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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information concerning the entry into force of the Agreement between the European Community and Australia on trade in wine

The Agreement between the European Community and Australia on trade in wine ⁽¹⁾, signed on 1 December 2008, shall, in accordance with Article 44 thereof, enter into force on 1 September 2010.

⁽¹⁾ OJ L 28, 30.1.2009, p. 3.

REGULATIONS

COMMISSION REGULATION (EU) No 706/2010

of 5 August 2010

**correcting the Spanish, French, Portuguese and Romanian versions of Regulation (EC) No 891/2009
opening and providing for the administration of certain Community tariff quotas in the sugar 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 Article 143, Article 144(1), Articles 148 and 156, and Article 188(2) in conjunction with Article 4 thereof,

Whereas:

- (1) An error appears in the Spanish, French and Romanian language versions of the text of Article 13(4) of Commission Regulation (EC) No 891/2009 ⁽²⁾. Moreover, another error appears in the Portuguese version of Part I of Annex I to that Regulation.

- (2) Regulation (EC) No 891/2009 should therefore be corrected accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Concerns only the Spanish, French, Portuguese and Romanian language versions.

Article 2

This Regulation shall enter into force on the 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, 5 August 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 254, 26.9.2009, p. 82.

COMMISSION REGULATION (EU) No 707/2010**of 5 August 2010****amending Regulation (EC) No 891/2009 opening and providing for the administration of certain
Community tariff quotas in the sugar 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 Article 148 in conjunction with Article 4 thereof,

Whereas:

- (1) The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part ⁽²⁾ entered into force on 1 April 2009. Article 1 of Commission Regulation (EC) No 891/2009 of 25 September 2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector ⁽³⁾ should refer to this Stabilisation and Association Agreement.
- (2) An Interim Agreement on trade and trade related matters between the European Community, of the one part, and the Republic of Serbia, of the other part ⁽⁴⁾, entered into force on 1 February 2010. Articles 1 and 2 of Regulation (EC) No 891/2009 should refer to this new trade arrangement.
- (3) Article 5(1) of Regulation (EC) No 891/2009 provides that import licence applications shall be submitted during the first seven days of each of the 12 sub-periods, provided for in Article 3(2) of that Regulation. In order to facilitate trade, operators should be allowed to import from the day on which the tariff quota is opened. Consequently they should be allowed to apply for import licences in the month preceding the first sub-period. Therefore, it is necessary to establish the time periods for the application, notification and issuing of import licences for the first sub-period.
- (4) Article 15(2) of Regulation (EC) No 891/2009 provides penalties if imported sugar, which is not intended for

refining, is refined. However, these penalties should not apply if justified and exceptional technical reasons are approved by Member States.

- (5) Regulation (EC) No 891/2009 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 891/2009 is amended as follows:

1. in Article 1, point (e) is replaced by the following:

‘(e) Article 27(2) of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part;’

2. in Article 1, the following point (g) is added to the first paragraph:

‘(g) Article 11(4) of the Interim agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Serbia, of the other part (*).’

(*) OJ L 28, 30.1.2010, p. 2;’

3. in Article 2, point (b), the words ‘points (b) to (f)’ are replaced by the words ‘points (b) to (g)’;

4. in Article 5(1), a second subparagraph is added:

‘Without prejudice to the first subparagraph, licence applications for the first sub-period referred to in Article 3(2) may be submitted from the eighth to the 14th day of the month preceding that sub-period.’

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 107, 28.4.2009, p. 166.

⁽³⁾ OJ L 254, 26.9.2009, p. 82.

⁽⁴⁾ OJ L 28, 30.1.2010, p. 2.

5. Article 8 is replaced by the following:

'Article 8

Issuance and validity of import licences

1. Import licences applied for in accordance with the first subparagraph of Article 5(1) shall be issued from the 23rd day until the last day of the month during which an application was made.

2. Import licences applied for in accordance with the second subparagraph of Article 5(1) shall be issued from the first day until the eighth day of the month following the month during which an application was made.

3. The licences shall be valid until the end of the third month following that in which they were issued but no longer than 30 September. In case of exceptional import sugar and industrial import sugar, the licences shall be valid until the end of the marketing year for which they were issued.';

6. in Article 9, paragraph 1 is replaced by the following:

'1. Member States shall notify the Commission of the total quantities covered by import licence applications:

(a) no later than on the 14th day of the month during which the applications are submitted, in case of applications referred to in the first subparagraph of Article 5(1);

(b) no later than on the 21st day of the month during which the applications are submitted, in case of applications referred to in the second subparagraph of Article 5(1).;

7. in Article 15(2), the second subparagraph is replaced by the following:

'Producers shall pay, before 1 June following the marketing year concerned, an amount equal to EUR 500 per tonne for the quantities of sugar referred to in point (c) of the first subparagraph, for which they cannot provide a proof, acceptable to a Member State, that refining took place for justified and exceptional technical reasons.'

Article 2

This Regulation shall enter into force on the third 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, 5 August 2010.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 708/2010**of 5 August 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 6 August 2010.

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

Done at Brussels, 5 August 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	27,7
	TR	41,0
	ZZ	34,4
0707 00 05	TR	93,7
	ZZ	93,7
0709 90 70	TR	85,4
	ZZ	85,4
0805 50 10	AR	135,1
	TR	132,4
	UY	73,0
	ZA	103,1
	ZZ	110,9
0806 10 10	CL	129,8
	EG	147,8
	MA	137,6
	TR	139,9
	ZA	98,7
	ZZ	130,8
0808 10 80	AR	88,7
	BR	68,9
	CL	90,3
	CN	66,0
	NZ	106,6
	US	87,0
	UY	103,6
	ZA	90,7
	ZZ	87,7
0808 20 50	AR	70,6
	CL	185,2
	CN	93,7
	NZ	140,9
	TR	163,4
	ZA	94,3
	ZZ	124,7
0809 20 95	CA	608,4
	TR	169,9
	ZZ	389,2
0809 30	TR	165,4
	ZZ	165,4
0809 40 05	BA	62,1
	IL	169,2
	XS	70,3
	ZZ	100,5

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION DECISION

of 5 August 2010

amending Decision 2004/558/EC implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Union trade in bovine animals relating to infectious bovine rhinotracheitis*(notified under document C(2010) 5352)***(Text with EEA relevance)**

(2010/433/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, and in particular Articles 9(2) and 10(2) thereto,

Whereas:

- (1) Infectious bovine rhinotracheitis is the description of the most prominent clinical signs of the infection with the bovine herpes virus type 1 (BHV1). As many infections with that virus run a subclinical course, control measures should be directed to the eradication of the infection rather than to the suppression of symptoms.
- (2) Annex E (II) to Directive 64/432/EEC lists 'infectious bovine rhinotracheitis' among the diseases for which national control programmes may be approved and additional guarantees requested.
- (3) Commission Decision 2004/558/EC of 15 July 2004 implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Community trade in bovine animals relating to infectious bovine rhinotracheitis and the approval of the eradication programmes presented by certain Member States⁽²⁾ lists in Annex I the Member States or parts thereof which implement a programme for the eradication of BHV1 and in Annex II those which have already attained freedom from this disease. Annex III to that Decision sets up criteria for a holding considered to be free of BHV1 infection.
- (4) In order to prevent transmission of BHV1 into BHV1-free holdings, the Decision requires for the movement of

bovine animals from an area without BHV1 status or listed in Annex I to a holding situated in an area listed in Annex II that a test for the presence of antibodies to the BHV1 virus is carried out with negative result on samples taken during a 30 days pre-movement quarantine.

- (5) Based on current experience with the implementation of approved programmes for the eradication of BHV1 infection, direct movement of bovine animals from holdings free of BHV1 infection to enclosed fattening units in Member States or parts thereof which are free of BHV1 infection could be allowed, provided a channelling system is implemented by which the competent authorities at the place of the fattening unit ensure additional testing at arrival and removal of the animals only to the slaughterhouse.
- (6) At present, all regions of Germany with the exception of the administrative units of Regierungsbezirke Oberpfalz and Oberfranken in the federal state of Bavaria are listed in Annex I to Decision 2004/558/EC.
- (7) Germany has now submitted documentation in support of its application to declare also the administrative units of Regierungsbezirke Mittelfranken and Unterfranken in the federal state of Bavaria free of BHV1 infection and provided rules for the national movement of bovine animals within and into this part of its territory. Accordingly, Germany has requested the application of the additional guarantees, in accordance with Article 10 of Directive 64/432/EEC, to be extended to those administrative units in Bavaria.
- (8) Following the evaluation of the application submitted by Germany, it is appropriate that those two BHV1-free administrative units in Germany be no longer listed in Annex I, but be included in Annex II to Decision 2004/558/EC and to extend the application of the additional guarantees established in accordance with Article 10 of Directive 64/432/EEC to them.

⁽¹⁾ OJ 121, 29.7.1964, p. 1977/64.

⁽²⁾ OJ L 249, 23.7.2004, p. 20.

- (9) Decision 2004/558/EC should therefore be amended accordingly.
- (10) 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

Decision 2004/558/EC is amended as follows:

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

- ‘(ii) they are transported without coming into contact with animals of lesser health status to a holding of unknown BHV1 status in the Member State of destination listed in Annex I, where according to the approved national eradication programme all animals are fattened indoors, and from which they can only be transported to the slaughterhouse;’

2. Article 3 is amended as follows:

- (a) in paragraph 3, point (b) is replaced by the following:

‘(b) after the second indent: “Article 3 paragraph ... point ... of Commission Decision 2004/558/EC”;’

- (b) the following paragraphs are added:

‘4. By way of derogation to paragraph 1(a) and (b), the competent authority in the Member State of destination may authorise the introduction of bovine animals intended for meat production onto a BHV1-free holding as defined in Annex III (BHV1-free holding) situated in a region of that Member State listed in Annex II under the following conditions:

- (a) the animals must not have been vaccinated against BHV1 and must originate in and have remained since birth on BHV1-free holdings;
- (b) the animals are transported without coming into contact with animals of lesser health status;
- (c) for at least 30 days immediately prior to dispatch, or since birth where the animals are less than 30 days old, the animals have remained on the holding of origin, or in an isolation facility approved by the competent authority, which is situated in a Member State in which infectious bovine rhinotracheitis is a compulsorily notifiable disease and in which within an area of 5 km radius around the holding or isolation facility there was no clinical or pathological evidence of BHV1 infection during the past 30 days;
- (d) the animals have been subjected with negative result either to a serological test for antibodies against the gE-glycoprotein of the BHV1 in the case the animals

originate from a BHV1 vaccinated herd, or in all other cases to a serological test for antibodies against the entire BHV1 carried out on a sample of blood taken within 7 days prior to dispatch from the holding referred to in point (c);

- (e) on the BHV1-free holding of destination all animals are fattened indoors and are only removed to be transported to the slaughterhouse;

- (f) the animals referred to in point (d) are subjected to a serological test for antibodies against the gE-glycoprotein of the BHV1 or the entire BHV1 carried out on a sample of blood taken within 21 to 28 days after arrival in the holding referred to in point (e):

- (i) either with negative result in each case; or

- (ii) the BHV1-free status of the holding remains suspended until the infected animals have been slaughtered within less than 45 days after arrival on the holding, and

— either the animals in direct contact with the infected animals have reacted with negative results to a test for antibodies against the gE-glycoprotein of the BHV1 or the entire BHV1 carried out on a sample of blood collected not earlier than 28 days following the removal of the infected animals, or

— the animals which shared a common airspace with the infected animals have reacted with negative results to a test for antibodies against the entire BHV1 carried out on a sample of blood collected not earlier than 28 days following the removal of the infected animals, or

— the remaining animals on the holding have reacted with negative results to a test for antibodies against the entire BHV1 carried out on a sample of blood collected not earlier than 28 days following the removal of the infected animals, or

— the BHV1-free status is restored in accordance with point 4 of Annex III.

5. The Member State of destination referred to in paragraph 4 shall notify to the Commission and to the other Member States the regions listed in Annex II in which the provisions of paragraph 4 are going to be implemented and the date of intended application.’

3. Annex I is replaced by the text in Annex I to the present Decision;
4. Annex II is replaced by the text in Annex II to the present Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 August 2010.

For the Commission
John DALLI
Member of the Commission

ANNEX I

'ANNEX I

Member States	Regions of Member States to which the additional guarantees for infectious bovine rhinotracheitis apply in accordance with Article 9 of Directive 64/432/EEC
Czech Republic	All regions
Germany	All regions, except Regierungsbezirke Oberpfalz, Oberfranken, Mittelfranken and Unterfranken in the federal state of Bavaria
Italy	The Autonomous Region of Friuli Venezia Giulia The Autonomous Province of Trento'

ANNEX II

'ANNEX II

Member States	Regions of Member States to which the additional guarantees for infectious bovine rhinotracheitis apply in accordance with Article 10 of Directive 64/432/EEC
Austria	All regions
Germany	Regierungsbezirke Oberpfalz, Oberfranken, Mittelfranken und Unterfranken in the federal state of Bavaria
Denmark	All regions
Italy	Province of Bolzano
Finland	All regions
Sweden	All regions'

CORRIGENDA

Corrigendum to Political and Security Committee Decision Atalanta/3/2010 (2010/317/CFSP) of 28 May 2010 on the appointment of an EU Operation 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)

(Official Journal of the European Union L 142 of 10 June 2010)

On page 9, recital 2:

for: '(2) The United Kingdom has proposed that Major-General Buster HOWE replace ...',

read: '(2) The United Kingdom has proposed that Major-General Buster HOWES replace ...';

on page 9, Article 1:

for: 'Major-General Buster HOWE is hereby appointed ...',

read: 'Major-General Buster HOWES is hereby appointed ...'.

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