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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 685/2010

of 26 July 2010

establishing the fishing opportunities for anchovy in the Bay of Biscay for the 2010/11 fishing season and amending Regulation (EU) No 53/2010

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) It is incumbent upon the Council to establish the total allowable catches (TAC) by fishery or group of fisheries. Fishing opportunities should be distributed among Member States in such a way as to ensure the relative stability of each Member State's fishing activities for all stocks or fisheries and having due regard to the objectives of the common fisheries policy established by Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾.
- (2) Council Regulation (EU) No 53/2010 ⁽²⁾ established the fishing opportunities for certain fish stocks, including anchovy, in the Bay of Biscay (ICES Zone VIII) for 2010.
- (3) The new TAC for the 2010/11 fishing season should be established on the basis of scientific advice available, taking into account biological and socioeconomic aspects and ensuring fair treatment between fishing sectors. For the anchovy stock in the Bay of Biscay, the advice from the Scientific, Technical and Economic Committee for Fisheries (STECF) of 16 July 2010 is based on a fishing season running from 1 July each year until 30 June of the following year.
- (4) For the purposes of suitable stock management and simplification, it is appropriate to set a new TAC for this stock and to set new Member State quotas in accordance with the abovementioned dates for the 2010/11 fishing season.
- (5) In order to provide for a multiannual plan for the anchovy stock in the Bay of Biscay covering the fishing season and establishing the harvest rule applying for the fixing of fishing opportunities, on 29 July 2009 the Commission presented a proposal for a regulation establishing a long-term plan for the anchovy stock in the Bay of Biscay and the fisheries exploiting that stock. The advice from the STECF estimated the stock biomass to be approximately 51 350 tonnes. Having regard to that Commission proposal and considering that the impact assessment underlying that proposal provided for the most recent assessment of the impact of decisions on the fishing opportunities for the anchovy stock in the Bay of Biscay, it is appropriate to fix a TAC for that stock accordingly. Consequently, the TAC for the fishing season running from 1 July 2010 to 30 June 2011 should be established at 15 600 tonnes.
- (6) In view of the specific scope and time of application of the fishing opportunities for anchovy, it is appropriate to establish those fishing opportunities by way of a separate regulation and to amend Regulation (EU) No 53/2010 accordingly. The fishery should nevertheless remain subject to the general provisions of Regulation (EU) No 53/2010 concerning the conditions for the use of quotas.
- (7) In accordance with Article 2 of Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas ⁽³⁾, it is necessary to establish to what extent the stock of anchovy in the Bay of Biscay is subject to the measures laid down in that Regulation.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.⁽²⁾ OJ L 21, 26.1.2010, p. 1.⁽³⁾ OJ L 115, 9.5.1996, p. 3.

- (8) In view of the start of this fishing season and for the purpose of the annual reporting of catches, this Regulation should enter into force immediately and apply from 1 July 2010. For that same purpose, the amendment of the fishing opportunities established by Regulation (EU) No 53/2010 should apply from 1 January 2010,

HAS ADOPTED THIS REGULATION:

Article 1

Fishing opportunities for anchovy in the Bay of Biscay

1. The total allowable catch (TAC) and its allocation between Member States for the fishing season running from 1 July 2010 until 30 June 2011 for the stock of anchovy in ICES Zone VIII as defined in Regulation (EC) No 218/2009 shall be as follows (in tonnes live weight):

Species:	Anchovy <i>Engraulis encrasicolus</i>	ICES Zone:	VIII (ANE/08.)
Spain	14 040		
France	1 560		
EU	15 600		
TAC	15 600		Analytical TAC

2. The allocation of the fishing opportunities as set out in paragraph 1 and the use thereof shall be subject to the conditions set out Articles 7, 10 and 13 of Regulation (EU) No 53/2010.

3. The stock referred to in paragraph 1 shall be considered subject to an analytical TAC for the purpose of Regulation (EC) No 847/96. Article 3(2) and (3) and Article 4 of that Regulation shall apply.

Article 2

Amendment to Regulation (EU) No 53/2010

In Annex IA to Regulation (EU) No 53/2010 the entry for anchovy in zone VIII is replaced by the following:

'Species:	Anchovy <i>Engraulis encrasicolus</i>	Zone:	VIII (ANE/08.)
Spain	6 300		
France	700		
EU	7 000		
TAC	7 000 ⁽¹⁾		Analytical TAC

⁽¹⁾ TAC applicable from 1 January to 30 June 2010.'

Article 3

Entry into force

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

It shall apply from 1 July 2010, with the exception of Article 2, which shall apply from 1 January 2010.

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

Done at Brussels, 26 July 2010.

For the Council

The President

S. VANACKERE

COMMISSION REGULATION (EU) No 686/2010**of 28 July 2010****amending Council Regulation (EC) No 2187/2005 as regards specifications of Bacoma window and T90 trawl in fisheries carried out in the Baltic Sea, the Belts and the Sound**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound ⁽¹⁾, and in particular Article 29 thereof,

Whereas:

- (1) Regulation (EC) No 2187/2005 sets specific technical measures for the conservation of fishery resources in the Baltic Sea, the Belts and the Sound. That Regulation provides specific provisions relating to size and type of all components of fishing gear, including mesh sizes, among other measures.
- (2) Council Regulation (EC) No 1226/2009 of 20 November 2009 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2010 ⁽²⁾, provides for an increase in the mesh size and the

length of the Bacoma window and the mesh size of the T90 trawl in ICES subdivisions 22-32. As Regulation (EC) No 1226/2009 is limited to 2010, and since those provisions are of a permanent nature since they constitute selectivity improvements, it is appropriate to incorporate those increases into Regulation (EC) No 2187/2005 as from January 2011 and to amend it accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Appendices 1 and 2 of Annex II to Regulation (EC) No 2187/2005 are replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 2011.

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

Done at Brussels, 28 July 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 349, 31.12.2005, p. 1.

⁽²⁾ OJ L 330, 16.12.2009, p. 1.

ANNEX

*Appendix 1***Specifications of Bacoma codends****Description***(a) Size of the codend, extension piece and the rear end of the trawl*

- (i) The codend shall be constructed of two panels, joined together by selvages one on each side of equal length.
- (ii) The minimum mesh size of the diamond meshes shall be 105 mm. The material of the yarn shall be of polyethylene threads with a single twine thickness of no more than 6 mm or with double twine thickness of no more than 4 mm.
- (iii) The use of codends and extension pieces which are made of only one piece of net material and have only one selvage shall be prohibited.
- (iv) The number of open diamond meshes, excluding those in the selvages, at any point on any circumference of any extension piece shall not be less or more than the maximum number of meshes on the circumference of the front end of the codend (Figure 1).

(b) Location of window

- (i) The window shall be inserted into the top panel of the codend (Figure 2).
- (ii) The window shall terminate not more than four meshes from the codline, inclusive of the hand-braided row of meshes through which the codline is passed (Figure 3 or 4).

(c) Size of window

- (i) The width of the window, expressed in number of mesh bars, shall be equal to the number of open diamond meshes in the top panel divided by two. If necessary, it will be allowed to maintain at the most 20 % of the number of open diamond meshes in the top panel divided evenly on the both sides of the window panel (Figure 4).
- (ii) The length of the window shall be at least 5,5 m.
- (iii) By way of derogation from point (ii) the length of the window shall be at least 6 m if a sensor dedicated to the measurement of the volume of the catches is attached to the window.

(d) Netting of window

- (i) The meshes shall have a minimum mesh opening of 120 mm. The meshes shall be square meshes i.e. all four sides of the window netting will be cut all bars.
- (ii) The netting shall be mounted such that the bars run parallel and perpendicular to the length of the codend. The netting shall be knotless braided single twine or netting with similar proven selective properties. Knotless netting means netting which is composed of meshes of four sides in which the corners of the meshes are formed by the interweaving of the twines of two adjacent sides of the mesh.
- (iii) The diameter of the single yarn shall be at least 5 mm.

(e) Other specifications

- (i) A back strap shall not encircle the Bacoma exit window.
- (ii) A codend buoy shall be spherical in shape and have a maximum diameter of 40 cm. It shall be fastened through the buoy rope to the codline.
- (iii) A flapper shall not overlap the Bacoma exit window.

Figure 1

Trawl gear can be divided into three different sections according to shape and function. The trawl body is always a tapered section. The extension piece is an untapered section normally manufactured of either one or two pieces of nets. The codend is also an untapered section often made of double twine in order to have a better resistance against heavy wearing. The part below the lifting strap is called lifting bag.

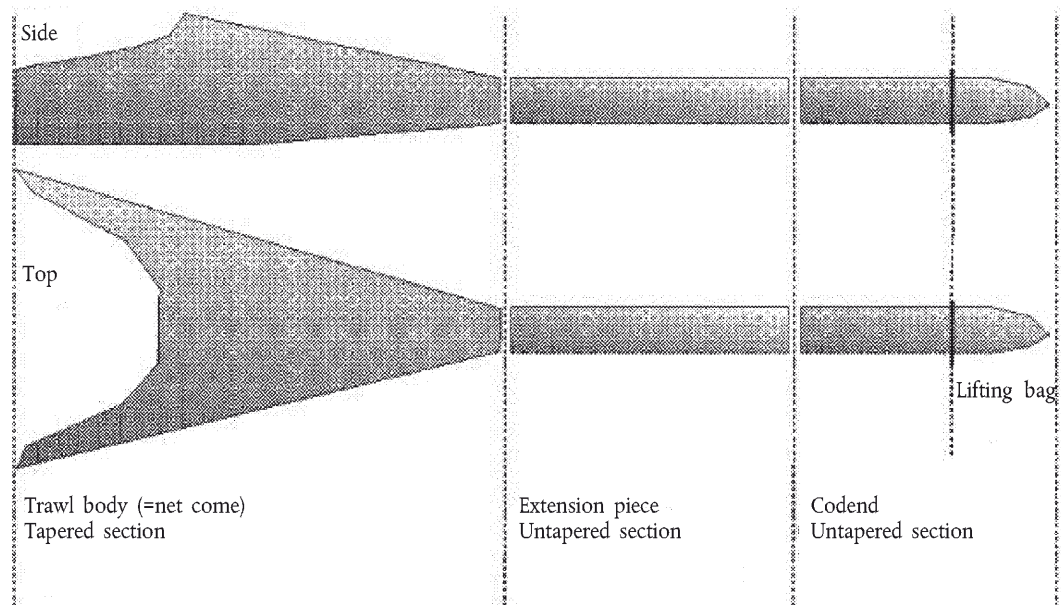


Figure 2

- A Extension piece
- B Codend
- C Escape window, square mesh panel
 - 1 Upper panel, maximum 50 open diamond meshes
 - 2 Lower panel, maximum 50 open diamond meshes
 - 3 Selvedges
 - 4 Joining round or lacing
 - 5 Lifting strap
 - 6 Back strap
 - 7 Codline
 - 8 Distance of window from codline (Figures 3 and 4)
 - 9 Buoy rope
 - 10 Codend buoy

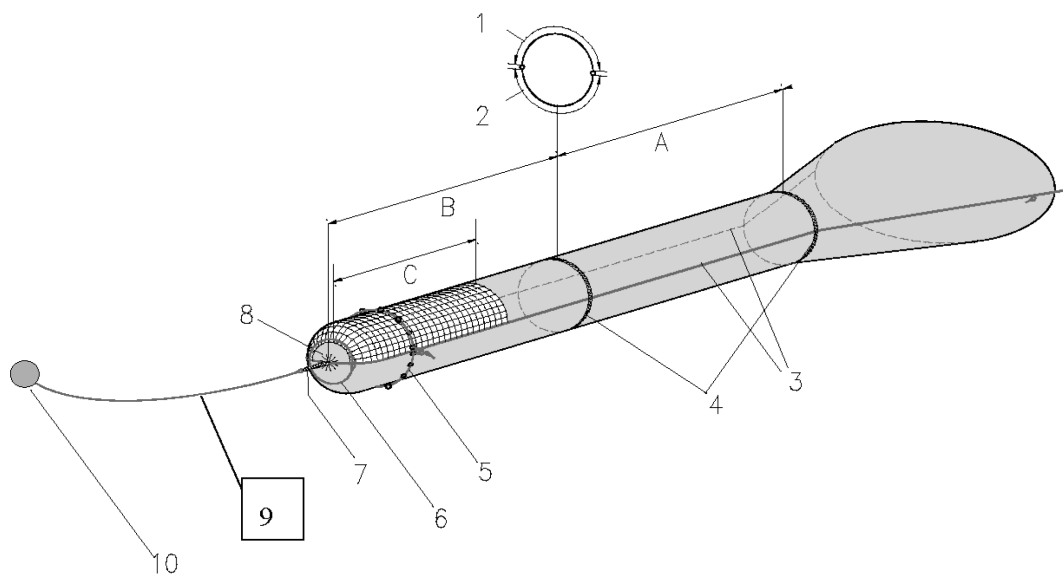


Figure 3

MOUNTING OF WINDOW PANEL

- A 120 mm square mesh panel (25 bars)
- B Joining of square mesh panel to selvedge
- C Joining of square mesh panel to diamond mesh net
- D 105 mm diamond mesh net (maximum 50 open meshes)
- E Distance of the window panel from the codline. The window shall terminate not more than four meshes from the codline, inclusive of the hand-braided row of meshes through which the codline is passed
- F One row of hand-braided codline meshes

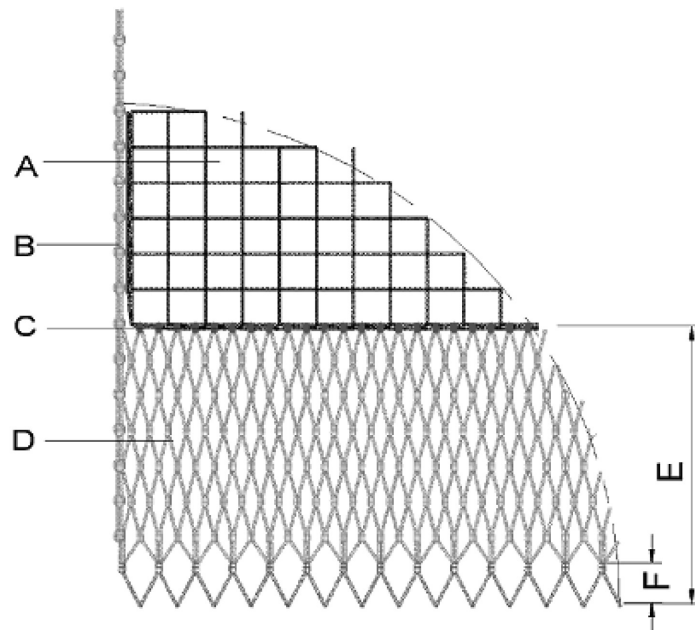
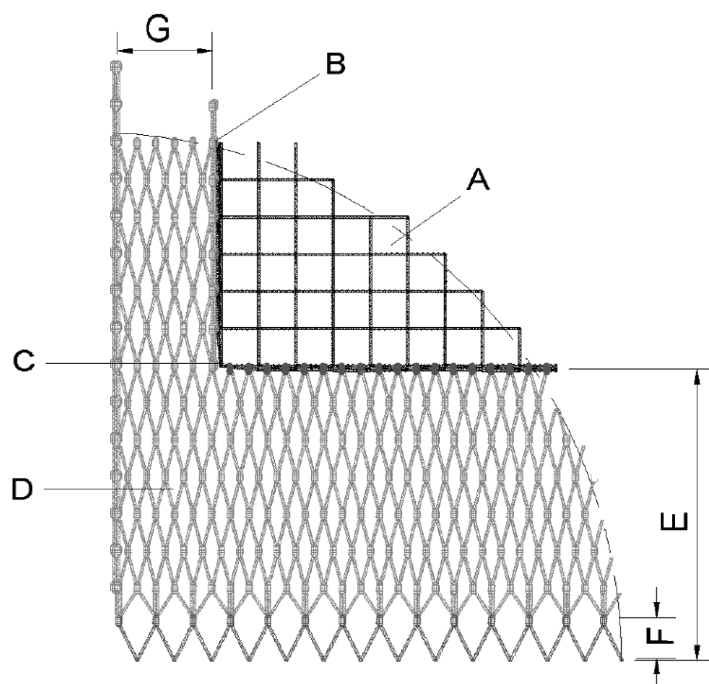


Figure 4

MOUNTING OF WINDOW PANEL

- A 120 mm square mesh panel (20 bars)
- B Joining of square mesh panel to selvedge
- C Joining of square mesh panel to diamond mesh net
- D 105 mm diamond mesh net (max 50 open meshes)
- E Distance of the window panel from the codline. The window shall terminate not more than 4 meshes from the codline, inclusive of the hand-braided row of meshes through which the codline is passed
- F One row of hand-braided codline meshes
- G Maximum 10 % in both sides of open meshes D



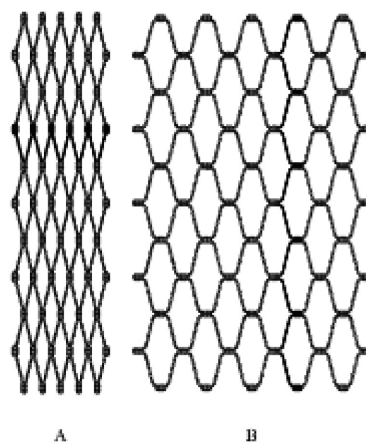
Appendix 2

SPECIFICATIONS OF THE T90 TRAWL

(a) **Definition**

1. T90 trawls are defined as trawls, Danish seines and similar gears having a codend and extension piece produced from diamond knotted netting turned 90° so that the main direction of run of the netting twine is parallel to the towing direction.
2. The direction of run of the netting twine in a standard diamond knotted net (A) and in a net turned 90° (B) is illustrated in Figure 1 below.

Figure 1

(b) **Mesh size and measurement**

The mesh size shall be at least 120 mm. By way of derogation from Article 6(1) of Commission Regulation (EC) No 517/2008 (*), the mesh size in the codend and the extension piece shall be measured perpendicular to the longitudinal axis of the fishing gear.

(c) **Twine thickness**

The material of the yarn of the codend and the extension piece shall be of polyethylene threads with a single twine thickness of no more than 6 mm or with double twine thickness of no more than 4 mm. This provision shall not apply to the rear most row of meshes in the codend if fitted with a codline.

(d) **Construction**

1. A codend and extension of turned meshes (T90) shall be constructed from two panels of equal dimensions, with at least 50 meshes in length, and with the mesh orientation described above, joined by two lateral selvages.
2. The number of open meshes in any circumference must be constant from the front part of the extension to the rear most part of the codend.
3. At the point of attachment of the codend or extension piece to the tapered part of the trawl, the number of meshes in circumference of the codend or extension piece must be 50 % of the last row of meshes of the tapered part of the trawl.
4. A codend and extension piece is illustrated in Figure 2 below.

(e) **Circumference**

The number of meshes in any circumference in the codend and the extension piece, excluding joinings and selvages shall be no more than 50.

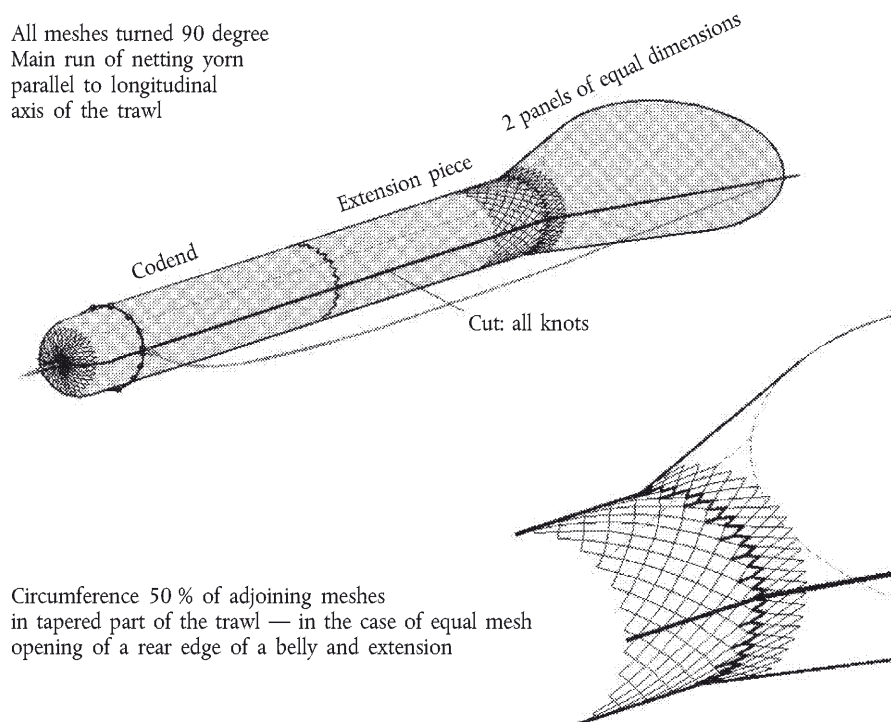
(f) Joining rounds

The forward edge of the panels composing both codend and extension piece shall be fitted out with a braided row of half meshes. The aft edge of codend panel shall be fitted out by a full row of braided meshes able to guide the codline.

(g) Codend buoy

A codend buoy shall be spherical in shape and have a maximum diameter of 40 cm. It shall be fastened through the buoy rope to the codline.

Figure 2



(*) JO L 151, 11.6.2008, p. 5.'

COMMISSION REGULATION (EU) No 687/2010**of 30 July 2010****amending Regulation (EC) No 1580/2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Articles 103h and 127 in conjunction with Article 4 thereof,

Whereas:

- (1) Article 103d(2) of Regulation (EC) No 1234/2007 provides for the grant of financial assistance to be capped at either 4,1 % or 4,6 % of the value of the marketed production of each producer organisation.
- (2) Article 52 of Commission Regulation (EC) No 1580/2007 ⁽²⁾ lays down detailed rules on the calculation of the value of marketed production for a producer organisation. Pursuant to point (a) of paragraph 6 of that Article, a producer organisation is to invoice the marketed production of fruit and vegetables at the 'ex-producer organisation' stage, where applicable, as product which is packaged, prepared, or has undergone first-stage processing.
- (3) Point (i) of Article 21(1) of Regulation (EC) No 1580/2007 contains a definition of 'first-stage processing'. However, that definition has given rise to difficulties of interpretation. Since legal certainty requires clear rules on the calculation of the value of marketed production, that definition should be deleted and the definition of 'by product' should be adapted accordingly.
- (4) The calculation of the value of fruit and vegetables intended for processing has proven difficult. For control purposes and for the sake of simplification, it is appropriate to introduce a flat rate for the purposes of calculating the value of fruit and vegetables intended for processing, representing the value of the basic product, namely fruit and vegetables intended for processing, and activities which do not amount to genuine processing activities. Since the volumes of fruit and vegetables needed for the production of processed fruit and vegetables differ largely between groups of products, those differences should be reflected in the applicable flat rates.
- (5) In the case of fruit and vegetables intended for processing that are transformed into processed aromatic herbs and paprika powder, it is also appropriate to introduce a flat rate for the purposes of calculating the value of fruit and vegetables intended for processing, representing only the value of the basic product.
- (6) In order to ensure the smooth transition to the new system for the calculation of the value of the marketed production for fruit and vegetables intended for processing, operational programmes approved by 20 January 2010 should not be affected by the new calculation method, without prejudice to the possibility to amend those operational programmes in accordance with Articles 66 and 67 of Regulation (EC) No 1580/2007. For the same reason, the value of the marketed production for the reference period of operational programmes approved after that date should be calculated under the new rules.
- (7) In order to allow for more flexibility in the use of market withdrawals, it is appropriated to increase the annual margin of overrun set out in Article 80(2) of Regulation (EC) No 1580/2007.
- (8) In order to facilitate free distribution, it is appropriate to provide for the possibility to allow charitable organisations and institutions to ask a symbolic contribution from the final recipients of products subjected to market withdrawals, in case those products have undergone processing.
- (9) The flat-rate amounts for transport, sorting and packaging costs for free distribution of fruit and vegetables withdrawn from the market set out in Article 83(1) and Annex XI of Regulation (EC) No 1580/2007 should be updated.
- (10) Regulation (EC) No 1580/2007 should therefore be amended accordingly.
- (11) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 1580/2007

Regulation (EC) No 1580/2007 is amended as follows:

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

1. Article 21(1) is amended as follows:

(a) point (h) is replaced by the following:

‘(h) “by product” means a product which results from preparation of a fruit or vegetable product which has a positive economic value but is not the main intended result;’;

(b) point (i) is replaced by the following:

‘(i) “preparation” means preparatory activities such as cleaning, cutting, peeling, trimming and drying of fruit and vegetables, without transforming them into processed fruit and vegetables;’;

2. Article 52 is amended as follows:

(a) the following paragraph 2a is inserted:

‘2a. The value of the marketed production shall not include the value of processed fruit and vegetables or any other product that is not a product of the fruit and vegetables sector.

However, the value of the marketed production of fruit and vegetables intended for processing, which have been transformed into one of the processed fruit and vegetables listed in Part X of Annex I to Regulation (EC) No 1234/2007 or any other agricultural product referred to in this Article and described further in Annex VIa to this Regulation, by either a producer organisation, an association of producer organisations or their members, who are producers or their cooperatives, or subsidiaries as referred to in paragraph 7 of this Article, either by themselves or through outsourcing, shall be calculated as a flat rate in percentage applied to the invoiced value of those processed products.

That flat rate shall be:

- (a) 53 % for fruit juices;
- (b) 73 % for concentrated juices;
- (c) 77 % for tomato concentrate;
- (d) 62 % for frozen fruit and vegetables;
- (e) 48 % for canned fruit and vegetables;
- (f) 70 % for canned mushrooms of the genus *Agaricus*;
- (g) 81 % for fruits provisionally preserved in brine;
- (h) 81 % for dried fruits;
- (i) 27 % for other processed fruit and vegetables;
- (j) 12 % for processed aromatic herbs;
- (k) 41 % for paprika powder.’;

(b) paragraph 6 is replaced by the following:

‘6. The marketed production of fruit and vegetables shall be invoiced at the “ex-producer organisation” stage where applicable, as product listed in Part IX of Annex I to Regulation (EC) No 1234/2007 which is prepared and packaged excluding:

(a) VAT;

(b) internal transport costs, where the distance between the centralised collection or packing points of the producer organisation and the point of distribution of the producer organisation is significant.

For the purposes of point (b) of the first subparagraph, Member States shall provide for reductions to be applied to the invoiced value for products invoiced at different stages of delivery or transport.’;

3. in Article 53(7), the following subparagraphs are added:

‘However, for operational programmes approved by 20 January 2010, the value of the marketed production for the years until 2007 shall be calculated on the basis of the legislation applicable in the reference period, whereas the value of the marketed production for the years from 2008 shall be calculated on the basis of the legislation applicable in 2008.

For operational programmes approved after 20 January 2010, the value of the marketed production for the years from 2008 shall be calculated on the basis of the legislation applicable at the time the operational programme has been approved.’;

4. in Article 80(2), the third subparagraph is replaced by the following:

‘The percentages referred to in the first subparagraph shall be annual averages over a three year period, with 5 percentage points of annual margin of overrun.’;

5. in Article 81(2), the following subparagraph is inserted after the first subparagraph:

‘Member States may allow the charitable organisations and the institutions referred to in points (a) and (b) of Article 103d(4) of Regulation (EC) No 1234/2007 to ask a symbolic contribution from the final recipients of products subjected to market withdrawals, in case those products have undergone processing.’;

6. in Article 83, paragraphs 1 and 2 are replaced by the following:

‘1. The costs of sorting and packaging fresh fruit and vegetables withdrawn from the market for free distribution shall be eligible under operational programmes, in the case of products put up in packages of less than 25 kilograms net weight at the flat-rate amounts set out in Part A of Annex XII.

2. Packages of products for free distribution shall display the European emblem, together with one or more of the references set out in Part B of Annex XII.;
7. Annex VIa, as set out in Annex I to this Regulation, is inserted;
8. Annex XI is replaced by the text in Annex II to this Regulation;

9. Annex XII is replaced by the text in Annex III to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 30 July 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX I

‘ANNEX VIa

PROCESSED PRODUCTS REFERRED TO IN ARTICLE 52(2a)

Category	CN code	Description
Fruit juices	ex 2009	Fruit juices, excluding grape juice and grape must of subheadings 2009 61 and 2009 69, banana juice of subheading ex 2009 80 and concentrated juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter. Concentrated fruit juices are fruit juices coming under heading ex 2009 obtained by the physical removal of at least 50 % of the water content, in packings of a net content of not less than 200 kg.
Tomato concentrate	ex 2002 90 31 ex 2002 90 91	Tomato concentrate with a dry weight content of not less than 28 % in immediate packings of a net content of not less than 200 kg.
Frozen fruit and vegetables	ex 0710	Vegetables (uncooked or cooked by steaming or boiling in water) frozen, excluding sweetcorn of subheading 0710 40 00, olives of subheading 0710 80 10 and fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> of subheading 0710 80 59.
	ex 0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, not containing added sugar or other sweetening matter, excluding frozen bananas falling within subheading ex 0811 90 95.
	ex 2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than the products of heading 2006, excluding sweetcorn (<i>Zea mays</i> var. <i>saccharata</i>) of subheading ex 2004 90 10, olives of subheading ex 2004 90 30 and potatoes prepared or preserved in the form of flour, meal or flakes of subheading 2004 10 91.
Canned fruit and vegetables	ex 2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid, excluding: — fruit of the genus <i>Capsicum</i> other than sweet peppers or pimentos of subheading 2001 90 20 — sweetcorn (<i>Zea mays</i> var. <i>saccharata</i>) of subheading 2001 90 30 — yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch of subheading 2001 90 40 — palm hearts of subheading 2001 90 60 — olives of subheading 2001 90 65 — vine leaves, hop shoots and other similar edible parts of plants falling within subheading ex 2001 90 97.
	ex 2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid excluding tomato concentrate of subheadings ex 2002 90 31 and ex 2002 90 91 described above.
	ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006 excluding olives of subheading 2005 70, sweetcorn (<i>Zea mays</i> var. <i>saccharata</i>) of subheading 2005 80 00 and fruit of the genus <i>Capsicum</i> , other than sweet peppers or pimentos of subheading 2005 99 10 and potatoes prepared or preserved in the form of flour, meal or flakes of subheading 2005 20 10.
	ex 2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included, excluding: — peanut butter of subheading 2008 11 10

Category	CN code	Description
		— other nuts, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included, of subheading ex 2008 19 — palm hearts of subheading 2008 91 00 — maize of subheading 2008 99 85 — yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch of subheading 2008 99 91 — vine leaves, hop shoots and other similar edible parts of plants falling within subheading ex 2008 99 99 — mixtures of banana otherwise prepared or preserved of subheadings ex 2008 92 59, ex 2008 92 78, ex 2008 92 93 and ex 2008 92 98 — bananas otherwise prepared or preserved of subheadings ex 2008 99 49, ex 2008 99 67 and ex 2008 99 99.
Canned mushrooms	2003 10	Mushrooms of the genus <i>Agaricus</i> prepared or preserved otherwise than by vinegar or acetic acid.
Fruits provisionally preserved in brine	ex 0812	Fruit and nuts, provisionally preserved in brine, but unsuitable in that state for immediate consumption, excluding bananas provisionally preserved falling within subheading ex 0812 90 98.
Dried fruits	ex 0813 0804 20 90 0806 20 ex 2008 19	Fruit, dried, other than that of headings 0801 to 0806; Dried figs; Dried grapes; Other nuts, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included, excluding tropical nuts and their mixtures.
Other processed fruit and vegetable		Processed fruit and vegetables listed in Part X of Annex 1 of Regulation (EC) No 1234/2007, different from the products listed in the categories above.
Processed aromatic herbs	ex 0910 ex 1211	Dried thyme Basil, melissa, mint, <i>Origanum vulgare</i> (oregano/wild marjoram), rosemary, sage, dried, whether or not cut, crushed or powdered.
Paprika powder	ex 0904	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , excluding sweet peppers falling within subheading 0904 20 10.'

ANNEX II

‘ANNEX XI

TRANSPORT COSTS UNDER FREE DISTRIBUTION REFERRED TO IN ARTICLE 82(1)

Distance between the place of withdrawal and the place of delivery	Transport costs (EUR/tonne)
Less than 25 km	18,2
From 25 km to 200 km	41,4
From 200 km to 350 km	54,3
From 350 km to 500 km	72,6
From 500 km to 750 km	95,3
750 km or more	108,3

Supplement for refrigerated transport: EUR 8,5/t.’

ANNEX III

ANNEX XII

PART A

SORTING AND PACKING COSTS REFERRED TO IN ARTICLE 83(1)

Product	Sorting and packing costs (EUR/tonne)
Apples	187,7
Pears	159,6
Oranges	240,8
Clementines	296,6
Peaches	175,1
Nectarines	205,8
Watermelons	167,0
Cauliflowers	169,1
Other products	201,1

PART B

STATEMENT FOR PACKAGING OF PRODUCTS REFERRED TO IN ARTICLE 83(2)

- Продукт, предназначен за безплатна дистрибуция (Регламент (ЕО) № 1580/2007)
- Producto destinado a su distribución gratuita [Reglamento (CE) n° 1580/2007]
- Produkt určený k bezplatné distribuci [nařízení (ES) č. 1580/2007]
- Produkt til gratis uddeling (forordning (EF) nr. 1580/2007)
- Zur kostenlosen Verteilung bestimmtes Erzeugnis (Verordnung (EG) Nr. 1580/2007)
- Tasuta jagamiseks mõeldud tooted [määrus (EÜ) nr 1580/2007]
- Προϊόν προοριζόμενο για δωρεάν διανομή [κανονισμός (ΕΚ) αριθ. 1580/2007]
- Product for free distribution (Regulation (EC) No 1580/2007)
- Produit destiné à la distribution gratuite [règlement (CE) n° 1580/2007]
- Prodotto destinato alla distribuzione gratuita [regolamento (CE) n. 1580/2007]
- Produkts paredzēts bezmaksas izplatīšanai [Regula (EK) Nr. 1580/2007]
- Produktas skirtas nemokamai distribucijai [Reglamentas (EB) Nr. 1580/2007]
- Ingyenes szétosztásra szánt termék (1580/2007/EK rendelet)
- Prodott destinat għad-distribuzzjoni bla ħlas [Regolament (KE) Nru. 1580/2007]
- Voor gratis uitreiking bestemd product (Verordening (EG) nr. 1580/2007)
- Produkt przeznaczony do bezpłatnej dystrybucji [Rozporządzenie (WE) nr 1580/2007]
- Produto destinado a distribuição gratuita [Regulamento (CE) n.º 1580/2007]
- Produs destinat distribuției gratuite [Regulamentul (CE) nr. 1580/2007]
- Výrobok určený na bezplatnú distribúciu [nariadenie (ES) č. 1580/2007]
- Proizvod, namenjen za prosto razdelitev [Uredba (ES) št. 1580/2007]
- Ilmaisjakeluun tarkoitettu tuote (asetus (EY) N:o 1580/2007)
- Produkt för gratisutdelning (förordning (EG) nr 1580/2007)

COMMISSION REGULATION (EU) No 688/2010**of 30 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 31 July 2010.

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

Done at Brussels, 30 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	36,4
	TR	50,2
	ZZ	43,3
0707 00 05	TR	105,8
	ZZ	105,8
0709 90 70	TR	117,1
	ZZ	117,1
0805 50 10	AR	103,9
	UY	82,0
	ZA	92,5
	ZZ	92,8
0806 10 10	AR	137,6
	CL	134,6
	EG	134,2
	IL	126,4
	MA	162,9
	TR	144,4
	ZA	93,9
	ZZ	133,4
0808 10 80	AR	100,7
	BR	75,4
	CL	103,7
	CN	86,7
	NZ	109,5
	US	112,2
	UY	111,6
	ZA	104,8
	ZZ	100,6
0808 20 50	AR	72,1
	CL	150,6
	ZA	98,1
	ZZ	106,9
0809 10 00	TR	185,0
	ZZ	185,0
0809 20 95	TR	224,7
	ZZ	224,7
0809 30	TR	161,5
	ZZ	161,5
0809 40 05	BA	62,1
	IL	162,3
	TR	126,3
	XS	70,3
	ZZ	105,3

⁽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 689/2010**of 30 July 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 666/2010 ⁽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 31 July 2010.

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

Done at Brussels, 30 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 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 253, 25.9.2009, p. 3.

⁽⁴⁾ OJ L 193, 24.7.2010, p. 14.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 31 July 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⁾	44,37	0,00
1701 11 90 ⁽¹⁾	44,37	1,59
1701 12 10 ⁽¹⁾	44,37	0,00
1701 12 90 ⁽¹⁾	44,37	1,30
1701 91 00 ⁽²⁾	43,70	4,36
1701 99 10 ⁽²⁾	43,70	1,23
1701 99 90 ⁽²⁾	43,70	1,23
1702 90 95 ⁽³⁾	0,44	0,25

⁽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.

COMMISSION REGULATION (EU) No 690/2010**of 30 July 2010****fixing the import duties in the cereals sector applicable from 1 August 2010**

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 (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

- (2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, for the purposes of calculating the import duty referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

- (4) Import duties should be fixed for the period from 1 August 2010 and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 August 2010, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 1 August 2010.

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

Done at Brussels, 30 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 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 1 August 2010

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	27,63
1005 10 90	Maize seed other than hybrid	9,14
1005 90 00	Maize, other than seed ⁽²⁾	9,14
1007 00 90	Grain sorghum other than hybrids for sowing	27,63

⁽¹⁾ For goods arriving in the Union via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or on the Black Sea,
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

15.7.2010-29.7.2010

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	191,23	114,99	—	—	—	—
Fob price USA	—	—	139,55	129,55	109,55	79,25
Gulf of Mexico premium	—	12,23	—	—	—	—
Great Lakes premium	15,25	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).⁽²⁾ Discount of 10 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).⁽³⁾ Discount of 30 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico–Rotterdam: 20,68 EUR/t

Freight costs: Great Lakes–Rotterdam: 50,15 EUR/t

DECISIONS

COUNCIL DECISION

of 13 July 2010

on the existence of an excessive deficit in Bulgaria

(2010/422/EU)

THE COUNCIL OF THE EUROPEAN UNION,

budgetary positions taking account of the economic situation.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 126(6) in conjunction with Article 126(13) thereof,

Having regard to the proposal from the European Commission,

Having regard to the observations made by Bulgaria,

Whereas:

(5) Article 126(5) of the Treaty requires the Commission to address an opinion to the Council if the Commission considers that an excessive deficit in a Member State exists or may occur. Having taken into account its report in accordance with Article 126(3) and having regard to the opinion of the Economic and Financial Committee in accordance with Article 126(4), the Commission concluded that an excessive deficit exists in Bulgaria. The Commission therefore addressed such an opinion to the Council in respect of Bulgaria on 6 July 2010 ⁽³⁾.

(1) According to Article 126(1) of the Treaty, Member States shall avoid excessive government deficits.

(6) Article 126(6) of the Treaty states that the Council should consider any observations which the Member State concerned may wish to make before deciding, after an overall assessment, whether an excessive deficit exists. In the case of Bulgaria, this overall assessment leads to the following conclusions.

(2) The Stability and Growth Pact is based on the objective of sound government finances as a means of strengthening the conditions for price stability and for strong sustainable growth conducive to employment creation.

(3) The excessive deficit procedure (EDP) under Article 126 of the Treaty, as clarified by Council Regulation (EC) No 1467/97 of 7 July 1997 on speeding up and clarifying the implementation of the excessive deficit procedure ⁽¹⁾ (which is part of the Stability and Growth Pact), provides for a decision on the existence of an excessive deficit. The Protocol on the excessive deficit procedure annexed to the Treaty sets out further provisions relating to the implementation of the EDP. Council Regulation (EC) No 479/2009 ⁽²⁾ lays down detailed rules and definitions for the application of the provision of the said Protocol.

(7) According to the data notified by the Bulgarian authorities in April 2010, the general government deficit in Bulgaria reached 3,9 % of GDP in 2009, thus exceeding the 3 % of GDP reference value. The deficit was not close to the 3 % of GDP reference value but the excess over the reference value can be qualified as exceptional within the meaning of the Treaty and the Stability and Growth Pact. In particular, it results from a severe economic downturn in the sense of the Treaty and the Stability and Growth Pact, as the global economic and financial crisis hit hard the economy of Bulgaria and the negative annual GDP volume growth reached 5 % in 2009. According to the Commission services' spring 2010 forecast, the general government deficit would fall below the reference value already in 2010 with the stabilisation of the economy and as a result of the fiscal consolidation measures undertaken by the government. However, on the basis of the revised deficit target for 2010 (3,8 % of GDP according to the notification of 22 June 2010 by the Bulgarian authorities), significantly above the Commission services' spring forecast of 2,8 % of GDP, the breach of the reference value may not remain temporary. The deficit criterion in the Treaty is not fulfilled.

(4) The 2005 reform of the Stability and Growth Pact sought to strengthen its effectiveness and economic underpinnings as well as to safeguard the sustainability of the public finances in the long run. It aimed at ensuring that, in particular, the economic and budgetary background was taken into account fully in all steps in the EDP. In this way, the Stability and Growth Pact provides the framework supporting government policies for a prompt return to sound

⁽¹⁾ OJ L 209, 2.8.1997, p. 6.

⁽²⁾ OJ L 145, 10.6.2009, p. 1.

⁽³⁾ All EDP-related documents for Bulgaria can be found at the following website: http://ec.europa.eu/economy_finance/sgp/deficit/countries/index_en.htm

- (8) According to the data notified by the Bulgarian authorities in April 2010, the general government gross debt remains well below the 60 % of GDP reference value and stood at 14,8 % of GDP in 2009. The Commission services' spring 2010 forecast projects the debt ratio to increase over the 2010-2011 period, but to remain below 19 % of GDP. In a notification submitted on 22 June 2010, the Bulgarian authorities further revised the planned debt for 2010 to 15,3 % of GDP. The debt criterion in the Treaty is fulfilled.
- (9) According to Article 2(4) of Regulation (EC) No 1467/97, 'relevant factors' can only be taken into account in the steps leading to the Council decision on the existence of an excessive deficit in accordance with Article 126(6) if the double condition — that the deficit remains close to the reference value and that its excess over the reference value is temporary — is fully met. In the case of Bulgaria, this double condition is not met. Therefore, relevant factors are not taken into account in the steps leading to this Decision,

HAS ADOPTED THIS DECISION:

Article 1

From an overall assessment it follows that an excessive deficit exists in Bulgaria.

Article 2

This Decision is addressed to the Republic of Bulgaria.

Done at Brussels, 13 July 2010.

For the Council

The President

D. REYNERS

POLITICAL AND SECURITY COMMITTEE DECISION ATALANTA/4/2010**of 19 July 2010****on the appointment of an EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta)**

(2010/423/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular Article 38 thereof,

Having regard to Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ⁽¹⁾ (Atalanta), and in particular Article 6 thereof,

Whereas:

- (1) Pursuant to Article 6 of Joint Action 2008/851/CFSP, the Council authorised the Political and Security Committee (PSC) to take decisions on the appointment of the EU Force Commander.
- (2) On 23 March 2010, the PSC adopted Decision Atalanta/2/2010 ⁽²⁾ appointing Rear Admiral (LH) Jan THÖRNQVIST as EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.
- (3) The EU Operation Commander has recommended the appointment of Rear Admiral Philippe COINDREAU as the new EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.

- (4) The EU Military Committee supports that recommendation.

- (5) In accordance with Article 5 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications,

HAS ADOPTED THIS DECISION:

Article 1

Rear Admiral Philippe COINDREAU is hereby appointed EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.

Article 2

This Decision shall enter into force on 15 August 2010.

Done at Brussels, 19 July 2010.

For the Political and Security Committee
The Chairman
W. STEVENS

⁽¹⁾ OJ L 301, 12.11.2008, p. 33.

⁽²⁾ OJ L 83, 30.3.2010, p. 22.

COUNCIL DECISION 2010/424/CFSP**of 26 July 2010****amending Joint Action 2008/736/CFSP on the European Union Monitoring Mission in Georgia,
EUMM Georgia**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on European Union, and in particular Article 28 and Article 43(2) thereof,

Article 1

Whereas:

Article 14(1) of Joint Action 2008/736/CFSP is hereby replaced by the following:

(1) On 15 September 2008, the Council adopted Joint Action 2008/736/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia ⁽¹⁾.

‘1. The financial reference amount intended to cover the expenditure related to the Mission shall be EUR 52 100 000.’

Article 2

(2) Joint Action 2008/736/CFSP was last extended by Joint Action 2009/572/CFSP ⁽²⁾ until 14 September 2010. The financial reference amount provided for to cover the expenditure related to EUMM Georgia until that date was set at EUR 49 600 000. The financial reference amount should be increased by EUR 2 500 000 in order to allow for additional operational needs of the Mission.

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

Done at Brussels, 26 July 2010.

(3) Joint Action 2008/736/CFSP should be amended accordingly,

*For the Council**The President*

C. ASHTON

⁽¹⁾ OJ L 248, 17.9.2008, p. 26.

⁽²⁾ OJ L 197, 29.7.2009, p. 110.

COMMISSION DECISION

of 28 July 2010

amending Decision 2009/767/EC as regards the establishment, maintenance and publication of trusted lists of certification service providers supervised/accredited by Member States

(notified under document C(2010) 5063)

(Text with EEA relevance)

(2010/425/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market ⁽¹⁾, and in particular Article 8(3) thereof,

Whereas:

(1) The cross-border use of advanced electronic signatures supported by a qualified certificate and created with or without a secure signature creation device has been facilitated through Commission Decision 2009/767/EC of 16 October 2009 setting out measures facilitating the use of procedures by electronic means through the 'points of single contact' under Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market ⁽²⁾ which obliges Member States to make available information necessary for the validation of these electronic signatures. In particular, Member States must make available in their so-called 'trusted lists' information on certification service providers issuing qualified certificates to the public in accordance with Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures ⁽³⁾ and supervised/accredited by them and on the services they offer.

(2) A number of practical tests with the European Telecommunications Standards Institute (ETSI) have been organised to allow Member States to check the conformity of their trusted lists with the specifications set out in the Annex to Decision 2009/767/EC. These tests have demonstrated that some technical changes are needed in the technical specifications in the Annex to Decision 2009/767/EC, to ensure functioning and interoperable trusted lists.

(3) These tests also confirmed the need for Member States to make publicly available not only the human readable versions of their trusted lists as required by Decision 2009/767/EC but also the machine processable forms of these. The manual use of the human readable form of the trusted lists can be relatively complex and time consuming when Member States have a high number of certification service providers. The publication of the machine processable forms of trusted lists will facilitate their use by allowing for their automated processing and thereby enhance their use in public electronic services.

(4) In order to facilitate access to the national trusted lists, Member States should notify to the Commission information related to the location and protection of their trusted lists. This information should be made available by the Commission to other Member States in a secure manner.

(5) The results of these practical tests on Member States' trusted lists should be taken into account in order to allow for an automated use of the lists and to facilitate access to them.

(6) Decision 2009/767/EC should therefore be amended accordingly.

(7) For the purpose of allowing Member States to carry out the required technical changes to their current trusted lists it is appropriate that this Decision applies as of 1 December 2010.

(8) The measures provided for in this Decision are in accordance with the opinion of the Services Directive Committee,

HAS ADOPTED THIS DECISION:

Article 1

Amendments to Decision 2009/767/EC

Decision 2009/767/EC is amended as follows:

⁽¹⁾ OJ L 376, 27.12.2006, p. 36.

⁽²⁾ OJ L 274, 20.10.2009, p. 36.

⁽³⁾ OJ L 13, 19.1.2000, p. 12.

1. Article 2 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. Member States shall establish and publish both a human readable and a machine processable form of the trusted list in accordance with the specifications set out in the Annex.’;

(b) the following paragraph 2a is inserted:

‘2a. Member States shall sign electronically the machine processable form of their trusted list and they shall, as a minimum, publish the human readable form of the trusted list through a secure channel in order to ensure its authenticity and integrity.’;

(c) paragraph 3 is replaced by the following:

‘3. Member States shall notify to the Commission the following information:

(a) the body or bodies responsible for the establishment, maintenance and publication of the human readable and machine processable forms of the trusted list;

(b) the locations where the human readable and machine processable forms of the trusted list are published;

(c) the public key certificate used to implement the secure channel through which the human readable form of the trusted list is published or, if the human readable list is electronically signed, the public key certificate used to sign it;

(d) the public key certificate used to electronically sign the machine processable form of the trusted list;

(e) any changes to the information in points (a) to (d).’;

(d) the following paragraph 4 is added:

‘4. The Commission shall make available to all Member States, through a secure channel to an authenticated web server, the information, referred to in paragraph 3, as notified by Member States, both in a human readable form and in a signed machine processable form.’;

2. the Annex is amended as set out in the Annex to this Decision.

Article 2

Application

This Decision shall apply from 1 December 2010.

Article 3

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 28 July 2010.

For the Commission

Michel BARNIER

Member of the Commission

ANNEX

The Annex to Decision 2009/767/EC is amended as follows:

1. Chapter I is amended as follows:

- (a) the first and second sentences of the second paragraph are replaced by the following:

‘The present specifications are relying on the specifications and requirements stated in ETSI TS 102 231 v.3.1.2. When no specific requirement is stated in the present specifications, requirements from ETSI TS 102 231 v.3.1.2 SHALL apply entirely.’;

- (b) the second paragraph of section ‘TSL tag (clause 5.2.1)’ is deleted;

- (c) the paragraph following the section title ‘TSL sequence number (clause 5.3.2)’ is replaced by the following:

‘This field is REQUIRED. It SHALL specify the sequence number of the TSL. Starting from “1” at the first release of the TSL, this integer value SHALL be incremented at each subsequent release of the TSL. It SHALL NOT be recycled to “1” when the “TSL version identifier” above is incremented.’;

- (d) the first paragraph following the section title ‘TSL type (clause 5.3.3)’ is replaced by the following:

‘This field is REQUIRED specifying the type of TSL. It SHALL be set to <http://uri.etsi.org/TrstSvc/eSigDir-1999-93-EC-TrustedList/TSLType/generic> (Generic).’;

- (e) the third paragraph following the section title ‘TSL type (clause 5.3.3)’ is replaced by the following:

‘URI: (Generic) <http://uri.etsi.org/TrstSvc/eSigDir-1999-93-EC-TrustedList/TSLType/generic>’;

- (f) the second sentence of the second paragraph following the section title ‘Scheme operator name (clause 5.3.4)’ is replaced by the following:

‘It is up to each Member State to designate the Scheme operator of the TSL implementation of the Member State TL.’;

- (g) the fourth paragraph following the section title ‘Scheme operator name (clause 5.3.4)’ is replaced by the following:

‘The named Scheme Operator (clause 5.3.4) is the entity who will sign the TSL.’;

- (h) the fourth indent following the section title ‘Scheme name (clause 5.3.6)’ is replaced by the following:

‘“EN_name_value” = Supervision/Accreditation Status List of certification services from Certification Service Providers, which are supervised/accredited by the referenced Member State for compliance with the relevant provisions laid down in Directive 1999/93/EC and its implementation in the referenced Member State’s laws.’;

- (i) the first paragraph following the section title ‘Service type identifier (clause 5.5.1)’ is replaced by the following:

‘This field is REQUIRED and SHALL specify the identifier of the service type according to the type of the present TSL specifications (i.e. “/eSigDir-1999-93-EC-TrustedList/TSLType/generic”).’;

- (j) the fifth indent following the section title ‘Service current status (clause 5.5.4)’ is replaced by the following:

‘— **Accredited** (<http://uri.etsi.org/TrstSvc/eSigDir-1999-93-EC-TrustedList/Svcstatus/accruited>);’;

- (k) the ninth indent following the section title ‘Service current status (clause 5.5.4)’ is replaced by the following:

‘— **Supervision of Service in Cessation:** The service identified in “Service digital identity” (clause 5.5.3) provided by the CSP identified in “TSP name” (clause 5.4.1) is currently in a cessation phase but still supervised until supervision is ceased or revoked. In the event a different legal person than the one identified in “TSP name” has taken over the responsibility of ensuring this cessation phase, the identification of this new or fallback legal person (fallback CSP) SHALL be provided in “Scheme service definition URI” (clause 5.5.6) and in the “Taken-OverBy” extension (clause L.3.2) of the service entry.’;

- (l) the fifth paragraph following the section title 'Service information extensions (clause 5.5.9)' is replaced by the following:

'In the context of an XML implementation, the specific content of such additional information has to be coded using the xsd files provided in Annex C of ETSI TS 102 231.';

- (m) the section entitled 'Service digital identity (clause 5.6.3)' is replaced by the following:

'Service digital identity (clause 5.6.3)

This field is REQUIRED and SHALL specify at least one representation of the digital identifier (i.e. X.509v3 certificate) used in "TSP Service Information — Service digital identity" (clause 5.5.3) with the format and meaning as defined in ETSI TS 102 231, clause 5.5.3.

Note: For an X.509v3 certificate value used in the "Sdi" clause 5.5.3 of a service, there must be only one single service entry in a Trusted List per "Sti:Sie/additionalServiceInformation" value. The "Sdi" (clause 5.6.3) information used in the service approval history information associated to a service entry and the "Sdi" (clause 5.5.3) information used in this service entry MUST relate to the same X.509v3 certificate value. When a listed service is changing its "Sdi" (i.e. renewal or rekey of an X.509v3 certificate for e.g. a CA/PKC or CA/QC) or creating a new "Sdi" for such a service, even with identical values for the associated "Sti", "Sn", and ["Sie"], it means that the Scheme Operator MUST create a different service entry than the previous one.;

- (n) the section entitled 'Signed TSL' is replaced by the following:

'Signed TSL

The human readable TSL implementation of the Trusted List, established under the present specifications and in particular Chapter IV, SHOULD be signed by the "Scheme operator name" (clause 5.3.4) to ensure its authenticity and integrity (*). The format of the signature SHOULD be PAdES part 3 (ETSI TS 102 778-3 (**)) but MAY be PAdES part 2 (ETSI TS 102 778-2 (***)) in the context of the specific trust model established through the publication of the certificates used to sign the Trusted Lists.

The machine processable TSL implementation of the Trusted List, established under the present specifications, SHALL be signed by the "Scheme operator name" (clause 5.3.4) to ensure its authenticity and integrity. The format of the machine processable TSL implementation of the Trusted List, established under the present specifications, SHALL be XML and SHALL comply with the specifications stated in Annexes B and C of ETSI TS 102 231.

The format of the signature SHALL be XAdES BES or EPES as defined by ETSI TS 101 903 specifications for XML implementations. Such electronic signature implementation SHALL meet requirements as stated in Annex B of ETSI TS 102 231 (****). Additional general requirements regarding this signature are stated in the following sections.

(*) In case the human readable TSL implementation of the Trusted List is not signed, its authenticity and integrity MUST be guaranteed by an appropriate communication channel with an equivalent security level. Use of TLS (IETF RFC 5246: "The Transport Layer Security (TLS) Protocol Version 1.2") is recommended for this purpose and the fingerprint of the certificate of the TLS channel MUST be made available out of band to the TSL users by the Member State.

(**) ETSI TS 102 778-3 — Electronic Signatures and Infrastructures (ESI): PDF Advanced Electronic Signature Profiles; Part 3: PAdES Enhanced — PAdES-BES and PAdES-EPES Profiles.

(***) ETSI TS 102 778-2 — Electronic Signatures and Infrastructures (ESI): PDF Advanced Electronic Signature Profiles; Part 2: PAdES Basic — Profile based on ISO 32000-1.

(****) It is mandatory to protect the Scheme Operator signing certificate with the signature in one of the ways specified by ETSI TS 101 903 and the ds:keyInfo should contain the relevant certificate chain when applicable.;

- (o) the second paragraph after the section title 'Scheme identification (clause 5.7.2)' is replaced by the following:

'In the context of the present specifications the assigned reference SHALL include the "TSL type" (clause 5.3.3), the "Scheme name" (clause 5.3.6) and the value of the SubjectKeyIdentifier extension of the certificate used by the Scheme operator to electronically sign the TSL.';

- (p) the second paragraph following the section title 'additionalServiceInformation Extension (clause 5.8.2)' is replaced by the following:

'Dereferencing the URI SHOULD lead to human readable information (as a minimum in EN and potentially in one or more national languages) which is deemed appropriate and sufficient for a relying party to understand the extension, and in particular explaining the meaning of the given URIs, specifying the possible values for service-Information and the meaning for each value.;

- (q) the section entitled 'Qualifications Extension (clause L.3.1)' is replaced by the following:

'Qualifications Extension (clause L.3.1)

Description: This field is OPTIONAL but SHALL be present when its use is REQUIRED, e.g. for RootCA/QC or CA/QC services, and when

- the information provided in the "Service digital identity" is not sufficient to unambiguously identify the qualified certificates issued by this service,
- the information present in the related qualified certificates does not allow machine-processable identification of the facts about whether or not the QC is supported by an SSCD.

When used, this service level extension MUST only be used in the field defined in "Service information extension" (clause 5.5.9) and SHALL comply with specifications laid down in Annex L.3.1 of ETSI TS 102 231.;

- (r) after section 'Qualifications Extension (clause L.3.1)', section TakenOverBy Extension (clause L.3.2) is inserted as follows:

'TakenOverBy Extension (clause L.3.2)

Description: This extension is OPTIONAL but SHALL be present when a service that was formerly under the legal responsibility of a CSP is taken over by another TSP and is meant to state formally the legal responsibility of a service and to enable the verification software to display to the user some legal detail. The information provided in this extension SHALL be consistent with the related use of clause 5.5.6 and SHALL comply with specifications in Annex L.3.2 of ETSI TS 102 231.;

2. Chapter II is replaced by the following:

'CHAPTER II

When establishing their Trusted Lists, Member States will use:

Language codes in lower case and country codes in upper case;

Language and country codes according to the Table provided here below.

When a Latin script is present (with its proper language code) a transliteration in Latin script with the related language codes specified in the Table below is added.

Short name (source language)	Short name (English)	Country Code	Language Code	Notes	Transliteration in Latin script
Belgique/België	Belgium	BE	nl, fr, de		
България (*)	Bulgaria	BG	bg		bg-Latn
Česká republika	Czech Republic	CZ	cs		
Danmark	Denmark	DK	da		
Deutschland	Germany	DE	de		
Eesti	Estonia	EE	et		
Éire/Ireland	Ireland	IE	ga, en		
Ελλάδα (*)	Greece	EL	el	Country code recommended by EU	el-Latn
España	Spain	ES	es	also Catalan (ca), Basque (eu), Galician (gl)	
France	France	FR	fr		
Italia	Italy	IT	it		
Κύπρος/Kıbrıs (*)	Cyprus	CY	el, tr		el-Latn
Latvija	Latvia	LV	lv		

Short name (source language)	Short name (English)	Country Code	Language Code	Notes	Transliteration in Latin script
Lietuva	Lithuania	LT	lt		
Luxembourg	Luxembourg	LU	fr, de, lb		
Magyarország	Hungary	HU	hu		
Malta	Malta	MT	mt, en		
Nederland	Netherlands	NL	nl		
Österreich	Austria	AT	de		
Polska	Poland	PL	pl		
Portugal	Portugal	PT	pt		
România	Romania	RO	ro		
Slovenija	Slovenia	SI	sl		
Slovensko	Slovakia	SK	sk		
Suomi/Finland	Finland	FI	fi, sv		
Sverige	Sweden	SE	sv		
United Kingdom	United Kingdom	UK	en	Country code recommended by EU	
Ísland	Iceland	IS	is		
Liechtenstein	Liechtenstein	LI	de		
Norge/Noreg	Norway	NO	no, nb, nn		

(*) Latin transliteration: България = Bulgaria; Ελλάδα = Elláda; Κύπρος = Kýpros.

3. Chapter III is deleted;
4. in Chapter IV, the following indent is inserted after the introductory phrase 'The content of the PDF/A based HR form of the TSL implementation of the Trusted List SHOULD comply with the following requirements':
 - The title of the Human readable form of Trusted Lists shall be constructed as the concatenation of the following elements:
 - Optional picture of the Member State national flag;
 - Blank space;
 - Country Short Name in source language(s) (as provided in the first column of Chapter II Table);
 - Blank space;
 - "(";
 - Country Short Name in English (as provided in the second column of Chapter II Table) inside the parenthesis;
 - ")" as closing parenthesis and separator;
 - Blank space;
 - "Trusted List";
 - Optional logo of the Member State Scheme Operator.

COMMISSION DECISION

of 28 July 2010

authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize Bt11xGA21 (SYN-BTØ11-1xMON-ØØØ21-9) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council

*(notified under document C(2010) 5135)***(Only the French text is authentic)****(Text with EEA relevance)**

(2010/426/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed⁽¹⁾, and in particular Articles 7(3) and 19(3) thereof,

Whereas:

- (1) On 31 October 2007, Syngenta Seeds SAS on behalf of Syngenta Crop Protection AG submitted to the competent authority of the United Kingdom an application, in accordance with Article 5 and Article 17 of Regulation (EC) No 1829/2003, for the placing on the market of foods, food ingredients, and feed containing, consisting of, or produced from Bt11xGA21 maize (the application).
- (2) The application also covers the placing on the market of products other than food and feed containing or consisting of Bt11xGA21 maize for the same uses as any other maize with the exception of cultivation. Therefore, in accordance with Article 5(5) and Article 17(5) of Regulation (EC) No 1829/2003, it includes the data and information required by Annexes III and IV to Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC⁽²⁾ and information and conclusions about the risk assessment carried out in accordance with the principles set out in Annex II to Directive 2001/18/EC. It also includes a monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC.
- (3) On 22 September 2009, the European Food Safety Authority (EFSA) gave a favourable opinion in

accordance with Article 6 and Article 18 of Regulation (EC) No 1829/2003. It considered that maize Bt11xGA21 is as safe as its non-genetically modified counterpart with respect to potential effects on human and animal health or the environment. Therefore it concluded that it is unlikely that the placing on the market of the products containing, consisting of, or produced from Bt11xGA21 maize as described in the application (the products) will have any adverse effects on human or animal health or the environment in the context of their intended uses⁽³⁾. In its opinion, EFSA considered all the specific questions and concerns raised by the Member States in the context of the consultation of the national competent authorities as provided for by Article 6(4) and Article 18(4) of that Regulation.

- (4) In its opinion, EFSA also concluded that the environmental monitoring plan, consisting of a general surveillance plan, submitted by the applicant is in line with the intended use of the products.
- (5) Taking into account those considerations, authorisation should be granted for the products.
- (6) A unique identifier should be assigned to each GMO as provided for in Commission Regulation (EC) No 65/2004 of 14 January 2004 establishing a system for the development and assignment of unique identifiers for genetically modified organisms⁽⁴⁾.
- (7) On the basis of the EFSA opinion, no specific labelling requirements other than those provided for in Article 13(1) and Article 25(2) of Regulation (EC) No 1829/2003, appear to be necessary for foods, food ingredients and feed containing, consisting of, or produced from Bt11xGA21 maize. However, in order to ensure the use of the products within the limits of the authorisation provided for by this Decision, the labelling of feed containing or consisting of the GMO and products other than food and feed containing or consisting of the GMO for which authorisation is requested should be complemented by a clear indication that the products in question must not be used for cultivation.

⁽¹⁾ OJ L 268, 18.10.2003, p. 1.

⁽²⁾ OJ L 106, 17.4.2001, p. 1.

⁽³⁾ <http://registerofquestions.efsa.europa.eu/roqFrontend/questionLoader?question=EFSA-Q-2006-020>

⁽⁴⁾ OJ L 10, 16.1.2004, p. 5.

- (8) The authorisation holder should submit annual reports on the implementation and the results of the activities set out in the monitoring plan for environmental effects. Those results should be presented in accordance with Commission Decision 2009/770/EC of 13 October 2009 establishing standard reporting formats for presenting the monitoring results of the deliberate release into the environment of genetically modified organisms, as or in products, for the purpose of placing on the market, pursuant to Directive 2001/18/EC of the European Parliament and of the Council ⁽¹⁾.
- (9) The EFSA opinion does not justify the imposition of specific conditions or restrictions for the placing on the market and/or specific conditions or restrictions for the use and handling, including post-market monitoring requirements for the use of the food and feed, or of specific conditions for the protection of particular ecosystems/environment and/or geographical areas, as provided for in Article 6(5)(e) and Article 18(5) of Regulation (EC) No 1829/2003.
- (10) All relevant information on the authorisation of the products should be entered in the Community register of genetically modified food and feed, as provided for in Regulation (EC) No 1829/2003.
- (11) Article 4(6) of Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC ⁽²⁾, lays down labelling requirements for products consisting of, or containing GMOs.
- (12) This Decision is to be notified through the Biosafety Clearing House to the Parties to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, pursuant to Article 9(1) and Article 15(2)(c) of Regulation (EC) No 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms ⁽³⁾.
- (13) The applicant has been consulted on the measures provided for in this Decision.
- (14) The Standing Committee on the Food Chain and Animal Health has not delivered an opinion within the time limit laid down by its Chairman.
- (15) At its meeting on 29 June 2010, the Council was unable to reach a decision by qualified majority either for or

against the proposal. The Council indicated that its proceedings on this file were concluded. It is accordingly for the Commission to adopt the measures,

HAS ADOPTED THIS DECISION:

Article 1

Genetically modified organism and unique identifier

Genetically modified maize (*Zea mays* L.) Bt11xGA21, as specified in point (b) of the Annex to this Decision, is assigned the unique identifier SYN-BTØ11-1xMON-ØØØ21-9, as provided for in Regulation (EC) No 65/2004.

Article 2

Authorisation

The following products are authorised for the purposes of Article 4(2) and Article 16(2) of Regulation (EC) No 1829/2003 in accordance with the conditions set out in this Decision:

- (a) foods and food ingredients containing, consisting of, or produced from SYN-BTØ11-1xMON-ØØØ21-9 maize;
- (b) feed containing, consisting of, or produced from SYN-BTØ11-1xMON-ØØØ21-9 maize;
- (c) products other than food and feed containing or consisting of SYN-BTØ11-1xMON-ØØØ21-9 maize for the same uses as any other maize with the exception of cultivation.

Article 3

Labelling

1. For the purposes of the labelling requirements laid down in Article 13(1) and Article 25(2) of Regulation (EC) No 1829/2003 and in Article 4(6) of Regulation (EC) No 1830/2003, the 'name of the organism' shall be 'maize'.

2. The words 'not for cultivation' shall appear on the label of and in documents accompanying products containing or consisting of SYN-BTØ11-1xMON-ØØØ21-9 maize referred to in Article 2(b) and (c).

Article 4

Monitoring for environmental effects

1. The authorisation holder shall ensure that the monitoring plan for environmental effects, as set out in point (h) of the Annex, is put in place and implemented.

⁽¹⁾ OJ L 275, 21.10.2009, p. 9.

⁽²⁾ OJ L 268, 18.10.2003, p. 24.

⁽³⁾ OJ L 287, 5.11.2003, p. 1.

2. The authorisation holder shall submit to the Commission annual reports on the implementation and the results of the activities set out in the monitoring plan in accordance with Decision 2009/770/EC.

Article 5

Community register

The information set out in the Annex to this Decision shall be entered in the Community register of genetically modified food and feed, as provided for in Article 28 of Regulation (EC) No 1829/2003.

Article 6

Authorisation holder

The authorisation holder shall be Syngenta Seeds SAS, France, representing Syngenta Crop Protection AG, Switzerland.

Article 7

Validity

This Decision shall apply for a period of 10 years from the date of its notification.

Article 8

Addressee

This Decision is addressed to Syngenta Seeds SAS, Chemin de l'Hobit 12, BP 27, 31790 Saint-Sauveur, France.

Done at Brussels, 28 July 2010.

For the Commission

John DALLI

Member of the Commission

ANNEX

(a) **Applicant and authorisation holder:**

Name: Syngenta Seeds SAS

Address: Chemin de l'Hobit 12, BP 27, 31790 Saint-Sauveur, France

On behalf of Syngenta Crop Protection AG, Schwarzwaldallee 215, 4058 Basle, Switzerland

(b) **Designation and specification of the products:**

1. foods and food ingredients containing, consisting of, or produced from SYN-BTØ11-1xMON-ØØØ21-9 maize;
2. feed containing, consisting of, or produced from SYN-BTØ11-1xMON-ØØØ21-9 maize;
3. products other than food and feed containing or consisting of SYN-BTØ11-1xMON-ØØØ21-9 maize for the same uses as any other maize with the exception of cultivation.

The genetically modified SYN-BTØ11-1xMON-ØØØ21-9 maize, as described in the application, is produced by crosses between maize containing SYN-BTØ11-1 and MON-ØØØ21-9 events and expresses the Cry1Ab protein which confers protection against certain lepidopteran pests, the mEPSPS protein which confers tolerance to glyphosate herbicides and a PAT protein which confers tolerance to glufosinate-ammonium herbicides.

(c) **Labelling:**

1. for the purposes of the specific labelling requirements laid down in Article 13(1) and Article 25(2) of Regulation (EC) No 1829/2003, and in Article 4(6) of Regulation (EC) No 1830/2003, the 'name of the organism' shall be 'maize';
2. the words 'not for cultivation' shall appear on the label of and in documents accompanying products containing or consisting of SYN-BTØ11-1xMON-ØØØ21-9 maize referred to in Article 2(b) and (c) of this Decision.

(d) **Method for detection:**

- event specific real-time quantitative PCR based methods for genetically modified maize SYN-BTØ11-1 and MON-ØØØ21-9 maize validated on SYN-BTØ11-1xMON-ØØØ21-9 maize,
- validated on seeds by the Community Reference Laboratory established under Regulation (EC) No 1829/2003, published at <http://gmo-crl.jrc.ec.europa.eu/statusofdoss.htm>
- reference material: ERM®-BF412 (for SYN-BTØ11-1) accessible via the Joint Research Centre (JRC) of the European Commission, Institute for Reference Materials and Measurements (IRMM) at <https://irmm.jrc.ec.europa.eu/rmcatalogue> and AOCs 0407 (for MON-ØØØ21-9) accessible via the American Oil Chemists Society at <http://www.aocs.org/tech/crm>

(e) **Unique identifier:**

SYN-BTØ11-1xMON-ØØØ21-9

(f) **Information required under Annex II to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity:**

Biosafety Clearing House, Record ID: see [to be completed when notified].

(g) **Conditions or restrictions on the placing on the market, use or handling of the products:**

Not required.

(h) **Monitoring plan:**

Monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC.

[Link: plan published on the Internet]

(i) **Post-market monitoring requirements for the use of the food for human consumption:**

Not required.

Note: Links to relevant documents may need to be modified over time. Those modifications will be made available to the public via the updating of the Community register of genetically modified food and feed.

CORRIGENDA

Corrigendum to Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC

(Official Journal of the European Union L 133 of 22 May 2008)

On page 82, Article 26:

for: 'Where a Member State makes use of any of the regulatory choices referred to in Article 2(5) and 2(6), Article 4(1), Article 4(2)(c), Article 6(2), Article 10(1), Article 10(2)(g), Article 14(2) and Article 16(4), it shall ...',

read: 'Where a Member State makes use of any of the regulatory choices referred to in Article 2(5) and 2(6), Article 4(1), Article 4(2)(c), Article 6(2), Article 10(1), Article 10(5)(f), Article 14(2) and Article 16(4), it shall ...';

on page 82, Article 27(2), second sentence:

for: 'The Commission shall also monitor the effect of the existence of the regulatory choices referred to in Article 2(5) and 2(6), Article 4(1), Article 4(2)(c), Article 6(2), Article 10(1), Article 10(2)(g), Article 14(2) and Article 16(4) on the internal market and consumers.',

read: 'The Commission shall also monitor the effect of the existence of the regulatory choices referred to in Article 2(5) and 2(6), Article 4(1), Article 4(2)(c), Article 6(2), Article 10(1), Article 10(5)(f), Article 14(2) and Article 16(4) on the internal market and consumers.';

on page 87, Annex II, heading 3:

for: '3. **Costs of the credit**

The borrowing rate or, if applicable, different borrowing rates which apply to the credit agreement	[% — fixed or, — variable (with the index or reference rate applicable to the initial borrowing rate), — periods],
Annual Percentage Rate of Charge (APR) <i>This is the total cost expressed as an annual percentage of the total amount of credit.</i> <i>The APR is there to help you compare different offers.</i>	[% A representative example mentioning all the assumptions used for calculating the rate to be set out here]
Is it compulsory, in order to obtain the credit or to obtain it on the terms and conditions marketed, to take out — an insurance policy securing the credit, or — another ancillary service contract, <i>If the costs of these services are not known by the creditor they are not included in the APR.</i>	Yes/no [if yes, specify the kind of insurance] Yes/no [if yes, specify the kind of ancillary service]
Related costs	
If applicable Maintaining one or more accounts is required for recording both payment transactions and drawdowns	
If applicable Amount of costs for using a specific means of payment (e.g. a credit card)	

If applicable	
Any other costs deriving from the credit agreement	
If applicable	
Conditions under which the above mentioned costs related to the credit agreement can be changed	
If applicable	
Obligation to pay notarial fees	
Costs in the case of late payments	
Missing payments could have severe consequences for you (e.g. forced sale) and make obtaining credit more difficult.	You will be charged [..... (applicable interest rate and arrangements for its adjustment and, where applicable, default charges)] for missing payments.’,

read: ‘3. **Costs of the credit**

The borrowing rate or, if applicable, different borrowing rates which apply to the credit agreement	[% — fixed, or — variable (with the index or reference rate applicable to the initial borrowing rate), — periods]
Annual Percentage Rate of Charge (APR) <i>This is the total cost expressed as an annual percentage of the total amount of credit.</i> <i>The APR is there to help you compare different offers.</i>	[% A representative example mentioning all the assumptions used for calculating the rate to be set out here]
Is it compulsory, in order to obtain the credit or to obtain it on the terms and conditions marketed, to take out — an insurance policy securing the credit, or — another ancillary service contract. <i>If the costs of these services are not known by the creditor they are not included in the APR.</i>	Yes/no [if yes, specify the kind of insurance] Yes/no [if yes, specify the kind of ancillary service]
Related costs	
If applicable	
Maintaining one or more accounts is required for recording both payment transactions and drawdowns	
If applicable	
Amount of costs for using a specific means of payment (e.g. a credit card)	
If applicable	
Any other costs deriving from the credit agreement	

If applicable	
Conditions under which the above mentioned costs related to the credit agreement can be changed	
If applicable	
Obligation to pay notarial fees	
Costs in the case of late payments	
<i>Missing payments could have severe consequences for you (e.g. forced sale) and make obtaining credit more difficult.</i>	You will be charged [..... (applicable interest rate and arrangements for its adjustment and, where applicable, default charges)] for late payments.;

on page 91, Annex III, heading 3, right-hand column, last entry:

for: 'You will be charged [..... (applicable interest rate and arrangements for its adjustment and, where applicable, default charges)] for missing payments.',

read: 'You will be charged [..... (applicable interest rate and arrangements for its adjustment and, where applicable, default charges)] for late payments.'.

Corrigendum to Council Decision 2010/371/EU of 6 June 2010 concerning the conclusion of consultations with the Republic of Madagascar under Article 96 of the ACP-EU Partnership Agreement

(Official Journal of the European Union L 169 of 3 July 2010)

In the title of the Decision both on the cover page and on page 13, and also in the closing formula on page 14:

for: '6 June 2010',

read: '7 June 2010'.

On page 15, Annex, title of the Annex:

Delete 'Draft letter'.

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