Article 2(3) of Regulation (EC) No 2580/2001 ⁽²⁾, establishing an updated list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies.
- (2) The Council has provided all the persons, groups and entities for which it was practically possible with statements of reasons explaining why they were listed in Implementing Regulation (EU) No 1285/2009. In the case of two persons, an amended statement of reasons was provided in April 2010.
- (3) By way of a notice published in the *Official Journal of the European Union* ⁽³⁾, the Council informed the persons, groups and entities listed in Implementing Regulation (EU) No 1285/2009 that it had decided to keep them on the list. The Council also informed the persons, groups and entities concerned that it was possible to request a statement of the Council's reasons for putting them on the list where one had not already been communicated to them. In the case of two groups, an amended statement of reasons was made available in April 2010 ⁽⁴⁾.

- (4) The Council has carried out a complete review of the list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies, as required by Article 2(3) of that Regulation. When doing so it took account of observations submitted to the Council by those concerned.
- (5) The Council has concluded that there are no longer grounds for keeping certain groups on the list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies.
- (6) The Council has concluded, that with the exception of the groups referred to in recital (5), the other persons, groups and entities listed in the Annex to this Regulation have been involved in terrorist acts within the meaning of Article 1(2) and (3) of Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism ⁽⁵⁾, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for in Regulation (EC) No 2580/2001.
- (7) The list of the persons, groups and entities to which Regulation (EC) No 2580/2001 applies should be updated accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The list provided for in Article 2(3) of Regulation (EC) No 2580/2001 shall be replaced by the list set out in the Annex to this Regulation.

⁽¹⁾ OJ L 344, 28.12.2001, p. 70.

⁽²⁾ OJ L 346, 23.12.2009, p. 39.

⁽³⁾ OJ C 315, 23.12.2009, p. 11.

⁽⁴⁾ OJ C 108, 28.4.2010, p. 8.

⁽⁵⁾ OJ L 344, 28.12.2001, p. 93.

Article 2

Implementing Regulation (EU) No 1285/2009 is hereby repealed.

Article 3

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, 12 July 2010.

For the Council
The President
S. LARUELLE

ANNEX

LIST OF PERSONS, GROUPS AND ENTITIES REFERRED TO IN ARTICLE 1

1. PERSONS

1. ABOU, Rabah Naami (a.k.a. Naami Hamza, a.k.a. Mihoubi Faycal, a.k.a. Fellah Ahmed, a.k.a. Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), – member of ‘al-Takfir’ and ‘al-Hijra’
3. AL-MUGHASSIL, Ahmad Ibrahim (a.k.a. ABU OMRAN, a.k.a. AL-MUGHASSIL, Ahmed Ibrahim), born 26.6.1967 in Qatif-Bab al Shamal (Saudi Arabia), citizen of Saudi Arabia
4. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
5. AL YACOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
6. ARIOUA, Kamel (a.k.a. Lamine Kamel), born 18.8.1969 in Costantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
7. ASLI, Mohamed (a.k.a. Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
8. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
9. ATWA, Ali (a.k.a. BOUSLIM, Ammar Mansour, a.k.a. SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon, citizen of Lebanon
10. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) – member of the ‘Hofstadgroep’
11. DARIB, Noureddine (a.k.a. Carreto, a.k.a. Zitoun Mourad), born 1.2.1972 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
12. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
13. EL FATMI, Noureddine (a.k.a. Nouriddin EL FATMI, a.k.a. Nouriddine EL FATMI, a.k.a. Noureddine EL FATMI, a.k.a. Abu AL KA’E KA’E, a.k.a. Abu QAE QAE, a.k.a. FOUAD, a.k.a. FZAD, a.k.a. Nabil EL FATMI, a.k.a. Ben MOHAMMED, a.k.a. Ben Mohand BEN LARBI, a.k.a. Ben Driss Muhand IBN LARBI, a.k.a. Abu TAHAR, a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 – member of the ‘Hofstadgroep’
14. EL-HOORIE, Ali Saed Bin Ali (a.k.a. AL-HOURI, Ali Saed Bin Ali, a.k.a. EL-HOURI, Ali Saed Bin Ali), born 10.7.1965 or 11.7.1965 in El Dibabiya (Saudi Arabia), citizen of Saudi Arabia
15. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
16. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
17. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Abdul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
18. MOKTARI, Fateh (a.k.a. Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
19. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
20. RESSOUS, Hoari (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
21. SEDKAOUI, Noureddine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
22. SELMANI, Abdelghani (a.k.a. Gano), born 14.6.1974 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
23. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
24. TINGUALI, Mohammed (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
25. WALTERS, Jason Theodore James (a.k.a. Abdullah, a.k.a. David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No. NE8146378 – member of the ‘Hofstadgroep’

2. GROUPS AND ENTITIES

1. 'Abu Nidal Organisation' – 'ANO' (a.k.a. 'Fatah Revolutionary Council', a.k.a. 'Arab Revolutionary Brigades', a.k.a. 'Black September', a.k.a. 'Revolutionary Organisation of Socialist Muslims')
 2. 'Al-Aqsa Martyrs' Brigade'
 3. 'Al-Aqsa e.V.'
 4. 'Al-Takfir' and 'Al-Hijra'
 5. 'Aum Shinrikyo' (a.k.a. 'AUM', a.k.a. 'Aum Supreme Truth', a.k.a. 'Aleph')
 6. 'Babbar Khalsa'
 7. 'Communist Party of the Philippines', including 'New People's Army' – 'NPA', Philippines
 8. 'Gama'a al-Islamiyya' (a.k.a. 'Al-Gama'a al-Islamiyya') ('Islamic Group' – 'IG')
 9. 'İslami Büyük Doğu Akıncılar Cephesi' – 'İBDA-C' ('Great Islamic Eastern Warriors Front')
 10. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'
 11. 'Hizbul Mujahideen' – 'HM'
 12. 'Hofstadgroep'
 13. 'Holy Land Foundation for Relief and Development'
 14. 'International Sikh Youth Federation' – 'ISYF'
 15. 'Khalistan Zindabad Force' – 'KZF'
 16. 'Kurdistan Workers' Party' – 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
 17. 'Liberation Tigers of Tamil Eelam' – 'LTTE'
 18. 'Ejército de Liberación Nacional' ('National Liberation Army')
 19. 'Palestinian Islamic Jihad' – 'PIJ'
 20. 'Popular Front for the Liberation of Palestine' – 'PFLP'
 21. 'Popular Front for the Liberation of Palestine – General Command' (a.k.a. 'PFLP – General Command')
 22. 'Fuerzas armadas revolucionarias de Colombia' – 'FARC' ('Revolutionary Armed Forces of Colombia')
 23. 'Devrimci Halk Kurtuluş Partisi-Cephesi' – 'DHKP/C' (a.k.a. 'Devrimci Sol' ('Revolutionary Left'), a.k.a. 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 24. 'Sendero Luminoso' – 'SL' ('Shining Path')
 25. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 26. 'Teyrbazen Azadiya Kurdistan' – 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
 27. 'Autodefensas Unidas de Colombia' – 'AUC' ('United Self-Defense Forces/Group of Colombia')
-

COMMISSION REGULATION (EU) No 611/2010**of 12 July 2010****approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Basilico Genovese (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 second sentence of Article 9(2) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006 and by virtue of Article 17(2) thereof, the Commission has examined Italy's application for approval of amendments to details in the specification for the protected designation of origin 'Basilico Genovese', registered by Commission Regulation (EC) No 2400/96 ⁽²⁾, as amended by Regulation (EC) No 1623/2005 ⁽³⁾.

(2) The request to change the specification concerns adding a provision on affixing to the product's packaging the logo of the name 'Basilico Genovese', the graphical specifications of which are described.

(3) The Commission has examined the amendment in question and decided that it is justified. Since the amendment is a minor one within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission can approve it without recourse to the procedure laid down in Articles 5, 6 and 7 of the said Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected designation of origin 'Basilico Genovese' is hereby amended in accordance with Annex I to this Regulation.

Article 2

The updated Single Document is set out in Annex II to this Regulation.

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, 12 July 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ L 327, 18.12.1996, p. 11.

⁽³⁾ OJ L 259, 5.10.2005, p. 15.

ANNEX I

The specification for the protected designation of origin 'Basilico Genovese' is amended as follows:

In Article 8, 'Packaging', the following paragraph is added:

'Packaging for separate bunches or bags must be of a material meeting the standards in force and bear the words "BASILICO GENOVESE D.O.P." and the EU PDO symbol, together with the full trademark of the firm and the product logo as described below. The firm's trademark must be of sufficient size and appropriately placed in relation to the EU PDO symbol and the product's logo.

The "Basilico Genovese" logo consists of a circular form of the same size as the EU PDO symbol, bearing the words, written out in full, "Basilico Genovese", with at its centre the acronym "D.O.P."

The three graphic elements characterising the product are the following:

- the sun (in yellow), a fundamental symbol of vitality common to all cultures,
- Liguria (in blue), the production area, rich, fertile, and bathed by the sea,
- basil (in green), emphasising the natural character, authenticity and quality of the product qualifying for PDO status.

The image may also appear in monochrome.

The font used for the text is Arial Black, bold, in the same blue as that used for Liguria. The font size is 6 for the words "Basilico Genovese" and 6,5 for "D.O.P."



ANNEX II

SINGLE DOCUMENT

Council Regulation (EC) No 510/2006 on protected geographical indications and protected designations of origin

'BASILICO GENOVESE'

EC No: IT-PDO-0105-0194-30.6.2009

PGI () PDO (X)

1. Name

'Basilico Genovese'

2. Member State or third country

Italy

3. Description of the agricultural product or foodstuff**3.1. Type of product**

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

3.2. Description of the product to which the name in (1) applies

The protected designation of origin 'Basilico Genovese' refers to the whole, fresh plant grown from seed of indigenous ecotypes and selections of the species *Ocimum Basilicum* L. The plant must have the following characteristics:

- medium to very tall, spreading or cylindrical in growth,
- foliage density classifiable as intermediate (medium-low, medium, medium-tall),
- elliptical leaf form,
- swelling of the blade and edge cuts absent/very slight or slight,
- leaves flat or convex,
- total absence of aroma of mint,
- strong and characteristic odour.

3.3. Raw materials (for processed products only)

—

3.4. Feed (for products of animal origin only)

—

3.5. Specific steps in production that must take place in the identified geographical area

'Basilico Genovese' must be grown under cover or in the open within the geographical area of production.

3.6. Specific rules concerning slicing, grating, packaging, etc.

'Basilico Genovese' must be packaged in the area of production in order to preserve the characteristics of the product, which is extremely fragile and prone to drying out.

Basil for sale fresh must be put up in bunches with between two and four pairs of true leaves. The single bunch comprises three to ten plants complete with roots and wrapped individually in paper suitable for foodstuffs bearing the D.O.P. symbol. Larger bunches are called bouquets and contain the number of plants equivalent to ten bunches.

Basil for local or industrial processing comprises portions of whole plants with no more than four pairs of true leaves.

Packaging must use materials which comply with the standards in force and must bear the PDO logo and the full trademark of the firm.

3.7. Specific rules concerning labelling

Packaging for separate bunches or bags must be of a material meeting the standards in force and bear the words 'BASILICO GENOVESE D.O.P.' and the EU PDO symbol, together with the full trademark of the firm and the product logo as described below. The firm's trademark must be of sufficient size and appropriately placed in relation to the EU PDO symbol and the product's logo.

The 'Basilico Genovese' logo consists of a circular form of the same size as the EU PDO symbol, bearing the words, written out in full, 'Basilico Genovese', with at its centre the acronym 'D.O.P.'.

The three elements characterising the product are the following:

- the sun (in yellow), a fundamental symbol of vitality common to all cultures,
- Liguria (in blue), the production area, rich, fertile, and bathed by the sea,
- basil (in green), emphasising the natural character, authenticity and quality of the product qualifying for PDO status.

The image may also appear in monochrome.

The font used for the text is Arial Black, bold, in the same blue as that used for Liguria. The font size is 6 for the words 'Basilico Genovese' and 6,5 for 'D.O.P.'.



PANTONE 368
(unico color
pantone da
aggiungere)

Cyano 65
Magenta 0
Yellow 100
Black 0



PANTONE 109
(utilizzato per
la denominazione
di origine protetta)

Cyano 0
Magenta 10
Yellow 90
Black 0



BLU REFLEX
(utilizzato per
la denominazione
di origine protetta)

Cyano 100
Magenta 80
Yellow 0
Black 0

4. Concise definition of the geographical area

The geographical area where 'Basilico Genovese' is grown is the Tyrrhenian coast of the administrative Region of Liguria as bounded by the watershed.

5. Link with the geographical area

5.1. Specificity of the geographical area

The soil and climate of the Ligurian hinterland are marked by a microclimate suitable for the cultivation of basil, generated by an unusual combination of inter-related factors, both non-living (soil, temperature, water, light, wind) and living (animal and vegetable organisms), found only there. The characteristics of the soil impose a limit on the crops which can be grown and the limited changes to the physical nature of the land allowed for the growing of basil are motivated solely by the special technique of harvesting the plants, which must be done without damaging them. Any soil improvement is an important factor in crop management because it may solve limited and well defined drainage problems even if it appears not to contribute to the typical nature of the finished product. The daily changes in temperature have a direct influence on the choice of crops, as do the availability and quality of water, light and wind. The configuration of the territory of Liguria favours the cultivation of basil since its long axis lies along parallels, with crops enjoying sunlight for many hours, even in winter, on south-facing slopes which also provide protection from cold north, easterly and westerly winds through its unique curvature while also benefiting from the regulatory effect of the sea.

It is the climatic conditions of Liguria themselves, with their high levels of light even in winter, temperatures which rarely drop below 10 °C and a steady stream of air tempered by the sea, which combine with the chemical and physical characteristics of the land and the technical knowledge and traditions of the farmers to create a final product whose aromas cannot be found in the same combination and degree in basil grown elsewhere.

Although the climate of the Ligurian hinterland is similar to that of lower Lazio and Campania and the origin of the soil where basil is grown is the same as that of lower Piedmont, Piedmont has a typically continental climate while the soils of central Italy are different from those of Liguria. This makes the combination of climate and soil for the grower in Liguria inimitable and special.

Attesting to the importance of these crops for the economy of the region, we have the yearbooks of Italian agriculture and other documents, which described this situation vividly and in detail. Even today basil still accounts for a large part of agriculture and cultivation in Liguria. 'Basilico Genovese' is a unique and inimitable blend of territory, surroundings and cultivation.

5.2. Specificity of the product

The characteristics of 'Basilico Genovese', the complete absence of minty odour, a very intense and pleasant perfume and the particularly delicate colouring of the leaves are the result of certain features of the soil and climate of Liguria.

Although basil is a minor crop in national and international terms, at regional level it is an important source of income for many farms which produce it under glass all the year round and in open fields in summer. As long ago as the 1920s and 1930s, international horticultural fairs and exhibitions were held at Finale Ligure where early crops grown under glass from the entire region, including basil, received the highest honours.

Comparing basil plants from Liguria with those from other areas shows that the yield of essential basil oil from Liguria is markedly different from that from basil grown elsewhere, this yield rising by a statistically significant extent from basil grown throughout its growing cycle in Liguria to that grown elsewhere in Italy.

Even the composition of the essential oil is different, as are the proportions of the various substances, so that the aroma is clearly distinguishable.

Basil which has been grown throughout its cycle in Liguria can be clearly distinguished from that grown elsewhere.

Taking account of the substances present in larger quantities, or those whose presence, even in small amounts, can affect the final aroma of the basil leaf, makes it possible to clearly distinguish basil grown in Liguria from that from elsewhere. The special aroma of 'Basilico Genovese' and its quality features cannot derive other than from Liguria. Basil grown in Piedmont or the other regions bordering on Liguria smells of mint, while that grown further south is considerably less delicate.

'Basilico Genovese', on the other hand, is a delicate crop immediately distinguishable by its intense and persistent perfume, by the total absence of any minty odour, and by its delicate leaf colour, present even after successive processing. The characteristics are typical and consistent in all basil produced in the production area covered by the specification.

5.3. *Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)*

Basil is one of the most representative and typical crops of Liguria and symbolises a style of cooking using traditional flavours, resulting from the unique combination of territory, surroundings and cultivation.

'Basilico Genovese' has been grown for centuries and has enjoyed unprecedented popularity among consumers in Italy and beyond, who appreciate ever more the aromas contributing to flavoursome dishes and because 'Basilico Genovese' stands for the quality, simplicity and typical character of a region and its culture.

The original centre of production was limited to the geographical area of Genoa. Given the increasingly favourable market conditions for the large-scale consumption of basil in the preparation of many recipes and the well known pesto, the production area has widened, taking in the entire Ligurian coastline.

Starting from the area around Genoa, the area of production has expanded both eastwards and westwards, making the territory of Liguria the ideal area for obtaining a characteristic product.

The entire region of Liguria is given over to growing basil on account of its environmental, cultivation and human characteristics, which give the fresh and the processed product its unique character, which is well known and recognised all over the world.

Basil is a plant species much influenced by its environment. This explains why basil grown in Liguria distinguishes itself by its homogenous quality, determined by whether it is grown under glass or in the open, cultivation and post-harvesting processing techniques.

The combination of soil characteristics, sun exposure and the particularly mild climate of the region, a climate in which the sea breeze plays a major role, gives this production area its unique character.

In this exceptional region specific technical skills have been developed to maximise the natural characteristics of the product and ensure a high and consistent level of quality, regardless of the time of year.

The skills of local growers are not limited to the cultivation method but also cover the subsequent packing phase, enabling them to avoid any alteration to the specific characteristics of the product thanks to a perfect blend of tradition and innovation (application of integrated pest management).

Reference to the publication of the specification

The Ministry launched the national objection procedure with the publication of the proposal for recognising 'Basilico Genovese' as a protected designation of origin in Official Gazette of the Italian Republic No 108 of 12 May 2009.

The full text of the product specification is available on the following website: www.politicheagricole.it/DocumentiPubblicazioni/Search_Documenti_Elenco.htm?txtTipoDocumento=Disciplinare%20in%20esame%20UE&txtDocArgomento=Prodotti%20di%20Qualit%C3%A0%20Prodotti%20Dop,%20Igp%20e%20Stg

or by going directly to the home page of the Ministry of Agricultural, Food and Forestry Policy (www.politicheagricole.it) and clicking on 'Prodotti di Qualità' [Quality products] (on the left of the screen) and finally on 'Disciplinari di Produzione all'esame dell'UE' (Reg. CE 510/2006) [Specifications subject to examination under Regulation (EC) No 510/2006].

COMMISSION REGULATION (EU) No 612/2010**of 12 July 2010****entering a name in the register of protected designations of origin and protected geographical indications (*Fasola korczyńska* (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, Poland's application to register the name '*Fasola korczyńska*' 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, 12 July 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 271, 12.11.2009, p. 20.

ANNEX

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

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

POLAND

Fasola korczyńska (PGI)

COMMISSION REGULATION (EU) No 613/2010**of 12 July 2010****entering a name in the register of protected designations of origin and protected geographical indications (Miód kurpiowski (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, Poland's application to register the name 'Miód kurpiowski' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection pursuant to 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, 12 July 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 260, 30.10.2009, p. 38.

ANNEX

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

Class 1.4. Other products of animal origin (eggs, honey, various dairy products except butter, etc.)

POLAND

Miód kurpiowski (PGI)

COMMISSION REGULATION (EU) No 614/2010**of 12 July 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 13 July 2010.

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

Done at Brussels, 12 July 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	MK	50,7
	TR	41,0
	ZZ	45,9
0707 00 05	MK	41,0
	TR	120,5
	ZZ	80,8
0709 90 70	TR	85,0
	ZZ	85,0
0805 50 10	AR	96,6
	TR	111,6
	UY	89,5
	ZA	78,6
	ZZ	94,1
0808 10 80	AR	93,7
	BR	61,2
	CA	119,1
	CL	91,9
	CN	58,1
	NZ	116,3
	US	115,0
	UY	116,3
	ZA	93,9
	ZZ	96,2
0808 20 50	AR	82,3
	CL	121,6
	NZ	141,4
	ZA	109,5
	ZZ	113,7
0809 10 00	TR	204,4
	ZZ	204,4
0809 20 95	TR	290,7
	US	509,9
	ZZ	400,3
0809 30	AR	130,0
	TR	160,1
	ZZ	145,1
0809 40 05	IL	131,9
	TR	156,2
	ZZ	144,1

⁽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'.

DECISIONS

COUNCIL DECISION

of 24 June 2010

on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Union

(2010/385/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) and Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) In accordance with the Decision of the Council of 19 October 2009, the Statute of the International Renewable Energy Agency (IRENA) ⁽¹⁾ (hereinafter referred to as 'the Statute') was signed on behalf of the European Community on 23 November 2009.
- (2) As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community.
- (3) It is appropriate for the Union to conclude the Statute.
- (4) Both the Union and its Member States have competences in the areas covered by the Statute.
- (5) Article VI.C of the Statute foresees that regional inter-governmental economic integration organisations that become members of the International Renewable Energy Agency (hereinafter referred to as 'IRENA') declare the extent of their competence with respect to the matters governed by the Statute.
- (6) The Union should therefore adopt such a declaration of competences.
- (7) The Union should pay an annual contribution to IRENA foreseen by the Intelligent Energy-Europe ('IEE') Programme,

HAS ADOPTED THIS DECISION:

Article 1

1. The Declaration of competences is hereby adopted on behalf of the Union and the text thereof is annexed to this Decision.
2. The Statute of the International Renewable Energy Agency (IRENA) (hereinafter referred to as 'the Statute'), is hereby approved on behalf of the Union and the text thereof is attached to this Decision.

Article 2

1. The President of the Council is hereby authorised to designate the person(s) empowered to deposit the instrument of ratification, on behalf of the Union, with the Government of the Federal Republic of Germany as depositary of the Statute in accordance with Article XIX and Article XX.A of the Statute in order to express the consent of the Union to be bound.
2. The President of the Council is hereby authorised to designate the person(s) empowered to deposit, on behalf of the Union, the Declaration of competences contained in the Annex, in accordance with Article VI.C of the Statute.

Article 3

The Union shall pay an annual contribution to the International Renewable Energy Agency.

Article 4

This Decision shall enter into force on the day of its adoption.

Done at Luxembourg, 24 June 2010.

For the Council

The President

J. BLANCO LÓPEZ

⁽¹⁾ The Declaration of the Conference regarding authentic versions of the Statute forms an integral part of the Statute.

ANNEX

Declaration of competences

1. Article VI.C. of the Statute provides that the instrument of ratification of accession of a regional intergovernmental economic integration organisation shall contain a declaration of the extent of its competence with respect to the matters governed by the Statute.
2. While recognising the European Union's status as a member, as a general rule, the Member States of the European Union have competence for agenda items dealing with organisational matters (e.g. legal or budgetary issues) and procedural issues (e.g. election of chairpersons, adoption of the agenda, adoption of reports).
3. In accordance with the Treaty on the Functioning of the European Union, the Union and the Member States have competences in the field of renewable energy as follows:

- the Union has exclusive competence where a provision of the IRENA statute or an act implementing that statute is necessary to enable the Union to exercise its internal competence or in so far as the provisions of a Union act establish common rules that may be affected or altered in scope by provisions of the IRENA Statute or an act adopted in implementation thereof,
- insofar as common rules exist but are neither affected nor altered in scope, in particular in cases of Union provisions establishing only minimum standards, the Member States have competence, without prejudice to the competence of the Union, to act in this field,
- Member States remain solely competent for matters under the IRENA statute in respect of which the Union has not adopted common rules.

The list of Union acts below illustrates the extent to which the Union has exercised its internal competence in this field in accordance with the Treaty on the Functioning of the European Union. The extent of Union competence ensuing from these acts must be assessed by reference to the precise provisions of each measure, and in particular the extent to which these provisions establish common rules, and, for the purpose of determining the existence of exclusive Union competence, the extent to which these common rules are affected or altered in scope by the provisions of the IRENA statute or an act adopted in implementation thereof.

- Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market (OJ L 283, 27.10.2001, p. 33),
 - Directive 2003/30/EC of the European Parliament and of the Council of 8 May 2003 on the promotion of the use of biofuels or other renewable fuels for transport (OJ L 123, 17.5.2003, p. 42),
 - Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).
4. The exercise of competences which Member States of the European Union have transferred to the Union pursuant to the Treaties is, by its nature, liable to continuous change. The Union therefore reserves the right to adjust this Declaration.

**Statute of the International Renewable Energy Agency
(IRENA)**

The PARTIES to this Statute,

DESIRING to promote the widespread and increased adoption and use of renewable energy with a view to sustainable development,

INSPIRED by their firm belief in the vast opportunities offered by renewable energy for addressing and gradually alleviating problems of energy security and volatile energy prices,

CONVINCED of the major role that renewable energy can play in reducing greenhouse gas concentrations in the atmosphere, thereby contributing to the stabilisation of the climate system, and allowing for a sustainable, secure and gentle transit to a low carbon economy,

DESIRING to foster the positive impact that renewable energy technologies can have on stimulating sustainable economic growth and creating employment,

MOTIVATED by the huge potential of renewable energy in providing decentralised access to energy, particularly in developing countries, and access to energy for isolated and remote regions and islands,

CONCERNED about the serious negative implications that the use of fossil fuels and the inefficient use of traditional biomass can have on health,

CONVINCED that renewable energy, combined with enhanced energy efficiency, can increasingly cover the anticipated steep increase in global energy needs in the coming decades,

AFFIRMING their desire to establish an international organisation for renewable energy, that facilitates the cooperation between its Members, while also establishing a close collaboration with existing organisations that promote the use of renewable energy,

HAVE AGREED AS FOLLOWS:

Article I

Establishment of the Agency

- A. The Parties to this Statute hereby establish the International Renewable Energy Agency (hereinafter referred to as 'the Agency') in accordance with the following terms and conditions.
- B. The Agency is based on the principle of the equality of all its Members and shall pay due respect to the sovereign rights and competencies of its Members in performing its activities.

Article II

Objectives

The Agency shall promote the widespread and increased adoption and the sustainable use of all forms of renewable energy, taking into account:

- (a) national and domestic priorities and benefits derived from a combined approach of renewable energy and energy efficiency measures; and
- (b) the contribution of renewable energy to environmental preservation, through limiting pressure on natural resources and reducing deforestation, particularly tropical deforestation, desertification and biodiversity loss; to climate protection; to economic growth and social cohesion including poverty alleviation and sustainable development; to access to and security of energy supply; to regional development and to inter-generational responsibility.

Article III

Definition

In this Statute the term 'renewable energy' means all forms of energy produced from renewable sources in a sustainable manner, which include, inter alia:

- 1. bioenergy;
- 2. geothermal energy;
- 3. hydropower;
- 4. ocean energy, including, inter alia tidal, wave and ocean thermal energy;
- 5. solar energy; and
- 6. wind energy.

*Article IV***Activities**

A. As a centre of excellence for renewable energy technology and acting as a facilitator and catalyst, providing experience for practical applications and policies, offering support on all matters relating to renewable energy and helping countries to benefit from the efficient development and transfer of knowledge and technology, the Agency performs the following activities:

1. In particular for the benefit of its Members the Agency shall:

- (a) analyse, monitor and, without obligations on Members' policies, systematise current renewable energy practices, including policy instruments, incentives, investment mechanisms, best practices, available technologies, integrated systems and equipment, and success-failure factors;
- (b) initiate discussion and ensure interaction with other governmental and non-governmental organisations and networks in this and other relevant fields;
- (c) provide relevant policy advice and assistance to its Members upon their request, taking into account their respective needs, and stimulate international discussions on renewable energy policy and its framework conditions;
- (d) improve pertinent knowledge and technology transfer and promote the development of local capacity and competence in Member States including necessary interconnections;
- (e) offer capacity building including training and education to its Members;
- (f) provide to its Members upon their request advice on the financing for renewable energy and support the application of related mechanisms;
- (g) stimulate and encourage research, including on socioeconomic issues, and foster research networks, joint research, development and deployment of technologies; and
- (h) provide information about the development and deployment of national and international technical standards in relation to renewable energy, based on a sound understanding through active presence in the relevant fora.

2. Furthermore, the Agency shall disseminate information and increase public awareness on the benefits and potential offered by renewable energy.

B. In the performance of its activities, the Agency shall:

- 1. act in accordance with the purposes and principles of the United Nations to promote peace and international cooperation, and in conformity with policies of the United Nations furthering sustainable development;
- 2. allocate its resources in such a way as to ensure their efficient utilisation with a view to appropriately address all its objectives and perform its activities for achieving the greatest possible benefit for its Members and in all areas of the world, bearing in mind the special needs of the developing countries, and remote and isolated regions and islands;
- 3. cooperate closely and strive for establishing mutually beneficial relationships with existing institutions and organisations in order to avoid unnecessary duplication of work and build upon and make efficient and effective use of resources and on-going activities by governments, other organisations and agencies, which aim to promote renewable energy.

C. The Agency shall:

1. submit an annual report on its activities to its Members;
2. inform Members about its policy advice after it was given; and
3. inform Members about consultation and cooperation with and the work of existing international organisations working in this field.

Article V

Work programme and projects

- A. The Agency shall perform its activities on the basis of the annual work programme, prepared by the Secretariat, considered by the Council and adopted by the Assembly.
- B. The Agency may, in addition to its work programme, after consultation of its Members and, in case of disagreement, after approval by the Assembly, carry out projects initiated and financed by Members subject to the availability of non-financial resources of the Agency.

Article VI

Membership

- A. Membership is open to those States that are members of the United Nations and to regional intergovernmental economic integration organisations willing and able to act in accordance with the objectives and activities laid down in this Statute. To be eligible for membership to the Agency, a regional intergovernmental economic integration organisation must be constituted by sovereign States, at least one of which is a Member of the Agency, and to which its Member States have transferred competence in at least one of the matters within the purview of the Agency.
- B. Such States and regional intergovernmental economic integration organisations shall become:
 1. original Members of the Agency by having signed this Statute and having deposited an instrument of ratification;
 2. other Members of the Agency by depositing an instrument of accession after their application for membership has been approved. Membership shall be regarded as approved if three months after the application has been sent to Members no disagreement has been expressed. In case of disagreement the application shall be decided on by the Assembly in accordance with Article IX paragraph H number 1.
- C. In the case of any regional intergovernmental economic integration organisation, the organisation and its Member States shall decide on their respective responsibilities for the performance of their obligations under this Statute. The organisation and its Member States shall not be entitled to exercise rights, including voting rights, under the Statute concurrently. In their instruments of ratification or accession, the organisations referred to above shall declare the extent of their competence with respect to the matters governed by this Statute. These organisations shall also inform the Depositary Government of any relevant modification in the extent of their competence. In the case of voting on matters within their competence, regional intergovernmental economic integration organisations shall vote with the number of votes equal to the total number of votes attributable to their Member States which are also Members of this Agency.

Article VII

Observers

- A. Observer status may be granted by the Assembly to:
 1. intergovernmental and non-governmental organisations active in the field of renewable energy;
 2. Signatories that have not ratified the Statute; and
 3. applicants for membership whose application for membership has been approved in accordance with Article VI paragraph B number 2.
- B. Observers may participate without the right to vote in the public sessions of the Assembly and its subsidiary organs.

Article VIII

Organs

- A. There are hereby established as the principal organs of the Agency:
 1. the Assembly;
 2. the Council; and
 3. the Secretariat.
- B. The Assembly and the Council, subject to approval by the Assembly, may establish such subsidiary organs as they find necessary for the exercise of their functions in accordance with this Statute.

*Article IX***The Assembly**

- A. 1. The Assembly is the supreme organ of the Agency.
2. The Assembly may discuss any matter within the scope of this Statute or relating to the powers and functions of any organ provided for in this Statute.
3. On any such matter the Assembly may:
- (a) take decisions and make recommendations to any such organ; and
 - (b) make recommendations to the Members of the Agency, upon their request.
4. Furthermore, the Assembly shall have the authority to propose matters for consideration by the Council and request from the Council and the Secretariat reports on any matter relating to the functioning of the Agency.
- B. The Assembly shall be composed of all Members of the Agency. The Assembly shall meet in regular sessions which shall be held annually unless it decides otherwise.
- C. The Assembly includes one representative of each Member. Representatives may be accompanied by alternates and advisors. The costs of a delegation's participation shall be borne by the respective Member.
- D. Sessions of the Assembly shall take place at the seat of the Agency, unless the Assembly decides otherwise.
- E. At the beginning of each regular session, the Assembly shall elect a President and such other officials as may be required, taking into account equitable geographic representation. They shall hold office until a new President and other officials are elected at the next regular session. The Assembly shall adopt its rules of procedure in conformity with this Statute.
- F. Subject to Article VI paragraph C, each Member of the Agency shall have one vote in the Assembly. The Assembly shall take decisions on questions of procedure by a simple majority of the Members present and voting. Decisions on matters of substance shall be taken by consensus of the Members present. If no consensus can be reached, consensus shall be considered achieved if no more than 2 Members object, unless the Statute provides otherwise. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless the Assembly by consensus of the Members present decides otherwise, which, if no consensus can be reached, shall be considered achieved if no more than 2 Members object. A majority of the Members of the Agency shall constitute a quorum for the Assembly.
- G. The Assembly shall, by consensus of the Members present:
- 1. elect the members of the Council;
 - 2. adopt at its regular sessions the budget and the work programme of the Agency, submitted by the Council, and have the authority to decide on amendments of the budget and the work programme of the Agency;
 - 3. take decisions relating to the supervision of the financial policies of the Agency, the financial rules and other financial matters and elect the auditor;
 - 4. approve amendments to this Statute;
 - 5. decide on the establishment of subsidiary bodies and approve their terms of reference; and
 - 6. decide on permission to vote in accordance with Article XVII paragraph A.
- H. The Assembly shall by consensus of the Members present, which if no consensus can be reached shall be considered achieved if no more than 2 Members object:
- 1. decide, if necessary, on applications for membership;
 - 2. approve the rules of procedure of the Assembly and of the Council, which shall be submitted by the latter;

3. adopt the annual report as well as other reports;
 4. approve the conclusion of agreements on any questions, matters or issues within the scope of this Statute; and
 5. decide in case of disagreement between its Members on additional projects in accordance with Article V paragraph B.
- I. The Assembly shall designate the seat of the Agency and the Director-General of the Secretariat (hereinafter referred to as 'Director-General') by consensus of the Members present, or, if no consensus can be reached, by a majority vote of two thirds of the Members present and voting.
- J. The Assembly shall consider and approve as appropriate at its first session any decisions, draft agreements, provisions and guidelines developed by the Preparatory Commission in accordance with the voting procedures for the respective issue as outlined in Article IX paragraphs F to I.

Article X

The Council

- A. The Council shall consist of at least 11 but not more than 21 representatives of the Members of the Agency, elected by the Assembly. The concrete number of representatives between 11 and 21 shall correspond to the rounded up equivalent of one third of the Members of the Agency to be calculated on the basis of the number of Members of the Agency at the beginning of the respective election for members of the Council. The members of the Council shall be elected on a rotating basis as laid down in the rules of procedure of the Assembly, with a view to ensuring effective participation of developing and developed countries and achieving fair and equitable geographical distribution and effectiveness of the Council's work. The members of the Council shall be elected for a term of two years.
- B. The Council shall convene semi-annually and its meetings shall take place at the seat of the Agency, unless the Council decides otherwise.
- C. The Council shall, at the beginning of each meeting for the duration until its next meeting, elect a Chairperson and such other officials from among its members as may be required. It shall have the right to elaborate its rules of procedure. Such rules of procedure have to be submitted to the Assembly for approval.
- D. Each member of the Council shall have one vote. The Council shall take decisions on questions of procedure by a simple majority of its members. Decisions on matters of substance shall be taken by a majority of two thirds of its members. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless the Council, by a majority of two thirds of its members, decides otherwise.
- E. The Council shall be responsible and accountable to the Assembly. The Council shall carry out the powers and functions entrusted to it under this Statute, as well as those functions delegated to it by the Assembly. In so doing, it shall act in conformity with the decisions and with due regard to the recommendations of the Assembly and assure their proper and continuous implementation.
- F. The Council shall:
1. facilitate consultations and cooperation among Members;
 2. consider and submit to the Assembly the draft work programme and the draft budget of the Agency;
 3. approve arrangements for the sessions of the Assembly including the preparation of the draft agenda;
 4. consider and submit to the Assembly the draft annual report concerning the activities of the Agency and other reports as prepared by the Secretariat according to Article XI paragraph E number 3 of this Statute;
 5. prepare any other reports which the Assembly may request;
 6. conclude agreements or arrangements with States, international organisations and international agencies on behalf of the Agency, subject to prior approval by the Assembly;
 7. substantiate the work programme as adopted by the Assembly with a view to its implementation by the Secretariat and within the limits of the adopted budget;

8. have the authority to refer to the Assembly matters for its consideration; and
9. establish subsidiary organs, when necessary, in accordance with Article VIII paragraph B, and decide on their terms of reference and duration.

Article XI

The Secretariat

- A. The Secretariat shall assist the Assembly, the Council, and their subsidiary organs in the performance of their functions. It shall carry out the other functions entrusted to it under this Statute as well as those functions delegated to it by the Assembly or the Council.
- B. The Secretariat shall comprise a Director-General, who shall be its head and chief administrative officer, and such staff as may be required. The Director-General shall be appointed by the Assembly upon the recommendation of the Council for a term of four years, renewable for one further term, but not thereafter.
- C. The Director-General shall be responsible to the Assembly and the Council, inter alia for the appointment of the staff as well as the organisation and functioning of the Secretariat. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff primarily from Member States and on as wide a geographical basis as possible, taking particularly into account the adequate representation of developing countries and with emphasis on gender balance.

In preparing the budget the proposed recruitment shall be guided by the principle that the staff shall be kept to a minimum necessary for the proper discharge of the responsibilities of the Secretariat.

- D. The Director-General or a representative designated by him or her shall participate, without the right to vote, in all meetings of the Assembly and of the Council.
- E. The Secretariat shall:
 1. prepare and submit to the Council the draft work programme and the draft budget of the Agency;
 2. implement the Agency's work programme and its decisions;
 3. prepare and submit to the Council the draft annual report concerning the activities of the Agency and such other reports as the Assembly or the Council may request;
 4. provide administrative and technical support to the Assembly, the Council and their subsidiary organs;
 5. facilitate communication between the Agency and its Members; and
 6. circulate the policy advice after it was given to the Members of the Agency in accordance with Article IV paragraph C number 2 and prepare and submit to the Assembly and the Council a report on its policy advice for each of their sessions. The report to the Council shall include also the planned policy advice in implementing the annual work programme.

- F. In the performance of their duties, the Director-General and the other members of the staff shall not seek or receive instructions from any government or from any other source external to the Agency. They shall refrain from any action that might reflect on their positions as international officers responsible only to the Assembly and the Council. Each Member shall respect the exclusively international character of the responsibilities of the Director-General and the other members of the staff and shall not seek to influence them in the discharge of their responsibilities.

Article XII

The budget

- A. The budget of the Agency shall be financed by:
 1. mandatory contributions of its Members, which are based on the scale of assessments of the United Nations, as determined by the Assembly;
 2. voluntary contributions; and
 3. other possible sources

in accordance with the financial rules to be adopted by the Assembly by consensus, as laid down in Article IX paragraph G of this Statute. The financial rules and the budget shall secure a solid financial basis of the Agency and shall ensure the effective and efficient implementation of the Agency's activities, as defined by the work programme. Mandatory contributions will finance core activities and administrative costs.

- B. The draft budget of the Agency shall be prepared by the Secretariat and submitted to the Council for examination. The Council shall either forward it to the Assembly with a recommendation for approval or return it to the Secretariat for review and re-submission.
- C. The Assembly shall appoint an external auditor who shall hold office for a period of four years and who shall be eligible for re-election. The first auditor shall hold office for a period of two years. The auditor shall examine the accounts of the Agency and shall make such observations and recommendations as deemed necessary with respect to the efficiency of the management and the internal financial controls.

Article XIII

Legal personality, privileges and immunities

- A. The Agency shall have international legal personality. In the territory of each Member and subject to its national legislation, it shall enjoy such domestic legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.
- B. Members shall decide upon a separate agreement on privileges and immunities.

Article XIV

Relations with other organisations

Subject to the approval of the Assembly the Council shall be authorised to conclude agreements on behalf of the Agency establishing appropriate relations with the United Nations and any other organisations whose work is related to that of the Agency. The provisions of this Statute shall not affect the rights and obligations of any Member deriving from any existing international treaty.

Article XV

Amendments and withdrawal, review

- A. Amendments to this Statute may be proposed by any Member. Certified copies of the text of any amendment proposed shall be prepared by the Director-General and communicated by him to all Members at least ninety days in advance of its consideration by the Assembly.
- B. Amendments shall come into force for all Members:
 - 1. when approved by the Assembly after consideration of observations submitted by the Council on each proposed amendment; and
 - 2. after all the Members have consented to be bound by the amendment in accordance with their respective constitutional processes. Members shall express their consent to be bound by depositing a corresponding instrument with the Depositary referred to in Article XX paragraph A.
- C. At any time after five years from the date when this Statute takes effect in accordance with paragraph D of Article XIX, a Member may withdraw from the Agency by notice in writing to that effect given to the Depositary referred to in Article XX paragraph A, which shall promptly inform the Council and all Members.
- D. Such withdrawal shall take effect at the end of the year in which it is expressed. Withdrawal by a Member from the Agency shall not affect its contractual obligations entered into pursuant to Article V paragraph B or its financial obligations for the year in which it withdraws.

*Article XVI***Settlement of disputes**

- A. Members shall settle any dispute between them concerning the interpretation or application of this Statute by peaceful means in accordance with Article 2 paragraph 3 of the Charter of the United Nations and, to this end, shall seek a solution by the means indicated in Article 33 paragraph 1 of the Charter of the United Nations.
- B. The Council may contribute to the settlement of a dispute by whatever means it deems appropriate, including offering its good offices, calling upon the Members to a dispute to start the settlement process of their choice and recommending a time limit for any agreed procedure.

*Article XVII***Temporary suspension of rights**

- A. Any Member of the Agency which is in arrears with its financial contributions to the Agency shall have no right to vote if its arrears reach or exceed the amount of its contributions for the two preceding years. However, the Assembly may permit this Member to vote if it is convinced that the non-payment is due to circumstances beyond the Member's control.
- B. A Member which has persistently violated the provisions of this Statute or of any agreement entered into by it pursuant to this Statute may be suspended from the exercise of the privileges and rights of membership by the Assembly acting by a two-thirds majority of the Members present and voting upon recommendation of the Council.

*Article XVIII***Seat of the Agency**

The seat of the Agency shall be determined by the Assembly at its first session.

*Article XIX***Signature, ratification, entry into force and accession**

- A. This Statute shall be open for signature at the Founding Conference by all States that are members of the United Nations and regional intergovernmental economic integration organisations as defined in Article VI paragraph A. It shall remain open for signature until the date this Statute enters into force.
- B. For States and regional intergovernmental economic integration organisations as defined in Article VI paragraph A having not signed this Statute, this Statute shall be open for accession after their membership has been approved by the Assembly in accordance with Article VI paragraph B number 2.
- C. Consent to be bound by this Statute shall be expressed by depositing an instrument of ratification or accession with the Depositary. Ratification of or accession to this Statute shall be effected by States in accordance with their respective constitutional processes.
- D. This Statute shall enter into force on the 30th day after the date of deposit of the twenty-fifth instrument of ratification.
- E. For States or regional intergovernmental economic integration organisations having deposited an instrument of ratification or accession after the entry into force of the Statute, this Statute shall enter into force on the thirtieth day after the date of deposit of the relevant instrument.
- F. No reservations may be made to any of the provisions contained in this Statute.

*Article XX***Depositary, registration, authentic text**

- A. The Government of the Federal Republic of Germany is hereby designated as the Depositary of this Statute and any instrument of ratification or accession.
- B. This Statute shall be registered by the Depositary Government pursuant to Article 102 of the Charter of the United Nations.
- C. This Statute, done in English, shall be deposited in the archives of the Depositary Government.

- D. Duly certified copies of this Statute shall be transmitted by the Depositary Government to the governments of States and to the executive organs of regional intergovernmental economic integration organisations which have signed or have been approved for membership according to Article VI paragraph B number 2.
- E. The Depositary Government shall promptly inform all Signatories to this Statute of the date of each deposit of any instrument of ratification and the date of entry into force of the Statute.
- F. The Depositary Government shall promptly inform all Signatories and Members of the dates on which States or regional intergovernmental economic integration organisations subsequently become Members thereto.
- G. The Depositary Government shall promptly send new applications for membership to all Members of the Agency for consideration in accordance with Article VI paragraph B number 2.

IN WITNESS WHEREOF the undersigned, being duly authorised, have signed this Statute.

Done at Bonn, this 26 January 2009, in a single original, in the English language.

COUNCIL DECISION 2010/386/CFSP**of 12 July 2010****updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 27 December 2001, the Council adopted Common Position 2001/931/CFSP on the application of specific measures to combat terrorism ⁽¹⁾.
- (2) On 22 December 2009, the Council adopted Decision 2009/1004/CFSP updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP ⁽²⁾.
- (3) In accordance with Article 1(6) of Common Position 2001/931/CFSP, it is necessary to carry out a complete review of the list of persons, groups and entities to which Decision 2009/1004/CFSP applies.
- (4) This Decision sets out the result of the review that the Council has carried out in respect of the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply.
- (5) The Council has determined that there are no longer grounds for keeping certain groups on the list of persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply.
- (6) The Council has concluded, that with the exception of the groups referred to in recital 5, the other persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply have been involved in terrorist acts within the meaning of

Article 1(2) and (3) of Common Position 2001/931/CFSP, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for therein.

- (7) The list of the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply should be updated accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The list of persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply shall be that set out in the Annex to this Decision.

Article 2

Decision 2009/1004/CFSP is hereby repealed.

Article 3

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

Done at Brussels, 12 July 2010.

For the Council
The President
S. LARUELLE

⁽¹⁾ OJ L 344, 28.12.2001, p. 93.

⁽²⁾ OJ L 346, 23.12.2009, p. 58.

ANNEX

LIST OF PERSONS, GROUPS AND ENTITIES REFERRED TO IN ARTICLE 1

1. PERSONS

1. ABOU, Rabah Naami (a.k.a. Naami Hamza, a.k.a. Mihoubi Faycal, a.k.a. Fellah Ahmed, a.k.a. Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), – member of ‘al-Takfir’ and ‘al-Hijra’
3. AL-MUGHASSIL, Ahmad Ibrahim (a.k.a. ABU OMRAN, a.k.a. AL-MUGHASSIL, Ahmed Ibrahim), born 26.6.1967 in Qatif-Bab al Shamal (Saudi Arabia), citizen of Saudi Arabia
4. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
5. AL YACOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
6. ARIOUA, Kamel (a.k.a. Lamine Kamel), born 18.8.1969 in Costantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
7. ASLI, Mohamed (a.k.a. Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
8. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
9. ATWA, Ali (a.k.a. BOUSLIM, Ammar Mansour, a.k.a. SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon, citizen of Lebanon
10. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) – member of the ‘Hofstadgroep’
11. DARIB, Noureddine (a.k.a. Carreto, a.k.a. Zitoun Mourad), born 1.2.1972 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
12. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
13. EL FATMI, Noureddine (a.k.a. Nouriddin EL FATMI, a.k.a. Nouriddine EL FATMI, a.k.a. Noureddine EL FATMI, a.k.a. Abu AL KA’E KA’E, a.k.a. Abu QAE QAE, a.k.a. FOUAD, a.k.a. FZAD, a.k.a. Nabil EL FATMI, a.k.a. Ben MOHAMMED, a.k.a. Ben Mohand BEN LARBI, a.k.a. Ben Driss Muhand IBN LARBI, a.k.a. Abu TAHAR, a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 – member of the ‘Hofstadgroep’
14. EL-HOORIE, Ali Saed Bin Ali (a.k.a. AL-HOURI, Ali Saed Bin Ali, a.k.a. EL-HOURI, Ali Saed Bin Ali), born 10.7.1965 or 11.7.1965 in El Dibabiya (Saudi Arabia), citizen of Saudi Arabia
15. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
16. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
17. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Abdul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
18. MOKTARI, Fateh (a.k.a. Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
19. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
20. RESSOUS, Hoari (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
21. SEDKAOUI, Noureddine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
22. SELMANI, Abdelghani (a.k.a. Gano), born 14.6.1974 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
23. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
24. TINGUALI, Mohammed (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
25. WALTERS, Jason Theodore James (a.k.a. Abdullah, a.k.a. David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No. NE8146378 – member of the ‘Hofstadgroep’

2. GROUPS AND ENTITIES

1. 'Abu Nidal Organisation' – 'ANO' (a.k.a. 'Fatah Revolutionary Council', a.k.a. 'Arab Revolutionary Brigades', a.k.a. 'Black September', a.k.a. 'Revolutionary Organisation of Socialist Muslims')
 2. 'Al-Aqsa Martyrs' Brigade'
 3. 'Al-Aqsa e.V.'
 4. 'Al-Takfir' and 'Al-Hijra'
 5. 'Aum Shinrikyo' (a.k.a. 'AUM', a.k.a. 'Aum Supreme Truth', a.k.a. 'Aleph')
 6. 'Babbar Khalsa'
 7. 'Communist Party of the Philippines', including 'New People's Army' – 'NPA', Philippines
 8. 'Gama'a al-Islamiyya' (a.k.a. 'Al-Gama'a al-Islamiyya') ('Islamic Group' – 'IG')
 9. 'İslami Büyük Doğu Akıncılar Cephesi' – 'IBDA-C' ('Great Islamic Eastern Warriors Front')
 10. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'
 11. 'Hizbul Mujahideen' – 'HM'
 12. 'Hofstadgroep'
 13. 'Holy Land Foundation for Relief and Development'
 14. 'International Sikh Youth Federation' – 'ISYP'
 15. 'Khalistan Zindabad Force' – 'KZF'
 16. 'Kurdistan Workers' Party' – 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
 17. 'Liberation Tigers of Tamil Eelam' – 'LTTE'
 18. 'Ejército de Liberación Nacional' ('National Liberation Army')
 19. 'Palestinian Islamic Jihad' – 'PIJ'
 20. 'Popular Front for the Liberation of Palestine' – 'PFLP'
 21. 'Popular Front for the Liberation of Palestine – General Command' (a.k.a. 'PFLP – General Command')
 22. 'Fuerzas armadas revolucionarias de Colombia' – 'FARC' ('Revolutionary Armed Forces of Colombia')
 23. 'Devrimci Halk Kurtuluş Partisi-Cephesi' – 'DHKP/C' (a.k.a. 'Devrimci Sol' ('Revolutionary Left'), a.k.a. 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 24. 'Sendero Luminoso' – 'SL' ('Shining Path')
 25. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 26. 'Teyrbazen Azadiya Kurdistan' – 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
 27. 'Autodefensas Unidas de Colombia' – 'AUC' ('United Self-Defense Forces/Group of Colombia')
-

COMMISSION DECISION

of 12 July 2010

amending Decision 2008/630/EC on emergency measures applicable to crustaceans imported from Bangladesh and intended for human consumption

(notified under document C(2010) 4739)

(Text with EEA relevance)

(2010/387/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾, and in particular Article 53(1)(b)(ii) thereof,

Whereas:

- (1) Regulation (EC) No 178/2002 lays down the general principles governing food and feed in general, and food and feed safety in particular, at Union and national level. It provides for emergency measures where it is evident that food or feed imported from a third country is likely to constitute a serious risk to human health, animal health or the environment, and that such risk cannot be contained satisfactorily by means of measures taken by the Member State(s) concerned.
- (2) Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products⁽²⁾ provides that the production process of animals and primary products of animal origin is to be monitored for the purpose of detecting the presence of certain residues and substances in live animals, their excrements and body fluids and in tissue, animal products, animal feed and drinking water.
- (3) Commission Decision 2002/657/EC of 14 August 2002 implementing Council Directive 96/23/EC concerning the performance of analytical methods and the interpretation of results⁽³⁾ provides rules for the analytical methods to be used in the testing of official samples taken pursuant to Directive 96/23/EC, and specifies common criteria for the interpretation of analytical results of official control laboratories for such samples.
- (4) Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying

down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin⁽⁴⁾ lays down rules and procedures for the classification of pharmacologically active substances and for establishing the maximum concentration of residues of such substances which may be permitted in food of animal origin, namely maximum residue limits (MRLs).

- (5) In addition, Regulation (EC) No 470/2009 lays down rules and procedures in order to establish the level of residues of a pharmacologically active substance for control reasons in the case of certain substances for which an MRL has not been laid down in accordance with that Regulation, namely reference points for action.
- (6) Commission Decision 2008/630/EC of 24 July 2008 on emergency measures applicable to crustaceans imported from Bangladesh and intended for human consumption⁽⁵⁾ was adopted following the detection of the presence of residues of veterinary medicinal products and unauthorised substances in crustaceans imported from that third country and intended for human consumption. It provides that consignments of crustaceans imported into the Union from Bangladesh and intended for human consumption are to be tested for the presence of chloramphenicol, metabolites of nitrofurans, tetracycline, malachite green and crystal violet.
- (7) The results of a Commission inspection to Bangladesh in January 2010 have revealed that the previously identified lack of appropriate laboratory capacity for the testing of certain residues of veterinary medicinal products in live animals and animal products still persists. In addition, oxytetracycline and chlortetracycline are also known to be used in Bangladesh.
- (8) Since the measures taken to date by Bangladesh are not sufficient, it is appropriate to review the emergency measures laid down in Decision 2008/630/EC to ensure the effective and uniform protection of human health in all Member States. In particular, it is necessary to allow the importation of crustaceans imported from Bangladesh and intended for human consumption into the Union, provided that appropriate tests are carried out at the place of origin.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 125, 23.5.1996, p. 10.

⁽³⁾ OJ L 221, 17.8.2002, p. 8.

⁽⁴⁾ OJ L 152, 16.6.2009, p. 11.

⁽⁵⁾ OJ L 205, 1.8.2008, p. 49.

- (9) In addition, a significant proportion of crustaceans imported from Bangladesh should undergo analytical testing by the Member States for the detection of the presence of residues of pharmacologically active substances before they are placed on the market in the Union. The results of such testing should provide more accurate information on the actual level of contamination with those residues in crustaceans originating from Bangladesh.
- (10) It is appropriate that Member States notify the Commission of the results of the analytical tests carried out, where those results reveal the presence of pharmacologically active substances not authorised for use in food-producing animals, or exceeding the maximum residue limits laid down in Union law. Member States should also regularly submit reports to the Commission on all the tests carried out by them.
- (11) 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

Articles 2, 3 and 4 of Decision 2008/630/EC are replaced by the following:

Article 2

1. Member States shall authorise the importation into the Union of consignments of the products provided that they are accompanied by the results of an analytical test carried out at the place of origin to ensure that they do not present a danger to human health ("the analytical test").

2. The analytical test must have been carried out on an official sample, in order to detect the presence of residues of pharmacologically active substances, as defined in Article 2(a) of Regulation (EC) No 470/2009 of the European Parliament and of the Council (*), and in particular they must have been tested for the presence of:

- chloramphenicol, tetracycline, oxytetracycline, chlortetracycline,
- metabolites of nitrofurans,
- malachite green and crystal violet and their respective leuco-metabolites.

3. By way of derogation from paragraph 1, Member States shall authorise the importation of consignments of the products that are not accompanied by the results of the analytical test provided that the Member State concerned ensures that each consignment undergoes appropriate checks including the analytical test of official samples on arrival at the border inspection post of the point of entry into the Union to ensure that they do not present a danger to human health.

Article 3

Member States shall, by using appropriate sampling plans, ensure that official samples are taken from at least 20 % of the consignments referred to in Article 1.

Those official samples shall undergo analytical tests for the detection of the presence of residues of pharmacologically active substances, as defined in Article 2(a) of Regulation (EC) No 470/2009, and in particular they must have been tested for the presence of chloramphenicol, tetracycline, oxytetracycline, chlortetracycline and metabolites of nitrofurans.

Article 4

The consignments from which official samples have been taken pursuant to Article 2(3) and Article 3 shall be kept under official detention by the competent authority of the Member State concerned, until the analytical tests have been completed.

Those consignments can be placed on the market only if the results of the analytical tests confirm that the consignments comply with Article 23 of Regulation (EC) No 470/2009.

Article 4a

Member States shall immediately inform the Commission of the results of the analytical tests if those tests reveal the presence of residues of any pharmacologically active substance:

- (a) classified in accordance with Article 14(2)(a), (b) or (c) of Regulation (EC) No 470/2009 at a level exceeding the maximum residue limit established pursuant to that Regulation; or
- (b) not classified in accordance with Article 14(2)(a), (b) or (c) of Regulation (EC) No 470/2009.

The results of those analytical tests shall be notified to the Commission via the rapid alert system established pursuant to Article 50(1) of Regulation (EC) No 178/2002. The Member State concerned is not required to notify the Commission of the results of such tests via the rapid alert system where the level of residues of pharmacologically active substance is lower than:

- (i) the reference point for action established for that substance pursuant to Article 18 of Regulation (EC) No 470/2009; or
- (ii) the minimum required performance limit established for that substance referred to in Article 4 of Commission Decision 2002/657/EC (**).

Article 4b

Member States shall prepare a report every three months, giving an account of all the results of all analytical tests carried out in the previous three months on consignments of the products from Bangladesh.

Those reports shall be submitted to the Commission during the month following each three-month period, in April, July, October, and January.

(*) OJ L 152, 16.6.2009, p. 11.

(**) OJ L 221, 17.8.2002, p. 8.

Article 2

This Decision shall apply from 15 July 2010.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 12 July 2010.

For the Commission

John DALLI

Member of the Commission

2010 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 100 per year
EU Official Journal, L + C series, paper + annual CD-ROM	22 official EU languages	EUR 1 200 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 770 per year
EU Official Journal, L + C series, monthly CD-ROM (cumulative)	22 official EU languages	EUR 400 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, CD-ROM, two editions per week	multilingual: 23 official EU languages	EUR 300 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual CD-ROM.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

CD-Rom formats will be replaced by DVD formats during 2010.

Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our commercial distributors. The list of commercial distributors is available at:

http://publications.europa.eu/others/agents/index_en.htm

EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN