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I

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

REGULATIONS

COMMISSION REGULATION (EC) No 584/2007**of 30 May 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 31 May 2007.

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

Done at Brussels, 30 May 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 30 May 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	MA	38,7
	TR	107,0
	ZZ	72,9
0707 00 05	JO	151,2
	TR	113,7
	ZZ	132,5
0709 90 70	TR	109,1
	ZZ	109,1
0805 10 20	EG	43,9
	IL	42,8
	MA	46,4
	ZA	79,3
	ZZ	53,1
0805 50 10	AR	39,5
	ZA	66,7
	ZZ	53,1
0808 10 80	AR	84,5
	BR	75,8
	CL	76,9
	CN	71,2
	NZ	109,2
	US	124,6
	UY	46,9
	ZA	95,0
	ZZ	85,5
0809 20 95	TR	497,4
	US	269,7
	ZZ	383,6

⁽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 585/2007**of 30 May 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 582/2007 ⁽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 31 May 2007.

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

Done at Brussels, 30 May 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 138, 30.5.2007, p. 5.

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 31 May 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⁾	20,44	6,08
1701 11 90 ⁽¹⁾	20,44	11,64
1701 12 10 ⁽¹⁾	20,44	5,89
1701 12 90 ⁽¹⁾	20,44	11,12
1701 91 00 ⁽²⁾	25,33	12,68
1701 99 10 ⁽²⁾	25,33	8,05
1701 99 90 ⁽²⁾	25,33	8,05
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 586/2007**of 30 May 2007****amending Regulation (EC) No 1445/95 on rules of application for import and export licences in the beef and veal sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal⁽¹⁾, and in particular Article 29(2) and Article 33(12) thereof,

Whereas:

(1) Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽²⁾ sets out the conditions for the operation of the system of import and export licences in the beef and veal sector.

(2) Exports in the beef and veal sector have been declining steadily since 2000. Applications for licences for exports with or without refund have been used, *inter alia*, for monitoring Community exports. In current circumstances, for the purposes of good management, it is still essential to monitor the trend with respect to licence applications for exports with refund. On the other hand, it is no longer necessary to monitor exports without refund. Therefore, in the interests of simplification, the obligation to present an export certificate should be limited to exports for which a refund is claimed.

(3) Following the most recent amendment to Commission Regulation (EEC) 2973/79 of 21 December 1979 laying down detailed rules for the application of granting of assistance for the export of beef and veal products which may benefit from a special import treatment in a third country⁽³⁾, the annual quota of 5 000 tonnes of fresh, chilled or frozen beef for export to the United States of America is no longer divided into three-

month periods. The current terms and conditions for applying for and issuing export licences should therefore be adapted to this new situation.

(4) In order to be consistent, the terms and conditions for applying for and issuing export licences for beef and veal products which may benefit from a special import treatment in Canada should also be adapted.

(5) Member States shall notify to the Commission, once a week, on Monday by 13.00, licence applications lodged by operators during the preceding week. In order to be consistent with the rules in force in other meat sectors, in the case of beef and veal Member States should be required to notify licence applications lodged by operators from Monday to Friday in any given week on the Friday afternoon of that week.

(6) Regulation (EC) No 1445/95 should be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1445/95 is amended as follows:

1. Article 7 is replaced by the following:

'Article 7

Without prejudice to Article 5(1) of Regulation (EC) No 1291/2000, all exports of beef and veal products for which an export refund is claimed shall require presentation of an export licence with advance fixing of the refund, in accordance with the provisions of Articles 8 to 13 of this Regulation.'

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 143, 27.6.1995, p. 35. Regulation as last amended by Regulation (EC) No 1965/2006 (OJ L 408, 30.12.2006, p. 27).

⁽³⁾ OJ L 336, 29.12.1979, p. 44. Regulation as last amended by Regulation (EC) No 1234/2006 (OJ L 225, 17.8.2006, p. 21).

2. Article 7a is deleted.
3. Article 8(2) is deleted.
4. Article 9(2) is deleted.
5. Article 12 is amended as follows:
- (a) paragraph 6 is deleted;
 - (b) paragraph 7 is replaced by the following:

‘7. Member States shall communicate to the Commission:

 - by 18.00 (Brussels time) on each working day, the total quantity of products for which applications have been lodged,
 - no later than the end of the month in which the applications were lodged, a list of applicants.’
 - (c) paragraph 9 is replaced by the following:

‘9. Licences shall be issued on the 10th working day following the date on which the application was lodged. No licences shall be issued for applications which have not been transmitted to the Commission.’
6. Article 12a is amended as follows:
- (a) paragraph 7 is replaced by the following:

‘7. Member States shall communicate to the Commission:

 - by 6 p.m. (Brussels time) on each working day, the total quantity of products for which applications have been lodged,
 - no later than the end of the month in which the applications were lodged, a list of applicants.’
 - (b) paragraph 9 is replaced by the following:

‘9. Licences shall be issued on the 10th working day following the date on which the application is lodged. No licences shall be issued for applications which have not been transmitted to the Commission.’
7. Article 13(1) and (2) are replaced by the following:
- ‘1. Member States shall notify to the Commission:
- (a) every Friday from 13.00:
 - (i) applications for licences with advance fixing of the refund as referred to in Article 8(1) or the fact that no applications were lodged from Monday to Friday that week;
 - (ii) applications for certificates as referred to in Article 49 of Regulation (EC) No 1291/2000 or the fact that no applications were lodged from Monday to Friday that week;
 - (iii) the quantities for which licences have been issued pursuant to Article 10(5) of this Regulation or the fact that no licences were issued from Monday to Friday that week;
 - (iv) the quantities for which certificates have been issued in respect of applications covered by Article 49 of Regulation (EC) No 1291/2000, indicating the date on which the application was lodged and the country of destination, from Monday to Friday that week;
 - (v) the quantities for which export licence applications have been withdrawn pursuant to Article 10(4) of this Regulation, during that week.
- (b) before the 15th day of each month for the previous month:
- (i) applications for licences as referred to in Article 16 of Regulation (EC) No 1291/2000;
 - (ii) the quantities for which licences have been issued pursuant to Article 8(1) of this Regulation and not used.
2. Notifications pursuant to paragraph 1 shall specify:
- (a) the quantity by weight of product for each category referred to in Article 8(4);
 - (b) the quantity breakdown by destination for each category.
- Notifications pursuant to paragraph 1(b)(ii) shall also specify the refund amount involved for each category.’

8. Annex IV is replaced by the Annex to this Regulation.

Article 2

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

Licences for exports for which a refund is not claimed may, if they were issued before the entry into force of this Regulation and are due to expire after that date, be returned to the competent national authority. By way of derogation from Article 35(2) of Regulation (EC) No 1291/2000, in cases where less than 95 % of the quantity indicated in the licence has been exported, the security corresponding to these licences shall not be forfeit.

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

Done at Brussels, 30 May 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

'ANNEX IV

COMMISSION OF THE EUROPEAN COMMUNITIES DG AGRI/D/2 — beef and veal sector

Export licence notifications — beef/veal

Sender:

Date:

Member State:

Contact official:

Tel.:

Fax:

Addressee: DG AGRI/D/2

Fax : (32 2) 292 17 22

E-mail: AGRI-EXP-BOVINE@ec.europa.eu

Part A — Friday notifications

Period from to

1) Article 13(1)(a)(i)

Category	Quantity requested	Destination ⁽¹⁾

⁽¹⁾ Use destination codes given in the Annex to Commission Regulation (EC) No 3478/93 (OJ L 317, 18.12.1993, p. 32). Where no code is given for the destination, spell it out in full.

2) Article 13(1)(a)(ii)

Category	Quantity requested	Destination ⁽¹⁾

⁽¹⁾ Use destination codes given in the Annex to Commission Regulation (EC) No 3478/93 (OJ L 317, 18.12.1993, p. 32). Where no code is given for the destination, spell it out in full.

3) Article 13(1)(a)(iii)

Category	Quantity issued	Date application lodged	Destination ⁽¹⁾

⁽¹⁾ Use destination codes given in the Annex to Commission Regulation (EC) No 3478/93 (OJ L 317, 18.12.1993, p. 32). Where no code is given for the destination, spell it out in full.

4) Article 13(1)(a)(iv)

Category	Quantity issued	Date application lodged	Destination ⁽¹⁾

⁽¹⁾ Use destination codes given in the Annex to Commission Regulation (EC) No 3478/93 (OJ L 317, 18.12.1993, p. 32). Where no code is given for the destination, spell it out in full.

5) Article 13(1)(a)(v)

Category	Quantity requested	Destination ⁽¹⁾

⁽¹⁾ Use destination codes given in the Annex to Commission Regulation (EC) No 3478/93 (OJ L 317, 18.12.1993, p. 32). Where no code is given for the destination, spell it out in full.

Part B — monthly notifications

1) Article 13(1)(b)(i)

Category	Quantity requested	Destination ⁽¹⁾

⁽¹⁾ Use destination codes given in the Annex to Commission Regulation (EC) No 3478/93 (OJ L 317, 18.12.1993, p. 32). Where no code is given for the destination, spell it out in full.

2) Article 13(1)(b)(ii)

Category	Quantity unused	Destination ⁽¹⁾	Refund amount

⁽¹⁾ Use destination codes given in the Annex to Commission Regulation (EC) No 3478/93 (OJ L 317, 18.12.1993, p. 32). Where no code is given for the destination, spell it out in full.

COMMISSION REGULATION (EC) No 587/2007**of 30 May 2007****laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards the granting of private storage aid for certain cheeses in the 2007/2008 storage period**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

(1) Under Article 9 of Regulation (EC) No 1255/1999, private storage aid may be granted for long-keeping cheeses and for cheeses which are manufactured from sheep's and/or goat's milk and require at least six months for maturing, if for those cheeses price developments and the stock situation indicate a serious imbalance of the market which may be eliminated or reduced by seasonal storage.

(2) The seasonal nature of the production of certain long-keeping cheeses and Pecorino Romano, Kefalotyri and Kasseri cheese is aggravated by the fact that the seasonality of consumption is the inverse of the seasonality of production. The fragmented production of such cheeses further aggravates the consequences of that seasonality. Therefore, provision should be made for recourse to seasonal storage in respect of a quantity corresponding to the difference between summer and winter production.

(3) The types of cheeses eligible for aid and the maximum quantities which may qualify for it should be laid down, as well as the duration of the contracts in relation to the real requirements of the market and the keeping qualities of the cheeses in question.

(4) It is necessary to specify the terms of the storage contract and the essential measures to enable the cheese covered by a contract to be identified and subjected to checks.

The amount of aid should be fixed taking into account the storage costs and the balance to be maintained between cheeses qualifying for the aid and other cheeses marketed. In view of these elements, and of the available resources, the total amount of aid should not be changed.

(5) Detailed rules should also be laid down regarding documentation, accounting and the frequency and nature of checks. In this connection, it should be laid down that the Member States may charge the costs of checks fully or in part to the contractor.

(6) It should be clarified that only whole cheeses are eligible for the private storage aid.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter**

This Regulation lays down the detailed rules for granting Community aid for private storage of certain cheeses (hereinafter referred to as aid) pursuant to Article 9 of Regulation (EC) No 1255/1999 during the 2007/2008 storage period.

*Article 2***Definitions**

For the purpose of this Regulation:

(a) 'storage lot' means a quantity of cheese weighing at least two tonnes, of the same type and taken into storage in a single storage depot on a single day;

(b) 'day of commencement of contractual storage' means the day following that of entry into storage;

(c) 'last day of contractual storage' means the day before that of removal from storage;

(d) 'storage period' means the period during which the cheese can be covered by the private storage scheme, as specified for each type of cheese in the Annex.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

*Article 3***Cheeses eligible for aid**

1. Aid shall be granted in respect of certain long-keeping cheeses, Pecorino Romano, Kefalotyri and Kasseri cheese under the terms laid down in the Annex. Only whole cheeses are eligible.

2. The cheeses must have been manufactured in the Community and satisfy the following conditions:

- (a) be indelibly marked with an indication of the undertaking in which they were manufactured and of the day and month of manufacture; the above details may be in code form;
- (b) have undergone quality tests which establish their classification after maturing in the categories laid down in the Annex.

*Article 4***Storage contract**

1. Contracts relating to the private storage of cheese shall be concluded between the intervention agency of the Member State on whose territory the cheese is stored and natural or legal persons, hereinafter called 'contractors'.

2. Storage contracts shall be drawn up in writing on the basis of an application to draw up a contract.

Applications must reach intervention agencies within no more than 30 days of the date of entry into storage and may relate only to lots of cheese which have been fully taken into storage. The intervention agencies shall register the date on which each application is received.

If the application reaches the intervention agency within 10 working days following the deadline, the storage contract may still be concluded but the aid shall be reduced by 30 %.

3. Storage contracts shall be concluded for one or more storage lots and shall include, in particular, provisions concerning:

- (a) the quantity of cheese to which the contract applies;

- (b) the dates relating to the execution of the contract;

- (c) the amount of aid;

- (d) the identity of the storage depots.

4. Storage contracts shall be concluded within no more than 30 days of the date of registration of the application to draw up a contract.

5. Inspection measures, particularly those referred to in Article 7, shall be the subject of specifications drawn up by the intervention agency. The storage contract shall refer to those specifications.

*Article 5***Entry into and removal from storage**

1. The periods of entry into and removal from storage shall be as laid down in the Annex.

2. Removal from storage shall be in whole storage lots.

3. Where, at the end of the first 60 days of contractual storage, the deterioration in the quality of the cheese is greater than is normal in store, contractors may be authorised, once per storage lot, to replace the defective quantity, at their own expense.

If checks during storage or on removal from storage reveal defective quantities, no aid may be paid for those quantities. In addition, the part of the lot which is still eligible for aid may not be less than two tonnes.

The second subparagraph shall apply where part of a lot is removed before the start of the period of removal from storage referred to in paragraph 1 or before expiry of the minimum storage period referred to in Article 8(2).

4. For the purpose of calculating the aid in the case referred to in the first subparagraph of paragraph 3, the first day of contractual storage shall be the day of commencement of contractual storage.

*Article 6***Storage conditions**

1. The Member State shall ensure that all the conditions granting entitlement to payment of the aid are fulfilled.

2. The contractor or, at the request of the Member State or with its authorisation, the person responsible for the storage depot shall make available to the competent authority responsible for inspection any documentation permitting verification of the following particulars of products placed in private storage:

- (a) ownership at the time of entry in storage;
- (b) the origin and the date of manufacture of the cheeses;
- (c) the date of entry in storage;
- (d) presence in the store and the address of the store;
- (e) the date of removal from storage.

3. The contractor or, where applicable, the person responsible for the storage depot shall keep stock records available at the depot for each contract, covering:

- (a) the identification, by storage lot number, of the products placed in private storage;
- (b) the dates of entry into and removal from storage;
- (c) the number of cheeses and their weight by storage lot;
- (d) the location of the products in the store.

4. Products stored must be easily identifiable, easily accessible and identified individually by contract. A special mark shall be affixed to stored cheeses.

*Article 7***Checks**

1. On entry into storage the competent agency shall conduct checks, in particular to ensure that products stored are eligible for the aid and to prevent any possibility of substitution of products during storage under contract.

2. The competent agency shall make an unannounced check, by sampling, to ensure that the products are present in the

storage depot. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure.

Such checks must include, in addition to an examination of the accounts referred to in Article 6(3), a physical check of the weight and type of products and their identification. Such physical checks must relate to at least 5 % of the quantity subjected to the unannounced check.

3. At the end of the contractual storage period, the competent agency shall check to see that the products are present. However, where the products are still in storage after expiry of the maximum contractual storage period, this check may be made when the products are removed from storage.

For the purposes of the check referred to in the first subparagraph, the contractor shall notify the competent authority, indicating the storage lots concerned, at least five working days before the expiry of the contractual storage period or the start of the removal operations, where these take place during or after the contractual storage period.

The Member State may accept a shorter time-limit than the five working days specified in the second subparagraph.

4. A report shall be drawn up on the checks carried out pursuant to paragraphs 1, 2 and 3, specifying:

- (a) the date of the check;
- (b) its duration;
- (c) the operations carried out.

The report must be signed by the inspector responsible and countersigned by the contractor or, as the case may be, the person responsible for the storage depot, and must be included in the payment dossier.

5. In the case of irregularities affecting at least 5 % of the quantities of products checked, the check shall be extended to a larger sample to be determined by the competent authority.

The Member States shall notify such cases to the Commission within four weeks.

6. Member States may provide that the costs of checks are to be fully or in part charged to the contractor.

*Article 8***Storage aid**

1. The aid shall be as follows:

- (i) EUR 0,38 per tonne per day of contractual storage for long-keeping cheeses;
- (ii) EUR 0,45 per tonne per day of contractual storage for Pecorino Romano;
- (iii) EUR 0,59 per tonne per day of contractual storage for Kefalotyri and Kasseri.

2. No aid shall be granted in respect of storage under contract for less than 60 days. The maximum aid payable shall not exceed an amount corresponding to 180 days' storage under contract.

Where the contractor fails to comply with the time-limit referred to in the second or, as the case may be, third subparagraph of Article 7(3), the aid shall be reduced by 15 % and shall be paid only in respect of the period for which the contractor supplies satisfactory proof to the competent agency that the cheeses have remained in contractual storage.

3. The aid shall be paid on application by the contractor, at the end of the contractual storage period, within 120 days of receipt of the application, provided that the checks referred to in Article 7(3) have been carried out and that the conditions for entitlement to the aid have been met.

However, if it has been necessary to commence an administrative inquiry into entitlement to the aid, payment shall not be made until entitlement has been recognised.

*Article 9***Entry into force**

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

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

Done at Brussels, 30 May 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

Categories of cheeses	Quantities eligible for aid	Minimum age for cheeses	Period of entry into storage	Period of removal from storage
French long-keeping cheeses: — protected designation of origin Beaufort and Comté cheeses — 'Label Rouge' Emmental grand cru — class A or B Emmental and Gruyère cheeses	16 000 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
German long-keeping cheeses: 'Markenkäse' or 'Klasse fein' Emmentaler/Bergkäse	1 000 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Irish long-keeping cheeses: Irish long-keeping cheese. Emmental, special grade	900 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Austrian long-keeping cheeses: 1. Güteklasse Emmentaler/ Bergkäse/Alpkäse	1 700 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Finnish long-keeping cheeses: 'I luokka'	1 700 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Swedish long-keeping cheeses: 'Västerbotten/Prästost/Svecia/Grevé'	1 700 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Polish long-keeping cheeses: 'Podlaski/Piwny/Ementalski/Ser Corregio/Bursztyn/Wielkopolski'	3 000 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Slovenian long-keeping cheeses: 'Ementalec/Zbrinc'	200 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Lithuanian long-keeping cheeses: 'Goja/Džiugas'	700 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Latvian long-keeping cheeses: 'Rigamond, Ementāles tipa un Ekstra klases siers'	500 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008
Hungarian long-keeping cheeses: 'Hajdú'	300 t	10 days	From 1 June to 30 September 2007	From 1 October 2007 to 31 March 2008

Categories of cheeses	Quantities eligible for aid	Minimum age for cheeses	Period of entry into storage	Period of removal from storage
Pecorino Romano	19 000 t	90 days and produced after 1 October 2006	From 1 June to 31 December 2007	Before 31 March 2008
Kefalotyri and Kasseri made from sheep's or goat's milk or a mixture of the two	2 500 t	90 days and produced after 30 November 2006	From 1 June to 30 November 2007	Before 31 March 2008

COMMISSION REGULATION (EC) No 588/2007**of 30 May 2007****amending Regulation (EC) No 2659/94 on detailed rules for the granting of private storage aid for
Grana padano, Parmigiano-Reggiano and Provolone cheeses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10(b) thereof,

Whereas:

(1) Article 6(1) of Commission Regulation (EC) No 2659/94 ⁽²⁾ lays down the amounts of private storage aid for Grana padano, Parmigiano-Reggiano and Provolone cheeses. In view of the financial resources available, the development in storage costs and the market price forecasts, need to be reflected in the total amount of aid. At the same time it does not seem appropriate to differentiate the component of the aid.

(2) Regulation (EC) No 2659/94 should be amended accordingly.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk products,

HAS ADOPTED THIS REGULATION:

Article 1

Article 6(1) of Regulation (EC) No 2659/94 is replaced by the following:

‘1. The amount of private storage aid for cheese shall be as follows:

- EUR 0,48 per tonne per day of storage for Grana Padano,
- EUR 0,56 per tonne per day of storage for Parmigiano-Reggiano,
- EUR 0,40 per tonne per day of storage for Provolone.’

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, 30 May 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 284, 1.11.1994, p. 26. Regulation as last amended by Regulation (EC) No 735/2006 (OJ L 129, 17.5.2006, p. 9).

COMMISSION REGULATION (EC) No 589/2007**of 30 May 2007****amending Regulation (EC) No 1555/96 as regards the trigger levels for additional duties on tomatoes, apricots, lemons, plums, peaches, including nectarines, pears and table grapes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular Article 33(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1555/96 of 30 July 1996 on rules of application for additional import duties on fruit and vegetables ⁽²⁾ provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules laid down in Article 308d of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾.

(2) For the purposes of Article 5(4) of the Agreement on Agriculture ⁽⁴⁾ concluded during the Uruguay Round of multilateral trade negotiations and in the light of the

latest data available for 2004, 2005 and 2006, the trigger levels for additional duties on tomatoes, apricots, lemons, plums, peaches, including nectarines, pears and table grapes.

(3) As a result, Regulation (EC) No 1555/96 should be amended.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1555/96 is hereby replaced by the Annex hereto.

Article 2

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

It shall apply from 1 June 2007.

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

Done at Brussels, 30 May 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 193, 3.8.1996, p. 1. Regulation as last amended by Regulation (EC) No 480/2007 (OJ L 111, 28.4.2007, p. 48).

⁽³⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 214/2007 (OJ L 62, 1.3.2007, p. 6).

⁽⁴⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

‘ANNEX

Without prejudice to the rules governing the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	0702 00 00	Tomatoes	— 1 October to 31 May	325 524
78.0020			— 1 June to 30 September	25 110
78.0065	0707 00 05	Cucumbers	— 1 May to 31 October	3 462
78.0075			— 1 November to 30 April	7 332
78.0085	0709 90 80	Artichokes	— 1 November to 30 June	5 770
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	37 250
78.0110	0805 10 20	Oranges	— 1 December to 31 May	271 744
78.0120	0805 20 10	Clementines	— 1 November to end of February	116 637
78.0130	0805 20 30 0805 20 50 0805 20 70 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	91 359
78.0155	0805 50 10	Lemons	— 1 June to 31 December	326 811
78.0160			— 1 January to 31 May	61 504
78.0170	0806 10 10	Table grapes	— 21 July to 20 November	70 731
78.0175	0808 10 80	Apples	— 1 January to 31 August	1 026 501
78.0180			— 1 September to 31 December	51 941
78.0220	0808 20 50	Pears	— 1 January to 30 April	239 427
78.0235			— 1 July to 31 December	35 716
78.0250	0809 10 00	Apricots	— 1 June to 31 July	14 163
78.0265	0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	114 530
78.0270	0809 30	Peaches, including nectarines	— 11 June to 30 September	11 980
78.0280	0809 40 05	Plums	— 11 June to 30 September	5 806'

COMMISSION REGULATION (EC) No 590/2007**of 30 May 2007****on the issue of system B export licences in the fruit and vegetables sector (tomatoes)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽²⁾, and in particular Article 6(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 134/2007 ⁽³⁾ fixes the indicative quantities for which system B export licences may be issued.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for

tomatoes will shortly be exceeded. This overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for tomatoes after 30 May 2007 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for tomatoes submitted pursuant to Article 1 of Regulation (EC) No 134/2007, export declarations for which are accepted after 30 May and before 1 July 2007, are hereby rejected.

Article 2

This Regulation shall enter into force on 31 May 2007.

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

Done at Brussels, 30 May 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 548/2007 (OJ L 130, 22.5.2007, p. 3).

⁽³⁾ OJ L 42, 14.2.2007, p. 16, as corrected by OJ L 52, 21.2.2007, p. 12.

COMMISSION REGULATION (EC) No 591/2007**of 30 May 2007****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending
Regulation (EC) No 1484/95**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽³⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽⁴⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

- (2) It results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin. Therefore, representative prices should be published.

- (3) It is necessary to apply this amendment as soon as possible, given the situation on the market.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 31 May 2007.

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

Done at Brussels, 30 May 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 679/2006 (OJ L 119, 4.5.2006, p. 1).

⁽²⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006.

⁽³⁾ OJ L 282, 1.11.1975, p. 104. Regulation as last amended by Commission Regulation (EC) No 2916/95 (OJ L 305, 19.12.1995, p. 49).

⁽⁴⁾ OJ L 145, 29.6.1995, p. 47. Regulation as last amended by Regulation (EC) No 422/2007 (OJ L 102, 19.4.2007, p. 12).

ANNEX

to the Commission Regulation of 30 May 2007 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security referred to in Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 90	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens”, or otherwise presented, frozen	104,2	4	01
		103,9	4	02
0207 14 10	Boneless cuts of fowl of the species <i>Gallus domesticus</i> , frozen	225,0	23	01
		238,9	18	02
		311,9	0	03
0207 25 10	Turkey carcasses, known as 80 % turkeys, frozen	129,1	9	01
0207 27 10	Boneless cuts of turkey, frozen	258,9	11	01
		269,4	8	03
1602 32 11	Preparations of uncooked fowl of the species <i>Gallus domesticus</i>	242,0	13	01

⁽¹⁾ Origin of imports:

- 01 Brazil
- 02 Argentina
- 03 Chile.

DIRECTIVES

COMMISSION DIRECTIVE 2007/29/EC

of 30 May 2007

amending Directive 96/8/EC as regards labelling, advertising or presenting foods intended for use in energy-restricted diets for weight reduction

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

(1) Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods ⁽²⁾ shall apply from 1 July 2007. It shall apply to foods intended for use in energy-restricted diets for weight reduction but without prejudice to the specific rules of Commission Directive 96/8/EC of 26 February 1996 on foods intended for use in energy-restricted diets for weight reduction ⁽³⁾.

(2) Directive 96/8/EC provides that the labelling, advertising and presentation of the products covered by that Directive shall not make any reference to the rate or amount of weight loss which may result from their use or to a reduction in the sense of hunger or an increase in the sense of satiety.

(3) Article 13(1)(c) of Regulation (EC) No 1924/2006 allows the use on foods of health claims describing or referring in particular to a reduction in the sense of hunger or an increase in the sense of satiety under specified conditions.

⁽¹⁾ OJ L 186, 30.6.1989, p. 27. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 404, 30.12.2006, p. 9. Regulation as corrected by OJ L 12, 8.1.2007, p. 3.

⁽³⁾ OJ L 55, 6.3.1996, p. 22.

(4) Allowing claims referring to a reduction in the sense of hunger or an increase in the sense of satiety under the condition that such claims are based on generally accepted scientific evidence and are well understood by the average consumer reflects the evolution in the range and properties of products.

(5) This reasoning is all the more relevant to products for use in energy-restricted diets for weight reduction. Therefore the use of such claims should no longer be prohibited provided that the conditions laid down in Article 13, paragraph 1 of Regulation 1924/2006/EC are fulfilled.

(6) 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

In Article 5 of Directive 96/8/EC, paragraph 3 is replaced by the following:

‘3. The labelling, advertising and presentation of the products concerned shall not make any reference to the rate or amount of weight loss which may result from their use.’

*Article 2***Transposition**

1. Member States shall adopt and publish, by 30 November 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 July 2007.

When Member States adopt those provisions, 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.

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

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 30 May 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 25 May 2007

**on emergency measures to prevent the introduction into and the spread within the Community of
Rhynchophorus ferrugineus (Olivier)**

(notified under document number C(2007) 2161)

(2007/365/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 third sentence of Article 16(3), thereof,

Whereas:

- (1) Under Directive 2000/29/EC, where a Member State considers that there is a danger of introduction into or spread within its territory of a harmful organism not listed in Annexes I or II to that Directive, it may temporarily take any additional measures necessary to protect itself from that danger.
- (2) As a result of the presence of *Rhynchophorus ferrugineus* (Olivier) (the specified organism) in the south of the Iberian Peninsula, Spain informed the Commission and the other Member States on 27 June 2006 that, on 6 June 2006, it had adopted additional official measures to prevent the further introduction into and spread within its territory of that specified organism.
- (3) *Rhynchophorus ferrugineus* (Olivier) is not listed in Annexes I or II to Directive 2000/29/EC. However, a report of a pest-risk assessment based on the limited scientific infor-

mation available has demonstrated that this specified organism causes severe tree damage including significant mortality on specific plant species, belonging to the Palmae family and restricted to plant sizes with a diameter of the stem at the base of over 5 cm (susceptible plants). The susceptible plants are present in many parts of Europe, mainly in the south where they are planted in large numbers for ornamental purposes and where they are of high environmental importance.

- (4) It is therefore necessary to take emergency measures against the introduction into and spread within the Community of the specified organism.
- (5) Those emergency measures should apply to the introduction and the spread of the specified organism, the demarcation of areas in the Community where the specified organism is present, the import, production, movement and control of susceptible plants in the Community. A survey to check for the presence or continued absence of the specified organism should be carried out on all plants of Palmae in the Member States to collect more scientific information about the susceptibility of plants.
- (6) It is appropriate that the results of the measures be reviewed by 31 March 2008 taking into account the experiences from the first growing season under the emergency measures.
- (7) Member States should, if necessary, adapt their legislation in order to comply with this Decision.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

⁽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).

HAS ADOPTED THIS DECISION:

Article 1

Definitions

For the purpose of this Decision, the following definitions shall apply:

- (a) 'specified organism' means *Rhynchophorus ferrugineus* (Olivier);
- (b) 'susceptible plants' means plants, other than fruit and seeds, having a diameter of the stem at the base of over 5 cm of *Areca catechu*, *Arenga pinnata*, *Borassus flabellifer*, *Calamus merillii*, *Caryota maxima*, *Caryota cumingii*, *Cocos nucifera*, *Corypha gebanga*, *Corypha elata*, *Elaeis guineensis*, *Livistona decipiens*, *Metroxylon sagu*, *Oreodoxa regia*, *Phoenix canariensis*, *Phoenix dactylifera*, *Phoenix theophrasti*, *Phoenix sylvestris*, *Sabal umbraculifera*, *Trachycarpus fortunei* and *Washingtonia* spp.;
- (c) 'place of production' means the place of production as defined in the FAO International Standard for Phytosanitary Measures No 5 ⁽¹⁾.

Article 2

Emergency measures against the specified organism

The introduction into and spread within the Community of the specified organism shall be prohibited.

Article 3

Import of susceptible plants

Susceptible plants may be introduced into the Community only if:

- (a) they comply with the specific import requirements in point 1 of Annex I;
- (b) they are, on entry into the Community, inspected by the responsible official body for the presence of the specified organism, in accordance with Article 13a(1) of Directive 2000/29/EC, and no signs of the specified organism have been found.

Article 4

Movement of susceptible plants within the Community

Susceptible plants originating in the Community or imported into the Community in accordance with Article 3 may be moved within the Community only if they meet the conditions in point 2 of Annex I.

Article 5

Surveys and notifications

1. Member States shall conduct official annual surveys for the presence of the specified organism or evidence of infection by the specified organism on plants of Palmae in their territory.

Without prejudice to Article 16(2) of Directive 2000/29/EC, the results of those surveys, together with the list of demarcated areas referred to in Article 6, shall be notified to the Commission and to the other Member States by 28 February of each year.

2. Any suspected occurrence or confirmed presence of the specified organism shall immediately be notified to the responsible official bodies.

Article 6

Establishment of demarcated areas

When the results of the surveys referred to in Article 5(1) or the notifications referred to in Article 5(2) confirm the presence of the specified organism in an area, or there is evidence of the presence of the specified organism by other means, Member States shall define demarcated areas and take official measures as laid down in points 1 and 2 respectively of Annex II.

Article 7

Compliance

Member States shall, if necessary, amend the measures which they have adopted to protect themselves against the introduction and spread of the specified organism in such a manner that those measures comply with this Decision. They shall immediately inform the Commission of those measures.

Article 8

Review

This Decision shall be reviewed by 31 March 2008 at the latest.

Article 9

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 25 May 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ Glossary of Phytosanitary Terms — Reference Standard ISPM No 5 by the Secretariat of the International Plant Protection Convention, Rome.

ANNEX I

Emergency measures referred to in Articles 3 and 4 of this Decision**1. Specific import requirements**

Without prejudice to the provisions listed in Annex III, Part A(17) and Annex IV, Part A(I)(37) to Directive 2000/29/EC, susceptible plants originating in third countries shall be accompanied by a certificate as referred to in Article 13(1) of that Directive which states under the rubric 'Additional declaration' that the susceptible plants, including those collected from natural habitats:

- (a) have been grown throughout their life in a country where the specified organism is not known to occur; or
- (b) have been grown throughout their life in a pest-free area, established by the national plant protection organisation in the country of origin in accordance with relevant International Standards for Phytosanitary Measures; under the rubric 'place of origin' the name of the pest-free area shall be mentioned; or
- (c) have, during a period of at least one year prior to export, been grown in a place of production:
 - (i) which is registered and supervised by the national plant protection organisation in the country of origin, and
 - (ii) where the plants were placed in a site with complete physical protection against the introduction of the specified organism or application of appropriate preventive treatments, and
 - (iii) where, during official inspections carried out at least every three months and immediately prior to export, no signs of the specified organism have been observed.

2. Conditions for movement

Susceptible plants either originating in the Community or imported into the Community in accordance with Article 3, may be moved within the Community only if they are accompanied by a plant passport prepared and issued in accordance with Commission Directive 92/105/EEC⁽¹⁾, and have been grown:

- (a) throughout their life in a Member State or third country where the specified organism is not known to occur; or
 - (b) throughout their life in a place of production in a pest-free area, established by the responsible official body in a Member State or by the national plant protection organisation in a third country, in accordance with relevant International Standards for Phytosanitary Measures; or
 - (c) in a place of production in a Member State during a period of two years prior to the movement during which:
 - (i) the susceptible plants were placed in a site with complete physical protection against the introduction of the specified organism or application of appropriate preventive treatments, and
 - (ii) no signs of the specified organism have been observed in official inspections carried out at least every three months;
- or
- (d) if imported in accordance with point 1(c) of this Annex, have been grown since their introduction into the Community in a place of production in a Member State during a period of at least one year prior to the movement during which:
 - (i) the susceptible plants were placed in a site with complete physical protection against the introduction of the specified organism or application of appropriate preventive treatments, and
 - (ii) no signs of the specified organism have been observed in official inspections carried out at least every three months.

⁽¹⁾ OJ L 4, 8.1.1993, p. 22. Directive as amended by Directive 2005/17/EC (OJ L 57, 3.3.2005, p. 23).

ANNEX II

Emergency measures referred to in Article 6 of this Decision**1. Establishment of demarcated areas**

(a) The demarcated areas referred to in Article 6 shall consist of the following parts:

(i) an infested zone where the presence of the specified organism has been confirmed and which includes all susceptible plants showing symptoms caused by the specified organism, and, where appropriate, all susceptible plants belonging to the same lot at the time of planting,

(ii) a buffer zone with a boundary at least 10 km beyond the boundary of the infested zone.

In cases where several buffer zones overlap or are geographically close, a wider demarcated area shall be defined which includes the relevant demarcated areas and the areas between them.

(b) The exact delimitation of the zones referred to in point (a) shall be based on sound scientific principles, the biology of the specified organism, the level of infestation, the period of the year and the particular distribution of susceptible plants in the Member State concerned.

(c) If the presence of the specified organism is confirmed outside the infested zone, the delimitation of the demarcated areas shall be changed accordingly.

(d) If, based on the annual surveys referred to in Article 5(1), the specified organism is not detected in a demarcated area for a period of three years, this area shall cease to exist and the measures referred to in point 2 of this Annex shall no longer be necessary.

2. Measures in demarcated areas

The official measures referred to in Article 6 to be taken in the demarcated areas, shall include at least the following:

(a) appropriate measures aiming at eradicating the specified organism;

(b) intensive monitoring for the presence of the specified organism by appropriate inspections.

COMMISSION DECISION

of 25 May 2007

concerning the non-inclusion of thiodicarb in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance

*(notified under document number C(2007) 2165)***(Text with EEA relevance)**

(2007/366/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

thiodicarb the rapporteur Member State was the United Kingdom and all relevant information was submitted on 19 January 2004.

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 the fourth subparagraph of Article 8(2) thereof,

Whereas:

- (1) Article 8(2) of Directive 91/414/EEC provides that a Member State may, during a period of 12 years following the notification of that Directive, authorise the placing on the market of plant protection products containing active substances not listed in Annex I of that Directive that are already on the market two years after the date of notification, while those substances are gradually being examined within the framework of a programme of work.
- (2) Commission Regulations (EC) No 451/2000 ⁽²⁾ and (EC) No 703/2001 ⁽³⁾ lay down the detailed rules for the implementation of the second stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list includes thiodicarb.
- (3) For thiodicarb the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulations (EC) No 451/2000 and (EC) No 703/2001 for a range of uses proposed by the notifier. Moreover, those Regulations designate the rapporteur Member States which have to submit the relevant assessment reports and recommendations to the European Food Safety Authority (EFSA) in accordance with Article 8(1) of Regulation (EC) No 451/2000. For

- (4) 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 14 December 2005 in the format of the EFSA conclusion regarding the peer review of the pesticide risk assessment of the active substance thiodicarb ⁽⁴⁾. This report has been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 14 July 2006 in the format of the Commission review report for thiodicarb.

- (5) During the evaluation of this active substance, a number of concerns were identified. The risk assessment for insecticidal use indicated an acute dietary risk for toddlers resulting from the consumption of treated table grapes and for adults resulting from the consumption of wine. Furthermore, the risk assessment for use of thiodicarb as a molluscicide has shown important data gaps, in particular as regards the operator exposure and possible groundwater contamination, and so it was not possible to conclude on the basis of the information available that thiodicarb met the criteria for inclusion in Annex I to Directive 91/414/EEC.

- (6) The Commission invited the notifier to submit its comments on the results of the peer review and on its intention or not to further support the substance. The notifier submitted its comments which have been carefully examined. However, despite the arguments put forward by the notifier, the concerns identified could not be eliminated, and assessments made on the basis of the information submitted and evaluated during the EFSA expert meetings have not demonstrated that it may be expected that, under the proposed conditions of use, plant protection products containing thiodicarb satisfy in general the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2007/25/EC (OJ L 106, 24.4.2007, p. 34).

⁽²⁾ OJ L 55, 29.2.2000, p. 25. Regulation as last amended by Regulation (EC) No 1044/2003 (OJ L 151, 19.6.2003, p. 32).

⁽³⁾ OJ L 98, 7.4.2001, p. 6.

⁽⁴⁾ EFSA Scientific Report (2005) 55, 1-76, 'Conclusion regarding the peer review of the pesticide risk assessment of the active substance thiodicarb'.

- (7) Thiodicarb should therefore not be included in Annex I to Directive 91/414/EEC.

HAS ADOPTED THIS DECISION:

Article 1

- (8) Measures should be taken to ensure that authorisations granted for plant protection products containing thiodicarb are withdrawn within a fixed period of time and are not renewed and that no new authorisations for such products are granted.

Thiodicarb shall not be included as an active substance in Annex I to Directive 91/414/EEC.

Article 2

Member States shall ensure that:

- (9) Any period of grace granted by a Member State for the disposal, storage, placing on the market and use of existing stocks of plant protection products containing thiodicarb, should be limited to 12 months in order to allow existing stocks to be used in one further growing season.

- (a) authorisations for plant protection products containing thiodicarb are withdrawn by 25 November 2007;

- (b) no authorisations for plant protection products containing thiodicarb are granted or renewed from the date of publication of this Decision.

Article 3

- (10) This Decision does not prejudice any action the Commission may undertake at a later stage for this active substance within the framework of Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances ⁽¹⁾.

Any period of grace granted by Member States, in accordance with the provisions of Article 4(6) of Directive 91/414/EEC, shall be as short as possible and shall expire on 25 November 2008 at the latest.

Article 4

- (11) This Decision does not prejudice the submission of an application for thiodicarb according to the provisions of Article 6(2) of Directive 91/414/EEC in view of a possible inclusion in its Annex I.

This Decision is addressed to the Member States.

Done at Brussels, 25 May 2007.

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

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 33, 8.2.1979, p. 36. Directive as last amended by Regulation (EC) No 850/2004 of the European Parliament and of the Council (OJ L 158, 30.4.2004, p. 7), corrected in OJ L 229, 29.6.2004, p. 5.

COMMISSION DECISION

of 25 May 2007

concerning a financial contribution by the Community to Italy for the implementation of a system for collection and analysis of epidemiological information on bluetongue

(notified under document number C(2007) 2166)

(Only the Italian text is authentic)

(2007/367/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, and in particular Articles 19 and 20 thereof,

Whereas:

(1) Bluetongue is a disease transmitted by insect vectors *Culicoides* spp. It is a trans-boundaries disease and individual national efforts are not sufficient for effective surveillance and control. An integrated approach at Community level is required to analyze both regional and global distribution of the bluetongue infection as well as of the competent *Culicoides* vectors. Therefore, the gathering and exchange of epidemiological information on bluetongue in the Member States is of fundamental importance to establish the appropriate measures for controlling the disease in this population and verifying their efficacy.

(2) The implementation of a Community surveillance network would enable an effective risk analysis on a Community scale and also a reduction of some of the costs that spare national systems would imply.

(3) In this context, the use of Geographic Information Systems (GIS) enhances data analysis capabilities and facilitates the understanding of disease dynamics and spread.

(4) The Istituto Zooprofilattico Sperimentale dell'Abruzzo e del Molise 'G. Caporale', Teramo Italy, that is a World Organisation for Animal Health (OIE) Collaborating Center for Veterinary Training, Epidemiology, Food Safety and Animal Welfare is in the process of estab-

lishing a web-based GIS to collect, store, and analyse bluetongue surveillance data (BlueTongue NETWORK application). This system can be shared with other Member States and third countries in order to verify its validity as a tool to control the disease and better understand disease dynamics and spread.

(5) A financial contribution should be granted for that project, as it may contribute to the development of Community legislation on bluetongue and eventually to better control the disease.

(6) Under Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽²⁾, veterinary measures are to be financed under the European Agricultural Guarantee Fund. For financial control purposes, Articles 9, 36 and 37 of that Regulation are to apply

(7) The payment of the financial contribution from the Community must be subject to the condition that the actions planned have actually been carried out and that the authorities supply all the necessary information.

(8) 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

1. The Community shall grant Italy financial assistance for its project of establishing a web-based system to collect, store, and analyse bluetongue surveillance data (BlueTongue NETWORK application) at the Istituto Zooprofilattico Sperimentale dell'Abruzzo e del Molise 'G. Caporale', Teramo Italy, as presented by Italy.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 209, 11.8.2005, p. 1. Regulation as last amended by Regulation (EC) No 378/2007 (OJ L 95, 5.4.2007, p. 1).

2. The following conditions must be fulfilled:

- (a) The system must be established and made available to all Member States at their request on 31 May 2007 at the latest;
- (b) Italy must forward a technical and financial report to the Commission on 30 September 2007 at the latest, the financial report accompanied by supporting documents justifying evidence as to the costs incurred and the results attained.

Article 2

1. The Community's financial assistance granted to Italy for the project referred to in Article 1 shall be at the rate of 100 % of the costs incurred for staff and the purchase equipments, including hardware and software and other consumables by the Istituto Zooprofilattico Sperimentale dell'Abruzzo e del Molise 'G. Caporale', Teramo Italy for the work referred to in Article 1(1) shall not exceed EUR 100 000.

2. The Community's financial assistance shall be paid as follows:

- (a) 70 % by way of an advance at the request of Italy;
- (b) the balance following presentation of the reports and supporting documents referred to Article 1(2)(b).

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 25 May 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

of 23 May 2007

appointing a Judge to the Court of First Instance of the European Communities

(2007/368/EC, Euratom)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 224 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 140 thereof,

Whereas:

In accordance with the provisions of the Treaties, every three years there is a partial replacement of the members of the Court of First Instance of the European Communities for a term of office of six years. For the period from 1 September 2007 to 31 August 2013, the Governments of the Member States should appoint a further Judge in addition to the 12 Judges appointed on 25 April 2007,

HAVE DECIDED AS FOLLOWS:

Article 1

Mr Santiago SOLDEVILA FRAGOSO is hereby appointed Judge to the Court of First Instance of the European Communities for the period from 1 September 2007 to 31 August 2013.

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 23 May 2007.

The President
W. SCHÖNFELDER

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2007/369/CFSP

of 30 May 2007

on establishment of the European Union Police Mission in Afghanistan

(EUPOL AFGANISTAN)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the European Union, and in particular Article 14 and the third subparagraph of Article 25 thereof,

Whereas:

- (1) On 16 November 2005, the Council agreed on the Joint Declaration 'Committing to a new EU Afghan Partnership' which stated the commitment of the European Union (EU) and the Government of the Islamic Republic of Afghanistan (the Government of Afghanistan) 'to a secure, stable, free, prosperous and democratic Afghanistan as laid out in the Afghan Constitution adopted on 4 January 2004 (14 Dalwa 1383). Both parties wish to see Afghanistan play a full and active role in the international community and are committed to building a prosperous future free from the threats of terrorism, extremism and organised crime'.
- (2) On 31 January 2006, the Afghanistan Compact (London) was launched. This Agreement affirmed the commitment of the Government of Afghanistan and the international community and established an effective mechanism for coordinating Afghan and international efforts over the next five years to work towards conditions where the Afghan people can live in peace and security under the rule of law, with good governance and human rights protection for all, and can enjoy sustainable economic and social development.
- (3) The Afghanistan Compact supports the Afghan Government's interim National Development Strategy (i-ANDS) which lays out their vision and investment priorities. The i-ANDS reflects a process of national consultation, underpinning the benchmarks in the Afghanistan Compact and the targets set in Afghanistan's Millennium Development Goals.
- (4) On 13 October 2006 the Joint EU Assessment Mission report was presented to the Political and Security Committee (PSC), containing an analysis of the situation of the rule of law in Afghanistan as well as recommendations for a way forward to strengthen the EU's contribution to the sector in Afghanistan and to make a strategic impact. The Joint Assessment Mission report recommended, *inter alia*, that the EU could consider contributing further to support the police sector through a police mission, and that a fact finding mission could be sent to Afghanistan in order to explore further the feasibility of such a mission.
- (5) A fact-finding mission was sent to Afghanistan between 27 November and 14 December 2006. Following on from its conclusions of 11 December 2006, on 12 February 2007, the Council approved the Crisis Management Concept (CMC) for an EU police mission to Afghanistan in the field of policing with linkages to the wider rule of law and agreed that the mission would provide added value. The mission will work towards an Afghan police force in local ownership, that respects human rights and operates within the framework of the rule of law. The mission should build on current efforts, and follow a comprehensive and strategic approach, in line with the CMC. In doing so, the mission should address issues of police reform at central, regional and provincial levels.

- (6) On 23 March 2007, the United Nations Security Council adopted Resolution 1746 (2007) on the extension of UN Assistance Mission in Afghanistan's (UNAMA) mandate, which, *inter alia*, welcomes the decision by the EU to establish a police mission in the field of policing with linkages to the wider rule of law and counter-narcotics, to assist and enhance current efforts in the area of police reform at central and provincial levels, and looks forward to the early launch of the mission.
- (7) On 23 April 2007, the Council approved the Concept of Operations (CONOPS) for an EU police mission to Afghanistan (EUPOL AFGHANISTAN) with linkages to the wider rule of law.
- (8) In a letter of invitation of 16 May 2007 the Government of Afghanistan invited the EU to launch an EU police mission to Afghanistan.
- (9) The EU police mission will be set in the wider context of the international community's effort to support the Government of Afghanistan in taking responsibility for strengthening the rule of law, and in particular, in improving its civil police and law enforcement capacity. Close coordination between the EU police mission and other international actors involved in security assistance, including the International Security Assistance Force (ISAF), as well as those providing support to police and rule of law reform in Afghanistan, will be ensured.
- (10) As stated in the CONOPS, and given the need for a tangible EU commitment to police reform, and the linkage to the objectives of the Afghanistan Compact, the envisaged minimum time frame of the mission shall be three years. Owing to the unpredictability of the situation and to the need to ensure a flexible approach, and in accordance with the assessment criteria set out in the CONOPS and in the OPLAN, the size and scope of the Mission should be subject to a six-monthly review.
- (11) The mandate of the Mission will be implemented in the context of a situation which may deteriorate and could harm the objectives of the Common Foreign and Security Policy (CFSP) as set out in Article 11 of the Treaty,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mission

1. The European Union hereby establishes a European Union Police Mission to Afghanistan ('EUPOL AFGHANISTAN' or the 'Mission') for a period of three years, comprising a planning

phase beginning on 30 May 2007, and an operational phase beginning no later than 15 June 2007.

2. EUPOL AFGHANISTAN shall operate in accordance with the objectives set out in Article 3 and carry out the tasks as set out in Article 4.

Article 2

Planning Phase

1. During the planning phase of the Mission, the Head of Mission shall be assisted by a planning team comprising the necessary staff to respond to Mission preparation needs.
2. The Head of Mission, assisted by the planning team, shall draw up the Operational Plan (OPLAN) and develop all technical instruments necessary to execute EUPOL AFGHANISTAN.
3. A comprehensive risk assessment shall be carried out as a priority in the planning process and shall be updated as necessary, focussing specifically on the security risks associated with Mission activities. The OPLAN shall take into account updated risk assessments and shall include a security plan.
4. During the Planning Phase, the Head of Mission shall work closely with the EU Special Representative (EUSR) for Afghanistan, the Commission and Member States currently involved in police reform in Afghanistan.
5. The Head of Mission shall work closely and coordinate with the Government of Afghanistan and relevant international actors, as appropriate, including NATO/ISAF, Provincial Reconstruction Team (PRT) Lead Nations, the UN (United Nations Assistance Mission Afghanistan (UNAMA)), and third states currently involved in police reform in Afghanistan.
6. The Council shall approve the OPLAN.

Article 3

Objectives

EUPOL AFGHANISTAN shall significantly contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system, in keeping with the policy advice and institution building work of the Community, Member States and other international actors. Further the Mission will support the reform process towards a trusted and efficient police service, which works in accordance with international standards, within the framework of the rule of law and respects human rights.

Article 4

Tasks

1. In order to fulfil the objectives set out in Article 3, EUPOL AFGHANISTAN shall:

- (a) work on strategy development, while placing an emphasis on work towards a joint overall strategy of the international community in police reform, taking into account the Afghanistan Compact and the i-ANDS;
- (b) support the Government of Afghanistan in coherently implementing their strategy;
- (c) improve cohesion and coordination among international actors; and
- (d) support linkages between the police and the wider rule of law.

These tasks will be further developed in the OPLAN.

2. EUPOL AFGHANISTAN shall be a non-executive Mission. It shall carry out its tasks through, amongst other means, monitoring, mentoring, advising and training.

3. EUPOL AFGHANISTAN shall, as appropriate, coordinate, facilitate and provide advice on projects implemented by Member States and third states under their responsibility, in areas related to the Mission and in support of its objectives.

Article 5

Structure of the Mission

1. The Mission will have its Head Quarters (HQ) in Kabul comprising:

- (i) the Head of Mission;
- (ii) Central Staff Advisers, including a Senior Mission Security Officer (SMSO);
- (iii) a Training Section;
- (iv) Advice and Mentoring Sections;
- (v) an Administration Department.

The Mission will include, as appropriate, a support element in Brussels.

2. Mission staff shall be deployed at the central, regional and provincial level in light of the security assessment. Technical arrangements will be sought with ISAF and Regional Command/PRT Lead Nations for information exchange, medical, security and logistical support including accommodation by Regional Commands and PRTs.

3. In addition, a number of Mission staff will be deployed to improve strategic coordination in police reform in Afghanistan, as appropriate, and in particular with the International Police Coordination Board Secretariat in Kabul.

Article 6

Head of Mission

1. Brigadier General Friedrich Eichele is hereby appointed Head of Mission of EUPOL AFGHANISTAN.

2. The Head of Mission shall exercise operational control over EUPOL AFGHANISTAN and assume its day-to-day management.

3. National authorities shall transfer operational control to the Head of Mission of EUPOL AFGHANISTAN.

4. The Head of Mission shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary action shall be exercised by the national or EU authority concerned.

5. For the purpose of implementing the Mission's budget, the Head of Mission shall sign a contract with the Commission.

6. The Head of Mission shall work closely with the EUSR.

7. The Head of Mission shall ensure that EUPOL AFGHANISTAN works closely and coordinates with the Government of Afghanistan and relevant international actors, as appropriate, including NATO/ISAF, Provincial Reconstruction Team (PRT) Lead Nations, the UN (United Nations Assistance Mission Afghanistan (UNAMA)), and third states currently involved in police reform in Afghanistan.

8. The Head of Mission shall ensure appropriate visibility of the Mission.

Article 7

Staff

1. The numbers and competence of EUPOL AFGHANISTAN staff shall be consistent with the objectives set out in Article 3, the tasks set out in Article 4 and the structure of the Mission set out in Article 5.

2. EUPOL AFGHANISTAN shall consist primarily of staff seconded by Member States or EU institutions.

3. Each Member State or EU institution shall bear the costs related to any of the staff seconded by it, including travel expenses to and from the place of deployment, salaries, medical coverage, and allowances, other than applicable per diems as well as hardship and risk allowances.

4. EUPOL AFGHANISTAN may also recruit international and local staff on a contractual basis as required.

5. All staff shall remain under the authority of the appropriate sending state or EU institution and shall carry out their duties and act in the interest of the Mission. All staff shall respect the security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations ⁽¹⁾.

Article 8

Status of EUPOL AFGHANISTAN staff

1. The status of EUPOL AFGHANISTAN staff in Afghanistan, including, where appropriate the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EUPOL AFGHANISTAN shall be laid down in an Agreement to be concluded in accordance with Article 24 of the Treaty. The Secretary-General/High Representative (SG/HR) assisting the Presidency may negotiate such arrangements on its behalf.

2. The State or EU institution having seconded a member of staff shall be responsible for answering any claims linked to the secondment, from or concerning the member of staff. The state or EU institution in question shall be responsible for bringing any action against the person seconded.

3. The conditions of employment and the rights and obligations of international and local civilian staff shall be laid down in contracts between the Head of Mission and the members of staff.

Article 9

Chain of Command

1. EUPOL AFGHANISTAN shall have a unified chain of command, as a crisis management operation.

2. The PSC shall exercise political control and strategic direction.

3. The SG/HR shall give guidance to the Head of Mission through the EUSR.

4. The Head of Mission will lead the Mission and assume its day-to-day management.

5. The Head of Mission will report to the SG/HR through the EUSR.

6. The EUSR will report to the Council through the SG/HR.

Article 10

Political control and strategic direction

1. The PSC shall exercise, under the responsibility of the Council, the political control and strategic direction of the Mission. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 25 of the Treaty. This authorisation shall include the power to amend the OPLAN and the chain of command. It shall also include powers to take subsequent decisions regarding the appointment of the Head of Mission. The Council, assisted by the SG/HR, shall decide on the objectives and termination of the Mission.

2. The PSC shall report to the Council at regular intervals.

3. The PSC shall receive reports by the Head of Mission at regular intervals. The PSC may invite the Head of Mission to its meetings, as appropriate.

Article 11

Security

1. The Head of Mission is responsible for the security of EUPOL AFGHANISTAN and shall exercise this responsibility in compliance with the EU's policy on the security of EU staff deployed outside the EU in an operational capacity under Title V of the Treaty and its supporting documents.

2. The Head of Mission shall be assisted by a Senior Mission Security Officer (SMSO), who will report to the Head of Mission and also maintain a close functional relationship with the Council Security Office.

3. The Head of Mission will appoint Area Security Officers in the provincial and regional mission locations, who, under the authority of the SMSO will be responsible for the day to day management of all security aspects of the respective Mission elements.

4. Appropriate security training will be provided, in accordance with the OPLAN, for all Mission staff. They shall also receive regular in-theatre refresher training organised by the SMSO.

⁽¹⁾ OJ L 101, 11.4.2001, p. 1. Decision as last amended by Decision 2005/952/EC (OJ L 346, 29.12.2005, p. 18).

*Article 12***Participation of third states**

1. Without prejudice to the EU's decision-making autonomy and its single institutional framework, candidate and other third states may be invited to contribute to EUPOL AFGHANISTAN on the basis that they bear the costs of sending the police experts and/or the civilian staff seconded by them, including salaries, allowances, medical coverage, high risk insurance and travel expenses to and from Afghanistan, and contribute to the running costs of EUPOL AFGHANISTAN as appropriate.

2. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions.

3. Third states making contributions to EUPOL AFGHANISTAN shall have the same rights and obligations in terms of day-to-day management of the operation as Member States taking part in the operation.

4. The PSC shall take appropriate action with regard to participation arrangements and shall, if required, submit a proposal to the Council, including on possible financial participation or contributions in-kind from third states.

5. Detailed arrangements regarding the participation of third states shall be the subject of agreements pursuant to Article 24 of the Treaty and additional technical arrangements as necessary. The SG/HR assisting the Presidency may negotiate such arrangements on its behalf. Where the EU and a third state have concluded an agreement establishing a framework for the participation of this third state in the EU crisis management operations, the provisions of such an agreement shall apply in the context of this operation.

*Article 13***Financial arrangements**

1. The financial reference amount intended to cover the expenditure related to EUPOL AFGHANISTAN until 29 March 2008 shall be EUR 43 600 000.

2. The financial reference amount for the years 2008, 2009 and 2010 for EUPOL AFGHANISTAN shall be decided by the Council.

3. All expenditure shall be managed in accordance with the Community rules and procedures applicable to the general budget of the EU, with the exception that any pre-financing shall not remain the property of the Community.

4. The Head of Mission shall report fully to, and be supervised by, the Commission on the activities undertaken in the framework of his contract.

5. Nationals of third states shall be allowed to tender for contracts. Subject to the Commission's approval, the Head of Mission may conclude technical arrangements with Regional Command/PRT lead nations and international actors deployed in Afghanistan regarding the provision of equipment, services and premises to the Mission, notably where security conditions so require.

6. The financial arrangements shall respect the operational requirements of EUPOL AFGHANISTAN, including compatibility of equipment and interoperability of its teams, and shall take into consideration the deployment of staff in Regional Commands and PRTs.

7. The expenditure shall be eligible as from the date of adoption of this Joint Action.

*Article 14***Coordination with Community actions**

1. The Council and the Commission shall, each in accordance with their respective powers, ensure consistency between the implementation of this Joint Action and the external activities of the Community in accordance with Article 3 of the Treaty. The Council and the Commission shall cooperate to this end.

2. The necessary coordination arrangements shall be put in place in the Mission area, as appropriate, as well as in Brussels.

*Article 15***Release of classified information**

1. The SG/HR shall be authorised to release to NATO/ISAF EU classified information and documents generated for the purposes of the Mission, in accordance with the Council's security regulations. Local technical arrangements shall be drawn up to facilitate this.

2. The SG/HR shall be authorised to release to third states associated with this Joint Action, as appropriate and in accordance with the needs of the Mission, EU classified information and documents up to the level 'CONFIDENTIEL UE' generated for the purposes of the Mission, in accordance with the Council's security regulations.

3. The SG/HR shall be authorised to release to the United Nations/UNAMA, as appropriate and in accordance with the operational needs of the Mission, EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the Mission, in accordance with the Council's security regulations. Local arrangements shall be drawn up for this purpose.

4. In the event of a specific and immediate operational need, the SG/HR shall also be authorised to release to the host State EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the Mission, in accordance with the Council's security regulations. In all other cases, such information and documents shall be released to the host State in accordance with procedures appropriate to the host State's level of cooperation with the EU.

5. The SG/HR shall be authorised to release to third states associated with this Joint Action, EU non-classified documents related to the deliberations of the Council with regard to the Mission covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council Rules of Procedure⁽¹⁾.

Article 16

Entry into force and duration

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

It shall expire on 30 May 2010.

Article 17

Review

1. This Joint Action shall be reviewed every six months in order to adjust the Mission size and scope as necessary.

2. This Joint Action shall be reviewed, no later than three months before its expiry, in order to determine whether the Mission should be continued.

Article 18

Publication

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 30 May 2007.

For the Council
The President

U. VON DER LEYEN

⁽¹⁾ Council Decision 2006/683/EC, Euratom of 15 September 2006 adopting the Council's Rules of Procedure (OJ L 285, 16.10.2006, p. 47). Decision as amended by Decision 2007/4/EC, Euratom (OJ L 1, 4.1.2007, p. 9).