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⁽¹⁾ Text with EEA relevance

I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 137/2007**of 14 February 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 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 the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 February 2007.

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

Done at Brussels, 14 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 14 February 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	147,8
	MA	46,8
	TN	129,8
	TR	153,1
	ZZ	119,4
0707 00 05	EG	255,9
	MA	96,9
	SN	141,3
	TR	157,3
	ZZ	162,9
0709 90 70	MA	50,6
	TR	116,4
	ZZ	83,5
0805 10 20	EG	49,2
	IL	51,7
	MA	45,1
	TN	46,7
	TR	68,2
	ZZ	52,2
0805 20 10	MA	88,4
	ZZ	88,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	AR	98,9
	EG	64,3
	IL	68,5
	MA	86,2
	PK	57,2
	TR	58,1
	ZZ	72,2
0805 50 10	IL	67,8
	TR	58,2
	ZZ	63,0
0808 10 80	CN	84,8
	TR	99,7
	US	117,1
	ZZ	100,5
0808 20 50	AR	95,4
	CN	47,5
	US	98,0
	ZA	95,7
	ZZ	84,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 138/2007**of 14 February 2007****determining the extent to which import licence applications lodged in January 2007 for certain poultrymeat sector products pursuant to Regulation (EC) No 1431/94 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽¹⁾, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1431/94 ⁽²⁾ lays down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 ⁽³⁾ opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products.
- (2) The applications for import licences lodged in the first 15 days of January 2007 for the subperiod from 1 January to 31 March 2007 relate to quantities in

excess of those available. The extent to which licences may be issued should therefore be determined and the allocation coefficient to be applied to the quantities applied for should be laid down,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities for which import licence applications have been lodged for the subperiod from 1 January to 31 March 2007 pursuant to Regulation (EC) No 1431/94 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.
2. Applications for import licences for the period 1 April to 30 June 2007 may be lodged pursuant to Regulation (EC) No 1431/94 for the total quantity as referred to in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 February 2007.

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

Done at Brussels, 14 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 238, 1.9.2006, p. 13.

⁽²⁾ OJ L 156, 23.6.1994, p. 9. Regulation as last amended by Regulation (EC) No 1938/2006 (OJ L 407, 30.12.2006, p. 150).

⁽³⁾ OJ L 91, 8.4.1994, p. 1. Regulation as last amended by Commission Regulation (EC) No 2198/95 (OJ L 221, 19.9.1995, p. 3).

ANNEX

Serial No	Allocation coefficient for import licence applications submitted for the subperiod from 1 January to 31 March 2007 (%)	Total quantity available for the subperiod from 1 April to 30 June 2007 (tonnes)
09.4410	1,015855	1 775,011
09.4411	—	2 550,000
09.4412	1,063486	825,007
09.4420	1,814882	450,006
09.4421	6,690241	175,005
09.4421	1,631321	621,256

‘—’: No licence application has been sent to the Commission.

COMMISSION REGULATION (EC) No 139/2007**of 14 February 2007****determining the extent to which import licence applications lodged in January 2007 for certain poultrymeat sector products pursuant to Regulation (EC) No 2497/96 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽¹⁾, and in particular Article 7(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 2497/96 ⁽²⁾ lays down procedures for applying in the poultrymeat sector the arrangements provided for in the Association Agreement between the European Community and Israel.

(2) The applications for import licences lodged in the first 15 days of January 2007 for the subperiod from 1 January 2007 to 31 March 2007 relate to quantities in excess of those available. The extent to which licences

may be issued should therefore be determined and the allocation coefficient to be applied to the quantities applied for should be laid down,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities for which import licence applications have been lodged for the subperiod from 1 January 2007 to 31 March 2007 pursuant to Regulation (EC) No 2497/96 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

2. Applications for import licences for the period 1 April 2007 to 30 June 2007 may be lodged pursuant to Regulation (EC) No 2497/96 for the total quantity as referred to in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 February 2007.

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

Done at Brussels, 14 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 238, 1.9.2006, p. 13.

⁽²⁾ OJ L 338, 28.12.1996, p. 48. Regulation as last amended by Regulation (EC) No 1937/2006 (OJ L 407, 30.12.2006, p. 143).

ANNEX

Serial No	Allocation coefficient for import licence applications submitted for the subperiod from 1 January to 31 March 2007 (%)	Total quantity available for the subperiod from 1 April to 30 June 2007 (tonnes)
09.4091	—	280,0
09.4092	7,194508	392,003

‘—’: no licence application has been sent to the Commission.

COMMISSION REGULATION (EC) No 140/2007**of 14 February 2007****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽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 of the Article 36,

Whereas:

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

for the 2006/2007 marketing year are fixed by Commission Regulation (EC) No 1002/2006 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 114/2007 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed 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 on imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 February 2007.

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

Done at Brussels, 14 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 2011/2006 (OJ L 384, 29.12.2006, p. 1).

⁽²⁾ OJ L 178, 1.7.2006, p. 24. Regulation as amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

⁽³⁾ OJ L 179, 1.7.2006, p. 36.

⁽⁴⁾ OJ L 35, 8.2.2007, p. 3.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 15 February 2007

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	21,23	5,69
1701 11 90 ⁽¹⁾	21,23	11,09
1701 12 10 ⁽¹⁾	21,23	5,50
1701 12 90 ⁽¹⁾	21,23	10,57
1701 91 00 ⁽²⁾	24,97	12,93
1701 99 10 ⁽²⁾	24,97	8,23
1701 99 90 ⁽²⁾	24,97	8,23
1702 90 99 ⁽³⁾	0,25	0,40

⁽¹⁾ Fixed for the standard quality defined in Annex I.III to Council Regulation (EC) No 318/2006 (OJ L 58, 28.2.2006, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.II to Regulation (EC) No 318/2006.⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 141/2007**of 14 February 2007****concerning a requirement for approval in accordance with Regulation (EC) No 183/2005 of the European Parliament and of the Council for feed business establishments manufacturing or placing on the market feed additives of the category ‘coccidiostats and histomonostats’****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene ⁽¹⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) Regulation (EC) No 183/2005 provides for the approval of certain feed business establishments. The principal objective of the approval system set up by Regulation (EC) No 183/2005 is to subject establishments manufacturing and/or placing on the market products deemed sensitive to the relevant hygiene requirements laid down in that Regulation. That Regulation provides for a possibility to extend the scope of the approval requirement.
- (2) ‘Coccidiostats and histomonostats’ are one of the categories of feed additives referred to in Article 6(1)(e) of Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽²⁾. This category of feed additives is deemed to be equally sensitive as the categories for which an approval requirement is provided for in Regulation (EC) No 183/2005.
- (3) Therefore, establishments manufacturing and/or placing on the market feed additives belonging to the category ‘coccidiostats and histomonostats’ should equally be subject to the same approval requisites.
- (4) Transitional measures should be provided for as regards establishments manufacturing and/or placing on the market feed additives of the category ‘coccidiostats and

histomonostats’ which were not required to be approved under national legislation. Establishments approved under Council Directive 95/69/EC ⁽³⁾ are already covered by Article 18(1) of Regulation (EC) No 183/2005.

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

HAS ADOPTED THIS REGULATION:

Article 1

Feed business operators shall ensure that establishments under their control and covered by Regulation (EC) No 183/2005 are approved by the competent authority, where such establishments manufacture and/or place on the market feed additives of the category ‘coccidiostats and histomonostats’. The approval shall be carried out in accordance with Regulation (EC) No 183/2005.

Article 2

Establishments manufacturing and/or placing on the market feed additives of the category ‘coccidiostats and histomonostats’ and which on the date of entry into force of this Regulation were not required by national legislation to be approved for this category of feed additives, may continue their activities until a decision has been taken on their application for approval, on condition that they submit that application to the competent authority in whose area their establishment is located by 7 June 2007.

Article 3

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 7 April 2007.

⁽¹⁾ OJ L 35, 8.2.2005, p. 1.

⁽²⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

⁽³⁾ OJ L 332, 30.12.1995, p. 15. Directive as repealed by Regulation (EC) No 183/2005.

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

Done at Brussels, 14 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

COMMISSION REGULATION (EC) No 142/2007**of 14 February 2007****amending Regulation (EC) No 1610/2006 derogating from Regulations (EC) No 327/98 and (EC) No 1291/2000 as regards certain import licences issued for the July 2006 tranche of tariff quotas for imports of rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV(6) negotiations ⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 13(4) thereof,

Whereas:

(1) Under Commission Regulation (EC) No 1610/2006 ⁽³⁾, the validity of licences for the import of husked, semi-milled and wholly milled rice issued for the July 2006 tranche of certain import quotas opened by Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽⁴⁾ was, at the request of the importers concerned, extended until 31 December 2006. In addition, in certain cases, the use of those licences was facilitated as regards the origin and CN code of the rice to be imported.

(2) Despite the new provisions, some import licences could not be used during their period of validity because of disturbances in the flows of rice imports into the Community caused, in particular, by the presence on the US market of rice contaminated with genetically modified rice and the resulting risk of imports being blocked. Given these special circumstances, Member

States should be allowed to derogate from Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾ and to release, on a case-by-case basis, the security lodged by importers where certain conditions are met.

(3) Member States should also be allowed to return to the importers concerned the export licences submitted in support of their import licence applications in accordance with Article 3 of Regulation (EC) No 327/98.

(4) Regulation (EC) No 1610/2006 should therefore be amended.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1610/2006 is hereby amended as follows:

1. The following Article 2a is added:

'Article 2a

1. By derogation from Article 35(2) of Regulation (EC) No 1291/2000, Member States may, after examining each case, release the security provided for in Article 4(2) of Regulation (EC) No 327/98 lodged for import licences referred to in Article 1 of this Regulation that were not used before the end of their period of validity, provided that:

(a) the holder returns the unused import licence(s) to the competent authorities and requests the release of the relevant security,

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

⁽³⁾ OJ L 299, 28.10.2006, p. 11.

⁽⁴⁾ OJ L 37, 11.2.1998, p. 5. Regulation as last amended by Regulation (EC) No 2019/2006 (OJ L 384, 29.12.2006, p. 48).

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1913/2006 (OJ L 365, 21.12.2006, p. 52).

(b) the competent authorities of the Member State have sufficient proof to show that the importer acted in good faith and made all reasonable efforts to use the import licence(s) during the period of validity.

2. The originals of export licences accompanying import licence applications in accordance with Article 3 of Regulation (EC) No 327/98 shall be returned to holders of import licences for which securities are released under paragraph 1 of this Article.'

2. In Article 3, the following paragraph 3 is added:

'3. Member States shall send the Commission electronically and by 31 March 2007 the serial number(s) of unused import licence(s) for which the security has been released under Article 2a, indicating the quantities (tonnes) of products concerned broken down by Combined Nomenclature (CN) code.'

Article 2

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

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

Done at Brussels, 14 February 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

DIRECTIVES

COMMISSION DIRECTIVE 2007/6/EC

of 14 February 2007

amending Council Directive 91/414/EEC to include metrafenone, *Bacillus subtilis*, spinosad and thiamethoxam as active substances

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) In accordance with Article 6(2) of Directive 91/414/EEC United Kingdom received on 4 June 2002 an application from BASF AG, Belgium for the inclusion of the active substance metrafenone in Annex I to Directive 91/414/EEC. Commission Decision 2003/105/EC ⁽²⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (2) In accordance with Article 6(2) of Directive 91/414/EEC Germany received on 19 April 2000 an application from AgraQuest for the inclusion of the active substance *Bacillus subtilis* strain QST 713 (hereafter *Bacillus subtilis*) in Annex I to Directive 91/414/EEC. Commission Decision 2001/6/EC ⁽³⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (3) In accordance with Article 6(2) of Directive 91/414/EEC the Netherlands received on 19 July 1999 an application from Dow AgroSciences for the inclusion of the active substance spinosad in Annex I to Directive 91/414/EEC. Commission Decision 2000/210/EC ⁽⁴⁾ confirmed that

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

- (4) In accordance with Article 6(2) of Directive 91/414/EEC Spain received on 17 March 1999 an application from Novartis Crop Protection AG (now Syngenta) for the inclusion of the active substance thiamethoxam in Annex I to Directive 91/414/EEC. Commission Decision 2000/181/EC ⁽⁵⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (5) For those active substances, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The designated rapporteur Member States submitted draft assessment reports concerning the substances to the European Food Safety Authority (EFSA) on 31 October 2003 (metrafenone) and to the Commission on 15 May 2001 (*Bacillus subtilis*), 5 March 2001 (spinosad) and 21 January 2002 (thiamethoxam) respectively.
- (6) For metrafone the assessment report has been peer reviewed by the Member States and the EFSA within its Working Group Evaluation and presented to the Commission on 18 January 2005 in the format of the EFSA Scientific Report for metrafenone ⁽⁶⁾. This report has been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. For *Bacillus subtilis*, spinosad and thiamethoxam the draft assessment reports have been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. The review was finalised on 14 July 2006 in the format of the Commission review reports for metrafenone, *Bacillus subtilis*, spinosad and thiamethoxam.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2006/136/EC (OJ L 349, 12.12.2006, p. 42).

⁽²⁾ OJ L 43, 18.2.2003, p. 45.

⁽³⁾ OJ L 2, 5.1.2001, p. 25.

⁽⁴⁾ OJ L 64, 11.3.2000, p. 24.

⁽⁵⁾ OJ L 57, 2.3.2000, p. 35.

⁽⁶⁾ EFSA Scientific Report (2006)58, 1-72, Conclusion regarding the peer review of the pesticide risk assessment of the active substance metrafenone (finalised: 13 January 2006).

- (7) It has appeared from the various examinations made that plant protection products containing the active substances concerned may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include metrafenone, *Bacillus subtilis*, spinosad and thiamethoxam in Annex I to that Directive, in order to ensure that in all Member States the authorisations of plant protection products containing these active substances may be granted in accordance with the provisions of that Directive.
- (8) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of six months after inclusion to review existing provisional authorisations of plant protection products containing metrafenone, *Bacillus subtilis*, spinosad or thiamethoxam to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should transform existing provisional authorisations into full authorisations, amend them or withdraw them in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (9) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (10) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

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

Article 2

1. Member States shall adopt and publish by 31 July 2007 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith

communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 August 2007.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

Article 3

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing metrafenone, *Bacillus subtilis*, spinosad or thiamethoxam as active substance by 31 July 2007. By that date, they shall in particular verify that the conditions in Annex I to that Directive relating to metrafenone, *Bacillus subtilis*, spinosad or thiamethoxam, respectively, are met, with the exception of those identified in part B of the entry concerning the active substance, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13(2).

2. By way of derogation from paragraph 1, for each authorised plant protection product containing metrafenone or *Bacillus subtilis* or spinosad or thiamethoxam as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 January 2007 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account part B of the entry in Annex I to that Directive concerning metrafenone, *Bacillus subtilis*, spinosad or thiamethoxam. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

(a) in the case of a product containing metrafenone or *Bacillus subtilis* or spinosad or thiamethoxam as the only active substance, where necessary, amend or withdraw the authorisation by 31 July 2008 at the latest; or

(b) in the case of a product containing metrafenone or *Bacillus subtilis* or spinosad or thiamethoxam as one of several active substances, where necessary, amend or withdraw the authorisation by 31 July 2008 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 4

This Directive shall enter into force on 1 February 2007.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 14 February 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

The following rows shall be added at the end of the table in Annex I to Directive 91/414/EEC:

No	Common name, identification numbers	IUPAC name	Purity (1)	Entry into force	Expiration of inclusion	Specific provisions
139	Metrafenone CAS No: 220899-03-6 CIPAC No: 752	3'-bromo-2,3,4,6'-tetramethoxy-2', 6-dimethylbenzophenone	≥ 940 g/kg	1 February 2007	31 January 2017	PART A Only uses as fungicide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on metrafenone, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 14 July 2006 shall be taken into account. The Member States shall inform the Commission in accordance with Article 13(5) on the specification of the technical material as commercially manufactured.
140	<i>Bacillus subtilis</i> (Cohn 1872) Strain QST 713, identical with strain AQ 713 Culture collection No: NRRL B -21661 CIPAC No: not allocated	Not applicable		1 February 2007	31 January 2017	PART A Only uses as fungicide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Bacillus subtilis</i> , and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 14 July 2006 shall be taken into account.

No	Common name, identification numbers	IUPAC name	Purity (!)	Entry into force	Expiration of inclusion	Specific provisions
141	Spinosad CAS No: 131929-60-7 (Spinosyn A) 131929-63-0 (Spinosyn D) CIPAC No: 636	Spinosyn A: (2R,3aS,5aR,5bS,9S,13S,14R,16aS,16bR)-2-(6-deoxy-2,3,4-tri-O-methyl-α-L-mannopyranosyloxy)-13-(4-dimethylamino-2,3,4,6-tetra-deoxy-β-D-erythropranosyloxy)-9-ethyl-2,3,3a,5a,5b,6,7,9,10,11,12,13,14,15,16a,16b-hexadecahydro-14-methyl-1H-8-oxacyclododeca[b]as-indacene-7,15-dione Spinosyn D: (2S,3aR,5aS,5bS,9S,13S,14R,16aS,16bS)-2-(6-deoxy-2,3,4-tri-O-methyl-α-L-mannopyranosyloxy)-13-(4-dimethylamino-2,3,4,6-tetra-deoxy-β-D-erythropranosyloxy)-9-ethyl-2,3,3a,5a,5b,6,7,9,10,11,12,13,14,15,16a,16b-hexadecahydro-4,14-dimethyl-1H-8-oxacyclododeca[b]as-indacene-7,15-dione Spinosad is a mixture of 50-95 % spinosyn A and 5-50 % spinosyn D	≥ 850 g/kg	1 February 2007	31 January 2017	PART A Only uses as insecticide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on spinosad, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 14 July 2006 shall be taken into account. In this overall assessment Member States — must pay particular attention to the protection of aquatic organisms; — must pay particular attention to the risk to earthworms when the substance is used in glasshouses. Conditions of use shall include risk mitigation measures, where appropriate.

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
142	Thiamethoxam CAS No: 153719-23-4 CIPAC No: 637	(E,Z)-3-(2-chloro-thiazol-5-ylmethyl)-5-methyl-[1,3,5]oxadiazinan-4-ylidene-N-nitroamine	≥ 980 g/kg	1 February 2007	31 January 2017	PART A Only uses as insecticide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on thiamethoxam, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 14 July 2006 shall be taken into account. In this overall assessment Member States: — must pay particular attention to the potential for groundwater contamination, particularly of the active substance and its metabolites NOA 459602, SYN 501406 and CGA 322704, when the active substance is applied in regions with vulnerable soil and/or climatic conditions, — must pay particular attention to the protection of aquatic organisms, — must pay particular attention to the long-term risk to small herbivorous animals if the substance is used for seed treatment. Conditions of use shall include risk mitigation measures, where appropriate.

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

COMMISSION DIRECTIVE 2007/7/EC**of 14 February 2007****amending certain Annexes to Council Directives 86/362/EEC and 90/642/EEC as regards the maximum residue levels of atrazine, lambda-cyhalothrin, phenmedipham, methomyl, linuron, penconazole, pymetrozine, bifenthrin and abamectin****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables ⁽²⁾, and in particular Article 7 thereof,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽³⁾, and in particular Article 4(1)(f) thereof

Whereas:

(1) In accordance with Directive 91/414/EEC, authorisations of plant protection products for use on specific crops are the responsibility of the Member States. Such authorisations have to be based on the evaluation of effects on human and animal health and influence on the environment. Elements to be taken into account in such evaluations include operator and bystander exposure and impact on the terrestrial, aquatic and aerial environments, as well as impact on humans and animals through consumption of residues on treated crops.

(2) Maximum residue levels (MRLs) reflect the use of minimum quantities of pesticides to achieve effective

protection of plants, applied in such a manner that the amount of residue is the smallest practicable and is toxicologically acceptable, in particular in terms of estimated dietary intake.

(3) MRLs for pesticides covered by Directives 86/363/EEC and 90/642/EEC are to be kept under review and may be modified to take account of new or changed uses. Information about new or changed uses has been communicated to the Commission which will lead to changes in the residue levels of lambda-cyhalothrin, phenmedipham, methomyl, linuron, penconazole and pymetrozine.

(4) The lifetime exposure of consumers to those pesticides via food products that may contain residues of those pesticides, has been assessed and evaluated in accordance with the procedures and practices used within the Community, taking account of guidelines published by the World Health Organisation ⁽⁴⁾. In this evaluation it was taken into account that abamectin is also used as veterinary medicine intended for food-producing animals and that maximum residue limits have been established for that substance in accordance with Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽⁵⁾. Based on that assessment and those evaluations, the MRLs for those pesticides should be set so as to ensure that the acceptable daily intake is not exceeded.

(5) In the case of lambda-cyhalothrin, methomyl, linuron and pymetrozine, for which an acute reference dose (ARfD) exists, the acute exposure of consumers via each of the food products that may contain residues of these pesticides has been assessed and evaluated in accordance with the procedures and practices currently used within the Community, taking account of guidelines published by the World Health Organisation. The opinions of the Scientific Committee on Plants, in particular advice and recommendations concerning the protection of consumers of food products treated with

⁽¹⁾ OJ L 221, 7.8.1986, p. 37. Directive as last amended by Commission Directive 2006/92/EC (OJ L 311, 10.11.2006, p. 31).

⁽²⁾ OJ L 350, 14.12.1990, p. 71. Directive as last amended by Commission Directive 2006/92/EC.

⁽³⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2006/136/EC (OJ L 349, 12.12.2006, p. 42).

⁽⁴⁾ Guidelines for predicting dietary intake of pesticide residues (revised), prepared by the GEMS/Food Programme in collaboration with the Codex Committee on Pesticide Residues, published by the World Health Organisation 1997 (WHO/FSF/FOS/97.7).

⁽⁵⁾ OJ L 224, 18.8.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 1831/2006 (OJ L 354, 14.12.2006, p. 5).

pesticides ⁽¹⁾, have been taken into account. Based on the dietary intake assessment, the MRLs for those pesticides should be fixed so as to ensure that the ARfD will not be exceeded. In the case of the other substances, an assessment of the available information has shown that no ARfD is required and that therefore a short-term assessment is not needed.

- (6) As regards atrazine on cereals, new information has become available since the adoption of Commission Directive 2006/61/EC of 7 July 2006 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for atrazine, azinphos-ethyl, cyfluthrin, ethephon, fenthion, methamidophos, methomyl, paraquat and triazophos ⁽²⁾ which shows that a higher MRL than inserted by that Directive into Directive 86/362/EEC is safe for the consumers. The MRL inserted by Directive 2006/61/EC should therefore be replaced by a higher one.
- (7) Where authorised uses of plant protection products do not result in detectable levels of pesticide residues in or on the food product, or where there are no authorised uses, or where uses which have been authorised by Member States have not been supported by the necessary data, or where uses in third countries resulting in residues in or on food products which may enter into circulation in the Community market have not been supported with such necessary data, MRLs should be fixed at the lower limit of analytical determination.
- (8) Therefore it is appropriate to fix new MRLs for those pesticides.
- (9) The setting or modification at Community level of provisional MRLs does not prevent the Member States from establishing provisional MRLs for phenmedipham, linuron, penconazole and pymetrozin in accordance with Article 4(1)(f) of Directive 91/414/EEC and Annex VI thereto. It is considered that a period of four years is sufficient to permit further uses of these substances. The provisional Community MRL should then become definitive.
- (10) Directive 90/642/EEC should therefore be amended accordingly.
- (11) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 86/362/EEC is amended in accordance with Annex I to this Directive.

Article 2

Annex II to Directive 90/642/EEC is amended in accordance with Annex II to this Directive.

Article 3

1. As regards Article 1, Member States shall adopt and publish by 20 January 2007 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 21 January 2007.

2. As regards Article 2, Member States shall adopt and publish by 15 August 2007 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 16 August 2007.

3. When Member States adopt the provisions referred to in paragraphs 1 and 2, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

Article 4

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ Opinion regarding questions relating to amending the annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC (Opinion expressed by the SCP, 14 July 1998); Opinion regarding variable pesticide residues in fruit and vegetables (Opinion expressed by SCP on 14 July 1998) http://europa.eu.int/comm/food/fs/sc/scp/outcome_ppp_en.html

⁽²⁾ OJ L 206, 27.7.2006, p. 12.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 14 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

In Part A of Annex II to Directive 86/362/EEC, the line for atrazine is replaced by the following:

Pesticide residues	Maximum level in mg/kg
Atrazine	0,1 (*) CEREALS

(*) Indicates that the maximum residue level has been established temporarily until 1 January 2008 pending data to be submitted by the applicant. If no data has been received by that date, the MRL will be withdrawn by a Directive or a Regulation.

ANNEX II

In part A of Annex II to Directive 90/642/EEC, the columns for lambda-cyhalothrin, phenmedipham, methomyl, linuron, penconazole, pymetrozine, bifenthrin and abamectin, are replaced by the following:

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Penconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts				0,05 (*) (p)				
(i) CITRUS FRUIT		0,05 (*) (p)			0,05 (*)	0,3	0,1	0,01 (*)
Grapefruit	0,1		0,5					
Lemons	0,2		1					
Limes	0,2		1					
Mandarins (including clementines and other hybrids)	0,2		1					
Oranges	0,1		0,5					
Pomelos	0,1		0,5					
Others	0,02 (*)		0,05 (*)					
(ii) TREE NUTS (shelled or unshelled)	0,05 (*)	0,05 (*) (p)	0,05 (*)		0,05 (*)	0,02 (*)	0,05 (*)	0,01 (*)
Almonds								
Brazil nuts								
Cashew nuts								
Chestnuts								
Coconuts								
Hazelnuts								
Macadamia								

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Penconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
Pecans								
Pine nuts								
Pistachios								
Walnuts								
Others								
(iii) POME FRUIT	0,1	0,05 (*) (p)	0,2		0,2	0,02 (*)	0,3	0,01 (*)
Apples								
Pears								
Quinces								
Others								
(iv) STONE FRUIT		0,05 (*) (p)					0,2	0,01 (*)
Apricots	0,2		0,2		0,1	0,05		
Cherries			0,1					
Peaches (including nectarines and similar hybrids)	0,2		0,2		0,1	0,05		
Plums			0,5					
Others	0,1		0,05 (*)		0,05 (*)	0,02 (*)		
(v) BERRIES AND SMALL FRUIT								
(a) Table and wine grapes	0,2	0,05 (*) (p)			0,2	0,02 (*)	0,2	0,01 (*)
Table grapes			0,05 (*)					
Wine grapes			1					
(b) Strawberries (other than wild)	0,5	0,1 (p)	0,05 (*)		0,05 (*)	0,5	0,5	0,1

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Perconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
(c) Cane fruit (other than wild)	0,02 (*)	0,05 (*) (p)	0,05 (*)		0,05 (*)			
Blackberries						3	0,3	0,1
Dewberries								
Loganberries								
Raspberries						3	0,3	0,1
Others						0,02 (*)	0,05 (*)	0,01 (*)
(d) Other small fruit and berries (other than wild)		0,05 (*) (p)	0,05 (*)					0,01 (*)
Bilberries	0,02 (*)							
Cranberries	0,02 (*)							
Currants (red, black and white)	0,1				0,5	0,1	0,5	
Gooseberries	0,1							
Others	0,02 (*)				0,05 (*)	0,02 (*)	0,05 (*)	
(e) Wild berries and wild fruit	0,2	0,05 (*) (p)	0,05 (*)		0,05 (*)	0,02 (*)	0,05 (*)	0,01 (*)
(vi) MISCELLANEOUS		0,05 (*) (p)	0,05 (*)		0,05 (*)	0,02 (*)		
Avocados								
Bananas							0,1	
Dates								
Figs								
Kiwi								
Kumquats								
Litchis								

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Perconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
Mangoes							0,3	
Olives (table consumption)	0,5							
Olives (oil extraction)	0,5							
Papaya							0,5	0,05
Passion fruit								
Pineapples								
Pomegranate								
Others	0,02 (*)						0,05 (*)	0,01 (*)
2. Vegetables, fresh or uncooked, frozen or dry								
(i) ROOT AND TUBER VEGETABLES					0,05 (*)	0,02 (*)	0,05 (*)	0,01 (*)
Beetroot		0,1 (P)						
Carrots				0,2 (P)				
Cassava								
Celeriac	0,1			0,5 (P)				
Horseradish								
Jerusalem artichokes								
Parsnips				0,2 (P)				
Parsley root				0,2 (P)				
Radishes	0,1		0,5					
Salsify								

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Perconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
Sweet potatoes								
Swedes								
Turnips								
Yam								
Others	0,02 (*)	0,05 (*) (p)	0,05 (*)	0,05 (*) (p)				
(ii) BULB VEGETABLES		0,05 (*) (p)	0,05 (*)	0,05 (*) (p)	0,05 (*)	0,02 (*)	0,05 (*)	0,01 (*)
Garlic								
Onions								
Shallots								
Spring onions	0,05							
Others	0,02 (*)							
(iii) FRUITING VEGETABLES		0,05 (*) (p)		0,05 (*) (p)				
(a) Solanacea							0,2	
Tomatoes	0,1		0,2		0,1	0,5		0,02
Peppers	0,1		0,2		0,2	1		0,05
Aubergines	0,5		0,2		0,1	0,5		0,02
Okra								
Others	0,02 (*)		0,05 (*)		0,05 (*)	0,02 (*)		0,01 (*)
(b) Cucurbits — edible peel	0,1		0,05 (*)		0,1	0,5	0,1	0,02
Cucumbers								
Gherkins								
Courgettes								
Others								

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Penconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
(c) Cucurbits — inedible peel	0,05		0,05 (*)		0,1	0,2	0,05 (*)	0,01 (*)
Melons								
Squashes								
Watermelons								
Others								
(d) Sweetcorn	0,05		0,05 (*)		0,05 (*)	0,02 (*)	0,05 (*)	0,01 (*)
(iv) BRASSICA VEGETABLES		0,05 (*) (p)		0,05 (*) (p)	0,05 (*)			0,01 (*)
(a) Flowering brassica	0,1					0,02 (*)	0,2	
Broccoli (including Calabrese)			0,2					
Cauliflower								
Others			0,05 (*)					
(b) Head brassica			0,05 (*)				1	
Brussels sprouts	0,05							
Head cabbage	0,2					0,05		
Others	0,02 (*)					0,02 (*)		
(c) Leafy brassica	1		0,05 (*)			0,2	0,05 (*)	
Chinese cabbage								
Kale								
Others								
(d) Kohlrabi	0,02 (*)		0,05 (*)			0,02 (*)	0,05 (*)	

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Perconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
(v) LEAF VEGETABLES AND FRESH HERBS					0,05 (*)			
(a) Lettuce and similar	1	0,05 (*) (p)		0,05 (*) (p)		2	2	0,1
Cress								
Lamb's lettuce								
Lettuce			0,3					
Scarole (broad-leaf endive)								
Ruccola								
Leaves and stems of brassica								
Others			0,05 (*)					
(b) Spinach and similar	0,5	0,5 (p)		0,05 (*) (p)		0,02 (*)	0,05 (*)	0,01 (*)
Spinach			0,05					
Beet leaves (chard)								
Others			0,05 (*)					
(c) Watercress	0,02 (*)	0,05 (*) (p)	0,05 (*)	0,05 (*) (p)		0,02 (*)	0,05 (*)	0,01 (*)
(d) Witloof	0,02 (*)	0,05 (*) (p)	0,05 (*)	0,05 (*) (p)		0,02 (*)	0,05 (*)	0,01 (*)
(e) Herbs	1	7	0,3	1 (p)		1	0,05 (*)	1
Chervil								
Chives								
Parsley								
Celery leaves								
Others								

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Penconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
(vi) LEGUME VEGETABLES (fresh)		0,05 (*) (p)	0,05 (*)		0,05 (*)	1		0,01 (*)
Beans (with pods)	0,2						0,50	
Beans (without pods)				0,1 (p)				
Peas (with pods)	0,2						0,1	
Peas (without pods)	0,2			0,1 (p)				
Others	0,02 (*)			0,05 (*) (p)			0,05 (*)	
(vii) STEM VEGETABLES (fresh)			0,05 (*)			0,02 (*)	0,05 (*)	0,01 (*)
Asparagus								
Cardoons								
Celery	0,3			0,1 (p)				
Fennel	0,3			0,1 (p)				
Globe artichokes		0,2 (p)			0,2			
Leeks	0,3							
Rhubarb								
Others	0,02 (*)	0,05 (*) (p)		0,05 (*) (p)	0,05 (*)			
(viii) FUNGI		0,05 (*) (p)	0,05 (*)	0,05 (*) (p)	0,05 (*)	0,02 (*)	0,05 (*)	0,01 (*)
(a) Cultivated mushrooms	0,02 (*)							
(b) Wild mushrooms	0,5							
3. Pulses	0,02 (*)	0,05 (*) (p)	0,05 (*)	0,05 (*) (p)	0,05 (*)	0,02 (*)	0,05 (*)	0,01 (*)
Beans								
Lentils								

Groups and examples of individual products to which the MRLs would apply	Pesticide residue and maximum residue level (mg/kg)							
	Lambda-cyhalothrin	Phenmedipham	Methomyl/Thiodicarb (sum expressed as methomyl)	Linuron	Perconazole	Pymetrozine	Bifenthrin	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a)
Peas								
Lupines								
Others								
4. Oilseeds	0,02 (*)	0,1 (*) (P)		0,1 (*) (P)	0,05 (*)		0,1 (*)	0,02 (*)
Linseed								
Peanuts			0,1					
Poppy seed								
Sesame seed								
Sunflower seed								
Rapeseed								
Soya bean			0,1					
Mustard seed								
Cotton seed			0,1			0,05		
Hemp seed								
Others			0,05 (*)			0,02 (*)		
5. Potatoes	0,02 (*)	0,05 (*) (P)	0,05 (*)	0,05 (*) (P)	0,05 (*)	0,02 (*)	0,05 (*)	0,01 (*)
Early potatoes								
Ware potatoes								
6. Tea (dried leaves and stalks, fermented or otherwise, <i>Camellia sinensis</i>)	1	0,1 (*) (P)	0,1 (*)	0,1 (*) (P)	0,1 (*)	0,1 (*)	5	0,02 (*)
7. Hops (dried), including hop pellets and unconcentrated powder	10	0,1 (*) (P)	10	0,1 (*) (P)	0,5	15	10	0,05

(*) Indicates lower limit of analytical determination.

(P) Indicates that the maximum residue level has been established provisionally in accordance with Article 4(1)(f) of Directive 91/414/EEC: unless amended, this level will become definitive with effect from 7 March 2011.'

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 14 February 2007

on the harmonised use of radio spectrum in the 2 GHz frequency bands for the implementation of systems providing mobile satellite services

(notified under document number C(2007) 409)

(Text with EEA relevance)

(2007/98/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

and capable of providing services in the Member States, regionally or at a pan-European level.

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

(1) Effective and coherent use of radio spectrum is essential for the development of electronic communications services and can help the European Community to stimulate growth, competitiveness and employment; access to spectrum must be eased to improve efficiency, promote innovation as well as greater flexibility for users and more choice for consumers, while taking into account general interest objectives ⁽²⁾.

(2) The Commission promotes new and innovative communications systems using any kind of technical platform

(3) In this context, systems capable of providing mobile satellite services (MSS) are seen as an innovative alternative platform able to provide various types of pan-European telecommunications and broadcasting/multicasting services regardless of the location of end users, such as high speed internet/intranet access, mobile multimedia and public protection and disaster relief. These services could improve coverage of rural areas in the Community, thus bridging the digital divide in terms of geography. The introduction of new systems providing MSS would potentially contribute to the development of the internal market and enhance competition by increasing the offering and availability of pan-European services and end-to-end connectivity as well as encouraging efficient investments.

(4) Systems capable of providing MSS should include at least one or more space stations and they could include complementary ground components (CGC), i.e. ground based stations used at fixed locations in order to improve the availability of the mobile satellite service in zones where communications with one or several space stations cannot be ensured with the required quality.

(5) Radio spectrum is available and planned to be used for MSS in the frequency bands 1 980 to 2 010 MHz and 2 170 to 2 200 MHz (2 GHz bands), in accordance with decisions taken by the International Telecommunications Union (ITU) at the WARC-92.

⁽¹⁾ OJ L 108, 24.4.2002, p. 1.

⁽²⁾ Council Conclusions 15530/04 and 15533/04 of 3.12.2004.

- (6) A harmonised and efficient use of the 2 GHz bands for systems providing MSS at regional or pan-European level is necessary, in particular due to the scope of satellite signals, which are by nature crossing national borders.
- (7) A mandate⁽¹⁾ was issued on 6 October 2005 by the Commission to the CEPT, pursuant to Article 4(2) of Decision No 676/2002/EC, to study the harmonised technical conditions for use of the 2 GHz bands for MSS in the Community. Pursuant to this mandate, the CEPT has submitted its report providing the technical conditions for the use of the 2 GHz spectrum by such systems.
- (8) The 2 GHz bands are currently unused in most Member States and should, in line with the CEPT technical conclusions, be designated and made available without unnecessary delay in all Member States for systems providing MSS to ensure the development of such systems.
- (9) CEPT has concluded that the coexistence of systems capable of providing MSS and systems providing terrestrial-only mobile services in the same spectrum in the 2 GHz bands without harmful interference is not feasible in the same geographical area. Consequently, in order to avoid harmful interference to MSS and inefficient use of spectrum, it is necessary to designate and make available the 2 GHz bands to systems capable of providing MSS on a primary basis. This means that where the 2 GHz bands are used by other systems, which are not capable of providing MSS, these other systems should not cause harmful interference to nor claim protection from systems providing mobile satellite services. According to the CEPT, CGCs would not cause harmful interference, as long as they are an integral part of the system providing MSS, are controlled by the resource and network management mechanism of such system, and are operating on the same portions of frequency band as the satellite components of the system. Under these conditions, subject to an appropriate authorisation regime, CGCs could also be utilised even if signals are not transmitted through the satellite components.
- (10) The results of the work carried out pursuant to the Commission mandate should be applied in the Community.
- (11) It is appropriate to give priority to systems providing MSS in the 2 GHz bands because other frequency bands, for example those designated for GSM and

UMTS/IMT-2000, are available for systems providing terrestrial-only mobile services.

- (12) Considering the market developments and evolution of technologies, the need for this Decision, as well as its scope and application, may need to be reviewed in the future, based in particular on assessment by the Commission and on information provided by the Member States.
- (13) The provisions of this Decision should be without prejudice to the granting of authorisations for the use of the 2 GHz bands.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Radio Spectrum Committee,

HAS ADOPTED THIS DECISION:

Article 1

The purpose of this Decision is to harmonise the conditions for the availability and efficient use of the frequency bands 1 980 to 2 010 MHz (earth-to-space) and 2 170 to 2 200 MHz (space-to-earth) for systems providing mobile satellite services in the Community.

Article 2

For the purposes of this Decision, 'systems providing mobile satellite services' are systems capable of providing radiocommunications services between a mobile earth station and one or more space stations, or between mobile earth stations by means of one or more space stations, or between a mobile earth station and one or more complementary ground based stations used at fixed locations.

Article 3

1. Member States shall designate and make available as from 1 July 2007 the frequency bands 1 980 to 2 010 MHz and 2 170 to 2 200 MHz for systems providing mobile satellite services.

Any other use of these bands shall not cause harmful interference to systems providing mobile satellite services and may not claim protection from harmful interference caused by systems providing mobile satellite services.

⁽¹⁾ Mandate to CEPT to study and identify the technical conditions relating to the harmonised approach in the European Union of Mobile Satellite Services in 2 GHz bands (1 980 to 2 010 MHz and 2 170 to 2 200 MHz).

2. Any complementary ground based station shall constitute an integral part of the mobile satellite system and shall be controlled by the satellite resource and network management system. It shall use the same direction of transmission and the same portions of frequency bands as the associated satellite components and shall not increase the spectrum requirement of its associated mobile satellite system.

Article 4

Member States shall keep the use of the relevant bands under scrutiny and report their findings to the Commission to allow for a review of this Decision if necessary.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 14 February 2007.

For the Commission

Viviane REDING

Member of the Commission

COMMISSION DECISION

of 14 February 2007

amending Decision 2005/692/EC concerning certain protection measures in relation to avian influenza in South Korea

(notified under document number C(2007) 410)

(Text with EEA relevance)

(2007/99/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 18(7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 22(6) thereof,

Whereas:

- (1) Following the outbreak of avian influenza, caused by a highly pathogenic H5N1 virus strain, in south-eastern Asia starting in December 2003, the Commission adopted several protection measures in relation to avian influenza. Those measures include in particular Commission Decision 2005/692/EC of 6 October 2005 concerning certain protection measures in relation to avian influenza in several third countries ⁽³⁾.
- (2) On 25 November 2006, South Korea confirmed an outbreak of highly pathogenic avian influenza caused by the H5N1 strain in a poultry farm in the south of the country.
- (3) Under current Community legislation, South Korea is only authorised to export to the Community raw pet food and unprocessed feed material containing any parts of poultry, eggs for human consumption and non-treated game trophies from any birds.

- (4) In view of the animal health risk of the introduction of highly pathogenic avian influenza into the Community, it is appropriate as an immediate measure to suspend imports of these products from South Korea.

- (5) Decision 2005/692/EC should therefore be amended accordingly.

- (6) 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

Article 3 of Decision 2005/692/EC is replaced by the following:

'Article 3

Member States shall suspend the importation from Malaysia and South Korea of:

- (a) raw pet food and unprocessed feed material containing any parts of poultry;
- (b) eggs for human consumption; and
- (c) non-treated game trophies from any birds.'

Article 2

The Member States shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁽²⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Directive 2006/104/EC.

⁽³⁾ OJ L 263, 8.10.2005, p. 20. Decision as amended by Decision 2006/521/EC (OJ L 205, 27.7.2006, p. 26).

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

COMMISSION DECISION

of 14 February 2007

on a Community financial contribution for Belgium for its programme for strengthening in 2007 inspection infrastructures for plant-health checks on plants and plant products coming from third countries

*(notified under document number C(2007) 414)***(Only the Dutch and French texts are authentic)**

(2007/100/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular the sixth subparagraph of Article 13c(5) thereof,

Whereas:

(1) Directive 2000/29/EC provides for a Community financial contribution to be granted to Member States in order to strengthen inspection infrastructures for plant-health checks on plants and plant products coming from third countries.

(2) Belgium has established a programme to strengthen in 2007 its inspection infrastructures for checks on plants and plant products coming from third countries. It has applied for the allocation of a Community financial contribution for 2007 for its programme in accordance with Commission Regulation (EC) No 998/2002 of 11 June 2002 establishing detailed rules for the implementation of the provisions relating to the allocation of a Community financial contribution for Member States in order to strengthen inspection infrastructures for plant health checks on plants and plant products coming from third countries⁽²⁾.

(3) The technical information provided for by Belgium has enabled the Commission to analyse the situation accu-

rately and comprehensively. The Commission has prepared a list of inspection posts eligible for strengthening, which give details of the amount of the proposed Community financial contribution to each inspection post. The information has also been examined by the Standing Committee on Plant Health.

(4) After assessment of the programme, the Commission has concluded that the conditions and criteria set out in Directive 2000/29/EC and Regulation (EC) No 998/2002 for the grant of a Community financial contribution have been met.

(5) Accordingly, it is appropriate to allocate a Community financial contribution to cover the expenditure of the programme for 2007 presented by Belgium.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

The allocation of a Community financial contribution to cover expenditure to be incurred in 2007 by Belgium for its programme for strengthening inspection posts is hereby approved.

Article 2

The maximum amount of the Community financial contribution as provided for in Article 1 shall be EUR 48 842,63 and shall be as set out in the Annex.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2006/35/EC (OJ L 88, 25.3.2006, p. 9).

⁽²⁾ OJ L 152, 12.6.2002, p. 16. The Regulation was published as Regulation (EC) No 997/2002 but the number was corrected by a corrigendum (OJ L 153, 13.6.2002, p. 18).

Article 3

The Community financial contribution to the programme as set out in the Annex shall only be paid when:

- (a) evidence of the purchase and/or improvement of the equipment and/or facilities listed in the programme has been given by the Member State concerned to the Commission by appropriate documentation; and
- (b) a request for payment of the Community financial contribution has been submitted by the Member State concerned to the Commission, in accordance with the rules provided for in Article 3 of Regulation (EC) No 998/2002.

Article 4

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 14 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

PROGRAMME FOR STRENGTHENING INSPECTION POSTS

Programme with corresponding Community financial contribution to be allocated in 2007

(EUR)

Member State	Names of the inspection posts (administrative unit, name)	Eligible expenditure	Maximum Community financial contribution, rate of 50 %
Belgium	Antwerpen	21 823,83	10 911,92
	Gent	2 658,98	1 329,49
	Liège (Bierset)	2 943,05	1 471,52
	Oostende	21 821,40	10 910,70
	Zaventem	25 399,21	12 699,60
	Zeebrugge	23 038,81	11 519,40
Total Community financial contribution			48 842,63

COMMISSION DECISION**of 14 February 2007****amending Decision 2005/393/EC as regards restricted zones in relation to bluetongue***(notified under document number C(2007) 416)***(Text with EEA relevance)****(2007/101/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue ⁽¹⁾, and in particular Article 8(3) thereof,

Whereas:

(1) Directive 2000/75/EC lays down control rules and measures to combat bluetongue in the Community, including the establishment of protection and surveillance zones and a ban on animals leaving those zones.

(2) Commission Decision 2005/393/EC of 23 May 2005 on protection and surveillance zones in relation to bluetongue and conditions applying to movements from or through these zones ⁽²⁾ provides for the demarcation of the global geographic areas where protection and surveillance zones (the restricted zones) are to be established by the Member States in relation to bluetongue.

(3) On 7 December 2006 Portugal informed the Commission of evidence of virus circulation in a number of new peripheral areas of the restricted zone.

(4) Consequently the restricted zone related to Portugal should be extended taking into account the current meteorological situation in that region.

(5) Decision 2005/393/EC should be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2005/393/EC is amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 February 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 327, 22.12.2000, p. 74. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁽²⁾ OJ L 130, 24.5.2005, p. 22. Decision as last amended by Decision 2007/28/EC (OJ L 8, 13.1.2007, p. 51).

ANNEX

Annex I to Decision 2005/393/EC is amended as follows:

The list of restricted zone in zone E (*serotype 4*) which relates to Portugal is replaced by the following:

Portugal:

- Regional Direction of Agriculture of Algarve: all *concelhos*
 - Regional Direction of Agriculture of Alentejo: all *concelhos*
 - Regional Direction of Agriculture of Ribatejo e Oeste: all *concelhos*
 - Regional Direction of Agriculture of Beira Interior: *concelhos* of Penamacor, Fundão, Idanha-a-Nova, Castelo Branco, Proença-a-Nova, Vila Velha de Ródão and Mação.'
-

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1876/2006 of 18 December 2006 concerning the provisional and permanent authorisation of certain additives in feedingstuffs***(Official Journal of the European Union L 360 of 19 December 2006)*

On page 128 in the table in Annex I, additive No 12, column 9, 'End of period of authorisation':

for: '8.1.2010',

read: '8.1.2011';

and on page 129 in the table in Annex II, additive No 59, column 9, 'End of period of authorisation':

for: '8.1.2010',

read: '8.1.2011'.

Corrigendum to Commission Directive 2006/8/EC of 23 January 2006 amending, for the purposes of their adaptation to technical progress, Annexes II, III and V to Directive 1999/45/EC of the European Parliament and of the Council concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations*(Official Journal of the European Union L 19 of 24 January 2006)*

On page 19, under the heading: '8. Preparations containing substances not yet tested completely',

for: '... "Caution — substance not yet tested completely", ...'

read: '... "Caution — substance not yet fully tested" ...'
