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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 965/2007**of 16 August 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 17 August 2007.

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

Done at Brussels, 16 August 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 756/2007 (OJ L 172, 30.6.2007, p. 41).

ANNEX

to Commission Regulation of 16 August 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	MK	44,3
	TR	60,0
	XK	43,2
	XS	41,5
	ZZ	47,3
0707 00 05	TR	134,0
	ZZ	134,0
0709 90 70	TR	86,7
	ZZ	86,7
0805 50 10	AR	61,3
	UY	42,6
	ZA	57,8
	ZZ	53,9
0806 10 10	EG	137,8
	MA	138,0
	TR	106,8
	US	184,5
	ZZ	141,8
0808 10 80	AR	76,4
	BR	84,5
	CL	90,4
	CN	93,7
	NZ	91,0
	US	100,9
	ZA	86,5
	ZZ	89,1
0808 20 50	AR	77,2
	CL	83,9
	NZ	109,7
	TR	126,4
	ZA	94,0
	ZZ	98,2
0809 30 10, 0809 30 90	TR	134,8
	US	172,7
	ZA	80,5
	ZZ	129,3
0809 40 05	IL	153,2
	ZZ	153,2

⁽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'.

DIRECTIVES

COMMISSION DIRECTIVE 2007/52/EC

of 16 August 2007

amending Council Directive 91/414/EEC to include ethoprophos, pirimiphos-methyl and fipronil 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) 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 ethoprophos, pirimiphos-methyl and fipronil.

(2) For those active substances 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 ethoprophos and pirimiphos-methyl the rapporteur Member State was the United Kingdom and all relevant information was submitted on 19 January 2004 and 4 November 2003 respectively. For fipronil, the rapporteur Member State was France and all relevant information was submitted on 10 February 2004.

(3) The assessment reports have been peer reviewed by the Member States and the EFSA and presented to the Commission on 3 March 2006 for ethoprophos, on 10 August 2005 for pirimiphos-methyl, on 3 March 2006 for fipronil, in the format of the EFSA Scientific Reports ⁽⁴⁾. These reports have been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 16 March 2007 in the format of the Commission review reports for ethoprophos, pirimiphos-methyl and fipronil.

(4) It has appeared from the various examinations made that plant protection products containing ethoprophos, pirimiphos-methyl and fipronil may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review reports. It is therefore appropriate to include these active substances in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing these active substances can be granted in accordance with the provisions of that Directive.

(5) Without prejudice to that conclusion, it is appropriate to obtain further information on certain specific points concerning ethoprophos, pirimiphos-methyl and fipronil. Article 6(1) of Directive 91/414/EC provides that inclusion of a substance in Annex I may be subject to conditions. Therefore it is appropriate to require that ethoprophos, pirimiphos-methyl and fipronil should be subjected to further testing for confirmation of the risk assessment for some issues and that such studies should be presented by the notifiers.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2007/31/EC (OJ L 140, 1.6.2007, p. 44).

⁽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 (2006) 66, 1-72, Conclusion regarding the peer review of the pesticide risk assessment of the active substance ethoprophos (finalised: 3 March 2006). EFSA Scientific Report (2005) 44, 1-53, Conclusion regarding the peer review of the pesticide risk assessment of the active substance pirimiphos-methyl (finalised: 10 August 2005). EFSA Scientific Report (2006) 65, 1-110, Conclusion regarding the peer review of the pesticide risk assessment of the active substance fipronil (finalised: 3 March 2006 version of 12 April 2006).

- (6) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (7) 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 authorisations of plant protection products containing ethoprophos, pirimiphos-methyl and fipronil 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 vary, replace or withdraw, as appropriate, existing authorisations, in accordance with the provisions of Directive 91/414/EEC. By way of 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.
- (8) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 ⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I.
- (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.

⁽¹⁾ OJ L 366, 15.12.1992, p. 10. Regulation as last amended by Regulation (EC) No 2266/2000 (OJ L 259, 13.10.2000, p. 27).

Article 2

Member States shall adopt and publish by 31 March 2008 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 April 2008.

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.

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 ethoprophos, pirimiphos-methyl and fipronil as active substances by 31 March 2008.

By that date they shall in particular verify that the conditions in Annex I to that Directive relating to ethoprophos, pirimiphos-methyl and fipronil are met, with the exception of those identified in part B of the entry concerning that 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 of that Directive.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing ethoprophos, pirimiphos-methyl and fipronil 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 30 September 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 ethoprophos, pirimiphos-methyl and fipronil respectively. 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 ethoprophos, pirimiphos-methyl or fipronil as the only active substance, where necessary, amend or withdraw the authorisation by 30 September 2011 at the latest; or

(b) in the case of a product containing ethoprophos, pirimiphos-methyl or fipronil as one of several active substances, where necessary, amend or withdraw the authorisation by 30 September 2011 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 October 2007.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 16 August 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

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

No	Common name, identification Nos	IUPAC Name	Purity (%)	Entry into force	Expiration of inclusion	Specific provisions
'161	ethoprophos CAS No: 13194-48-4 CIPAC No: 218	O-ethyl S,S-dipropyl phosphorodithioate	> 940 g/kg	1 October 2007	30 September 2017	PART A Only uses as nematocide and insecticide in soil application can be authorised. Authorisations should be limited to professional users. PART B In assessing applications to authorise plant protection products containing ethoprophos for uses other than potatoes not cultivated for human or animal consumption, Member States shall pay particular attention to the criteria in Article 4(1)(b), and shall ensure that any necessary data and information is provided before such an authorisation is granted. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on ethoprophos, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 16 March 2007 shall be taken into account. In this overall assessment Member States must pay particular attention to: — the residues and evaluate the dietary exposure of consumers in view of future revisions of Maximum Residue Levels, — the operator safety. Authorised conditions of use must prescribe the application of adequate personal and respiratory protective equipment and other risk mitigation measures such as the use of closed transfer system for the distribution of the product, — the protection of birds, mammals, aquatic organisms, surface and groundwater under vulnerable conditions. Conditions of authorisation should include risk mitigation measures, such as buffer zones and the achievement of complete incorporation of granules in the soil. The concerned Member States shall request the submission of further studies to confirm the short and long term risk assessment for birds and for earthworms eating mammals. They shall ensure that the notifiers at whose request ethoprophos has been included in this Annex provide such studies to the Commission within two years from the entry into force of this Directive.

No	Common name, identification Nos	IUPAC Name	Purity (%)	Entry into force	Expiration of inclusion	Specific provisions
162	pirimiphos-methyl CAS No: 29232-93-7 CIPAC No: 239	O-2-diethylamino- 6-methylpyrimidin-4-yl O,O-dimethyl- phosphorothioate	> 880 g/kg	1 October 2007	30 September 2017	PART A Only uses as insecticide for post-harvest storage can be authorised. PART B In assessing applications to authorise plant protection products containing pirimiphos-methyl for uses other than applications with automated systems in empty cereals storehouses, Member States shall pay particular attention to the criteria in Article 4(1)(b), and shall ensure that any necessary data and information is provided before such an authorisation is granted. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on pirimiphos-methyl, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 16 March 2007 shall be taken into account. In this overall assessment Member States must pay particular attention to: — the operators safety. Authorised conditions of use must prescribe the application of adequate personal protective equipment including respiratory protective equipment and risk mitigation measures to reduce the exposure, — the dietary exposure of consumers in view of future revisions of Maximum Residue Levels. The Member States concerned shall request the submission of further studies to confirm the operator exposure assessment. They shall ensure that the notifiers at whose request pirimiphos-methyl has been included in this Annex provide such studies to the Commission within two years from the entry into force of this Directive.

No	Common name, identification Nos	IUPAC Name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
163	Fipronil CAS No: 120068-37-3 CIPAC No: 581	(±)-5-amino-1-(2,6-dichloro-α,α-trifluoro-para-tolyl)-4-trifluoromethylsulfinylpyrazole-3-carbonitrile	≥ 950 g/kg	1 October 2007	30 September 2017	PART A Only uses as insecticide for use as seed treatment may be authorised. The seed coating shall only be performed in professional seed treatment facilities. These facilities must apply the best available techniques in order to ensure that the release of dust clouds during storage, transport and application can be excluded. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on fipronil, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 16 March 2007 shall be taken into account. In this overall assessment Member States must pay particular attention to: — the packaging of the marketed products to avoid the generation of photo-degradation products of concern, — the potential for groundwater contamination, especially from metabolites which are more persistent than the parent compound, when the active substance is applied in regions with vulnerable soil and/or climatic conditions, — the protection of granivorous birds and mammals, aquatic organisms, non-target arthropods and honey bees, — the use of adequate equipment ensuring a high degree of incorporation in soil and a minimisation of spillage during application. Conditions of authorisation should include risk mitigation measures, where appropriate. The concerned Member States shall request the submission of further studies to confirm the risk assessment for granivorous birds and mammals, and honey bees, especially bee brood. They shall ensure that the notifier at whose request fipronil has been included in this Annex provide such studies to the Commission within one year from the entry into force of this Directive.

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

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE VI OF THE EU TREATY

COUNCIL RECOMMENDATION

of 12 June 2007

concerning sharing of information on terrorist kidnappings

(2007/562/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Whereas:

- (1) Kidnappings by groups/individuals that can be placed within the spectrum of international terrorism pose a huge challenge to Member States.
- (2) To successfully resolve such situations, Member States must gather background information, establish contacts and initiate discussions in a confidential setting.
- (3) The capacities of the Member State concerned would be significantly strengthened if it were able to resort to experience which other Member States have gained in comparable situations.
- (4) To this end, each Member State should submit a data sheet containing key information on past kidnappings to the other Member States giving only unclassified information after the incident has been resolved and restricted to incidents related to international terrorism,

HEREBY RECOMMENDS,

1. Member States:

- (a) to submit, after a kidnapping incident has been resolved, the following data ⁽¹⁾:

- country and region in which the kidnapping took place,
- number and nationality of the hostage(s),
- time and date of the kidnapping,
- time and date of the end of the incident,
- perpetrators/responsible terrorist group,

⁽¹⁾ In case of a kidnapping this information could help to quickly identify whether another Member State already has experience with kidnappings of EU citizens in the same region, by the same terrorist group or under comparable circumstances. The Member State concerned can then contact the specified contact person. Further information and experience should be shared bilaterally in accordance with national law.

- *modus operandi* of the kidnapping,
- motivation for the kidnapping,
- involvement of a mediator yes/no,
- contact person in the Member State concerned.

This information should be submitted in accordance with the format set out in Annex 1.

(b) to also submit the following additional information if appropriate:

- hostages' reason for being in the country, language skills, gender of the hostage,
- ideology, nationality, language skills of the perpetrators,
- means used by the perpetrators to address the public,
- details on the perpetrators' *modus operandi*.

This optional information should be submitted in accordance with the format set out in Annex 2.

2. If personal data are to be included, such data are to be submitted in accordance with national law.
 3. Member States to compile information on all incidents which have occurred since 1 January 2002 and submit this summary to the other Member States.
 4. Member States to share information on the basis of the abovementioned principles through the BdL network for EU-wide information sharing on terrorist incidents.
 5. Member States to share, as far as possible, the information also with Europol and on the basis of the amount and type of shared data, after one year, to examine whether it would be advisable to set up a database at Europol.
 6. Member States to draw up a list of contact details and exchange this list in order to facilitate direct communication between contact points.
-

ANNEX 1

**Notification of terrorist kidnap
(or suspected terrorist kidnap)***Please complete all fields in this box*

National single point of contact/competent authority:	
Name:	Reporting Member State:
Rank/position:	Dept/section:
Telephone:	Fax:
Mobile:	E-mail:
Motivation for the kidnap:	
Time/date of kidnap/hostage taking:	End of incident time/date:
Number/nationality of hostage(s):	
Country/Region of the crime:	
Perpetrators/responsible group:	
Summary of <i>modus operandi</i> (more detail can be provided on the next page):	
Involvement of interpreters/mediators:	

ANNEX 2

Completion of the following information is optional in accordance with national law

Hostage #1 (optional)		
Name:	Date of birth:	Gender:
Reason for being in country?	First language:	Second language:
Telephone:	Nationality:	
Hostage #2 (optional)		
Name:	Date of birth:	Gender:
Reason for being in country?	First language:	Second language:
Telephone:	Nationality:	
Hostage #3 (optional)		
Name:	Date of birth:	Gender:
Reason for being in country?	First language:	Second language:
Telephone:	Nationality:	

Perpetrators/responsible group #1 (if details known)		
Name:	Ideology:	Nationality:
Is English spoken?	First language:	Second language:
Use of publicity:	Means of publicity:	
Perpetrators/responsible group #2 (if details known)		
Name:	Ideology:	Nationality:
Is English spoken?	First language:	Second language:
Use of publicity:	Means of publicity:	

Modus operandi Summary of the circumstances of the kidnap. You should consider the following: The nature of the hostage taking, i.e. environment The nature of the demand, i.e. monetary gain, political aim or concession To whom the demand was made, including how the demand was made Language/interpreter Hostage profile (victimological aspects, e.g. residence permit status, professional background) Negotiation strategy Delaying tactics Telephone tactics Technical issues Violence used The outcome of the incident, including details of resolution, was the hostage released, was the hostage rescued, were suspects detained/killed? Any other issues of note Are there any issues that you feel should be considered as 'good practice'?	
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