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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 1197/2007

of 12 October 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 13 October 2007.

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

Done at Brussels, 12 October 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 12 October 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	74,4
	MK	39,0
	TR	117,1
	ZZ	76,8
0707 00 05	EG	151,2
	JO	162,5
	TR	137,0
	ZZ	150,2
0709 90 70	TR	113,4
	ZZ	113,4
0805 50 10	AR	67,6
	TR	87,6
	UY	81,6
	ZA	55,7
	ZW	52,6
	ZZ	69,0
0806 10 10	BR	250,1
	MK	44,5
	TR	117,4
	US	199,4
	ZZ	152,9
0808 10 80	AR	90,2
	AU	188,0
	CA	111,7
	CL	19,8
	MK	13,8
	NZ	81,4
	US	103,6
	ZA	86,5
	ZZ	86,9
0808 20 50	CN	64,1
	TR	124,2
	ZA	88,3
	ZZ	92,2

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

COMMISSION REGULATION (EC) No 1198/2007**of 12 October 2007****establishing a prohibition of fishing for redfish in EC and international waters of ICES zone V;
international waters of ICES zones XII and XIV by vessels flying the flag of Latvia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2007.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2007 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***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, 12 October 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11), as corrected by OJ L 36, 8.2.2007, p. 6.

⁽³⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

ANNEX

No	54
Member State	Latvia
Stock	RED/51214.
Species	Redfish (<i>Sebastes</i> spp.)
Zone	EC and international waters of V; International waters of XII and XIV
Date	18.9.2007

II

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

DECISIONS

COUNCIL DECISION

of 26 September 2007

concerning the conclusion of an additional Agreement between the European Community, the Swiss Confederation and the Principality of Liechtenstein extending to the Principality of Liechtenstein the Agreement between the European Community and the Swiss Confederation on trade in agricultural products

(2007/658/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with the first sentence of Article 300(2) thereof,

The additional Agreement between the European Community, the Swiss Confederation and the Principality of Liechtenstein extending to the Principality of Liechtenstein the Agreement between the European Community and the Swiss Confederation on trade in agricultural products (Additional Agreement) is hereby approved on behalf of the Community.

Having regard to the proposal from the Commission,

The text of the Additional Agreement is attached to this Decision.

Whereas:

Article 2

- (1) The Community, the Principality of Liechtenstein and the Swiss Confederation have negotiated and initialled an additional Agreement to extend to the Principality of Liechtenstein the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 21 June 1999 ⁽¹⁾.

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Additional Agreement in order to bind the Community.

Done at Brussels, 26 September 2007.

- (2) It is in the Community's interest to approve that additional Agreement,

For the Council

The President

J. SILVA

⁽¹⁾ OJ L 114, 30.4.2002, p. 132.

ADDITIONAL AGREEMENT**between the European Community, the Swiss Confederation and the Principality of Liechtenstein
extending to the Principality of Liechtenstein the Agreement between the European Community
and the Swiss Confederation on trade in agricultural products**

THE EUROPEAN COMMUNITY (the Community), THE SWISS CONFEDERATION (Switzerland) and THE PRINCIPALITY OF LIECHTENSTEIN (Liechtenstein),

Whereas:

- (1) Liechtenstein forms a customs union with Switzerland in accordance with the Treaty of 29 March 1923 between the Swiss Confederation and the Principality of Liechtenstein incorporating Liechtenstein into the Swiss customs territory (Customs Treaty).
- (2) By virtue of the Customs Treaty, the provisions concerning the improvement of market access granted by Switzerland for agricultural products originating in the Community which are the subject of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 21 June 1999 (Agriculture Agreement) apply to Liechtenstein.
- (3) For the administration of the Agriculture Agreement and to ensure its good functioning, Article 6 establishes a Joint Committee for Agriculture and Article 19 of Annex 11 a Joint Veterinary Committee, both of which may modify specific parts of the Agriculture Agreement.
- (4) In accordance with the Additional Agreement concerning the validity, for the Principality of Liechtenstein, of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972, the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 applies to Liechtenstein: Protocol No 3 provides that Liechtenstein products are deemed to be products of Swiss origin. Article 4 of the Agriculture Agreement provides that the rules of origin applicable under Annexes 1, 2 and 3 shall be as set out in Protocol No 3 of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972.
- (5) All the provisions of the Agriculture Agreement, including any modifications made by its Joint Committees, should apply to Liechtenstein. At the same time, the corresponding parts of the EEA Agreement, namely Annex I, Chapters XII and XXVII of Annex II and Protocol 47 should be suspended with regard to Liechtenstein for so long as the Agriculture Agreement applies to Liechtenstein.

HAVE AGREED AS FOLLOWS:

Article 1

1. The Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 21 June 1999 (Agriculture Agreement), including any modifications decided by the Joint Committee for Agriculture and the Joint Veterinary Committee shall apply to Liechtenstein.

2. The adaptations specific to Liechtenstein concerning Annexes 4 to 11 of the Agriculture Agreement are laid down in the Annex to this Agreement (Additional Agreement), which shall constitute an integral part of it.

Article 2

1. For the application and development of the Agriculture Agreement and without altering its bilateral nature, Liechtenstein shall have its interests represented by a Liechtenstein representative within the Swiss delegation to the Joint

Committee on Agriculture and the Joint Veterinary Committee, and their working parties.

2. The Joint Committee for Agriculture may modify the Annex to this Additional Agreement, in accordance with the provisions of Articles 6 and 11 of the Agriculture Agreement. The Joint Veterinary Committee may modify the Annex to this Additional Agreement in so far as it concerns Annex 11 of the Agriculture Agreement, in accordance with the provisions of Article 19 of that Annex. Such modifications shall be subject to the approval of the Liechtenstein representative.

Article 3

This Additional Agreement:

- (a) shall enter into force on the day of its signature;

(b) may be terminated by written notification to the other parties. It shall cease to be in force one year after the date of such notification;

(c) shall cease to apply should either the Agriculture Agreement or the Customs Treaty no longer be in force.

Article 4

This Additional Agreement is drawn up in triplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each of these texts being equally authentic.

Съставено в Брюксел на двадесет и седми септември две хиляди и седма година.

Hecho en Bruselas, el veintisiete de septiembre de dos mil siete.

V Bruselu dne dvacátého sedmého září dva tisíce sedm.

Udfærdiget i Bruxelles den syvogtyvende september to tusind og syv.

Geschehen zu Brüssel am siebenundzwanzigsten September zweitausendsieben.

Kahe tuhande seitsmenda aasta septembrikuu kahekümne seitsmendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι επτά Σεπτεμβρίου δύο χιλιάδες επτά.

Done at Brussels on the twenty seventh day of September in the year two thousand and seven.

Fait à Bruxelles, le vingt-sept septembre deux mille sept.

Fatto a Bruxelles, addì ventisette settembre duemilasette.

Briselē, divi tūkstoši septītā gada divdesmit septītajā septembrī.

Priimta du tūkstančiai septintųjų metų rugsėjo dvidešimt septintą dieną Briuselyje.

Kelt Brüsszelben, a kétezzer-hetedik év szeptember havának huszonhetedik napján.

Magħmul fi Brussell, fis-sebgha u għoxrin jum ta' Settembru tas-sena elfejn u sebgha.

Gedaan te Brussel, de zevenentwintigste september tweeduizend zeven.

Sporządzono w Brukseli, dnia dwudziestego siódmego września roku dwa tysiące siódmego.

Feito em Bruxelas, em vinte e sete de Setembro de dois mil e sete.

Întocmit la Bruxelles, douăzeci și șapte septembrie două mii șapte.

V Bruseli dňa dvadsiateho siedmeho septembra dvetisícisedem.

V Bruslju, dne sedemindvajsetega septembra leta dva tisoč sedem.

Tehty Brysselissä kahdentenakymmenentenäseitsemäntenä päivänä syyskuuta vuonna kaksittuhattaseitsemän.

Som skedde i Bryssel den tjugosjunde september tjugohundrasju.

За Европейската общност
 Por la Comunidad Europea
 Za Evropské společenství
 For Det Europæiske Fællesskab
 Für die Europäische Gemeinschaft
 Euroopa Ühenduse nimel
 Για την Ευρωπαϊκή Κοινότητα
 For the European Community
 Pour la Communauté européenne
 Per la Comunità europea
 Eiropas Kopienas vārdā
 Europos bendrijos vardu
 Az Európai Közösség részéről
 Ghall-Komunità Ewropea
 Voor de Europese Gemeenschap
 W imieniu Wspólnoty Europejskiej
 Pela Comunidade Europeia
 Pentru Comunitatea Europeană
 Za Európske spoločenstvo
 Za Evropsko skupnost
 Euroopan yhteisön puolesta
 På Europeiska gemenskapens vägnar

За Конфедерация Швейцария
 Por la Confederación Suiza
 Za Švýcarskou konfederaci
 For Det Schweiziske Forbund
 Für die Schweizerische Eidgenossenschaft
 Šveitsi Konföderatsiooni nimel
 Για την Ελβετική Συνομοσπονδία
 For the Swiss Confederation
 Pour la Confédération suisse
 Per la Confederazione svizzera
 Šveices Konfederācijas vārdā
 Šveicarijos Konfederacijos vardu
 A Svájci Államszövetség részéről
 Ghall-Konfederazzjoni Żvizzera
 Voor de Zwitserse Bondsstaat
 W imieniu Konfederacji Szwajcarskiej
 Pela Confederação Suíça
 Pentru Confederația Elvețiană
 Za Švajčiarsku konfederáciu
 Za Švicarsko konfederacijo
 Sveitsin valaliiton puolesta
 För Schweiziska edsförbundet

За Княжество Лихтенщайн
 Por el Principado de Liechtenstein
 Za Lichtenštejnské knížectví
 For Fyrstendømmet Liechtenstein
 Für das Fürstentum Liechtenstein
 Liechtensteini Vürstiriigi nimel
 Για το Πριγκιπάτο του Λιχτενστάιν
 For the Principality of Liechtenstein
 Pour la Principauté de Liechtenstein
 Per il Principato del Liechtenstein
 Lihtenšteinas Firstistes vārdā
 Lichtenšteino Kunigaikštystės vardu
 A Liechtensteini Hercegség részéről
 Ghall-Principat ta' Liechtenstein
 Voor het Vorstendom Liechtenstein
 W imieniu Księstwa Liechtensteinu
 Pelo Principado do Liechtenstein
 Pentru Principatul Liechtenstein
 Za Lichtenštajnské kniežatstvo
 Za Kneževino Lihtenštajn
 Liechtensleinin ruhtinaskunnan puolesta
 För Furstendömet Liechtenstein

ANNEX
to the Additional Agreement

Principle

The laws and obligations, legal provisions, lists, names and terms laid down for Switzerland in the Agriculture Agreement shall also apply to Liechtenstein subject to the following adjustments and additions.

Where Swiss canton authorities are assigned duties, responsibilities and powers, these shall be incumbent on the competent Liechtenstein government agencies. For matters handled by the canton agricultural authorities this means the Agricultural Office (*Landwirtschaftsamt*), Dr. Grass-Strasse 10, FL-9490 Vaduz, and for matters handled by the canton veterinary and food authorities it means the Office of Food Inspection and Veterinary Affairs (OFV) (*Amt für Lebensmittelkontrolle und Veterinärwesen*), Postplatz 2, FL-9494 Schaan.

Furthermore, private organisations to which specific tasks have been assigned (e.g. inspection and certification bodies) are also competent for Liechtenstein, unless otherwise provided in what follows.

Adjustments/additions concerning Annexes 4 to 11 of the Agriculture Agreement

Annex 4, Plant protection

Annex 5, Feedingstuffs

Annex 6, Seeds sector

Annex 7, Trade in wine products

Protected names of wine products originating in Liechtenstein (within the meaning of Article 6 of Annex 7)

Geographical indications

Quality wines

- Balzers,
- Benden,
- Eschen,
- Eschnerberg,
- Gamprin,
- Mauren,
- Ruggell,
- Schaan,
- Schellenberg,
- Triesen,
- Vaduz,

Table wines with geographical indication

- Liechtensteiner Oberländer Landwein,
- Liechtensteiner Unterländer Landwein,

Traditional expressions

- Ablast,
- Appellation d'origine contrôlée,
- Auslese Liechtenstein,
- Beerenauslese,
- Beerle,
- Beerli,
- Beerliwein,
- Eiswein,
- Federweiss ⁽¹⁾,
- Grand Cru Liechtenstein,
- Kretzer,
- Landwein,
- Sélection Liechtenstein,
- Strohwein,
- Süssdruck,
- Trockenbeerenauslese,
- Weissherbst,

Annex 8, On the mutual recognition and protection of names of spirit drinks and aromatised wine-based drinks

Protected names for spirits originating in Liechtenstein (within the meaning of Article 4 of Annex 8)

Grape marc spirit

- Balzner Marc,
- Benderer Marc,
- Eschner Marc,
- Eschnerberger Marc,
- Gampriner Marc,
- Maurer Marc,
- Ruggeller Marc,
- Schaaner Marc,
- Schellenberger Marc,
- Triesner Marc,
- Vaduzer Marc,

⁽¹⁾ Without prejudice to the use of the German traditional expression *Federweisser* for grape must partially in fermentation intended for direct human consumption as foreseen in paragraph 34c of the German Wine Regulation and in Articles 12(1)(b) and 14(1) of Commission Regulation (EC) No 753/2002, as amended.

Annex 9, Organically produced agricultural products and foodstuffs

Annex 10, Recognition of conformity checks for fresh fruit and vegetables subject to marketing standards

Annex 11, Animal health and zootechnical measures applicable to trade in live animals and animal products

Traces system

The Commission, in cooperation with the Office of Food Inspection and Veterinary Affairs (OFV, *Amt für Lebensmittelkontrolle und Veterinärwesen*) shall integrate Liechtenstein into the Traces system, in accordance with Commission Decision 2004/292/EC of 30 March 2004.

Rules for animals sent for grazing in border areas

Rules for animals sent for grazing in border areas defined in Appendix 5 to Annex 11 of the Agriculture Agreement, Chapter 1, point III, shall apply *mutatis mutandis* to Liechtenstein.

For Liechtenstein, the parties referred to in Article 1 of Commission Decision 2001/672/EC of 20 August 2001 laying down special rules applicable to movements of bovine animals when put out to summer grazing in mountain areas and referred to in the corresponding Annex shall be: Liechtenstein.

Legislation

In the case of Liechtenstein, the Liechtenstein Law on animal welfare (TschG) of 20 December 1988, LGBL 1989 Nr. 3, LR 455,0 and the Liechtenstein Ordinance on animal welfare (TschV) of 12 June 1990, LGBL 1990 Nr. 33, LR 455,01 shall replace the Ordinance on animal welfare (SR 455,1) listed for Switzerland under Appendix 5, Chapter 3. III 'Animal welfare', point 1.

COUNCIL DECISION

of 9 October 2007

authorising France to apply a reduced rate of excise duty on 'traditional' rum produced in its overseas departments and repealing Decision 2002/166/EC

(2007/659/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 299(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament ⁽¹⁾,

Whereas:

(1) Pursuant to Article 299(2) of the Treaty, the Treaty applies to the French overseas departments, the Azores, Madeira and the Canary Islands. However, taking account of the structural social and economic situation of the French overseas departments, the Azores, Madeira and the Canary Islands, which is compounded by their remoteness, insularity, small size, difficult topography and climate, economic dependence on a few products, the permanence and combination of which severely restrain their development, the Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, shall adopt specific measures aimed, in particular, at laying down the conditions of application of the Treaty to those regions, including common policies. The Council is required, when adopting such measures, to take into account areas such as fiscal policy. When adopting these measures, it has to take into account the special characteristics and constraints of the outermost regions without undermining the integrity and the coherence of the Community legal order, including the internal market and common policies.

(2) On the basis of these provisions of the Treaty, the Council adopted, in respect of the French overseas departments, Decision 2002/166/EC of 18 February 2002 authorising France to extend the application of a reduced rate of excise duty on 'traditional' rum produced in its overseas departments ⁽²⁾. Compared with the rates of taxation applied to similar products not originating in

the French overseas departments, the reduced rate may be lower than the minimum rate of excise duty on alcohol set by Council Directive 92/84/EEC of 19 October 1992 on the approximation of the rates of excise duty on alcohol and alcoholic beverages ⁽³⁾, but may not be more than 50 % lower than the standard national excise duty on alcohol. The Council Decision was to apply until 31 December 2009, with a mid-term report to be drawn up by June 2006 at the latest.

(3) On 27 December 2005 the French Government presented a mid-term report indicating that it was vital that the tax arrangements for traditional rum marketed in mainland France be maintained. Furthermore, in view of developments on the Community market for rum, which are mainly benefiting products originating in third countries, and given the economic and social importance of the sector and the structural nature of the production conditions that diminish the sector's productivity in the overseas departments and make it difficult to maintain its production on the Community market, France has asked that the volume and duration of the tax arrangements for traditional rum on the mainland market be extended.

(4) Maintaining the cane-sugar-rum sector in the overseas departments is vital to their economic and social balance. In the three departments most affected, Réunion, Guadeloupe and Martinique, the sector produces an annual turnover of over EUR 250 000 000 and provides some 40 000 jobs, including 22 000 direct jobs. It is also advisable to note the positive impact which the cultivation of cane has for the safeguarding of the environment in the overseas departments. Together with the banana sector, this sector is the only significant exporting activity in areas whose exports represent not more than 7 % of the imports. It is therefore necessary and justified for France to maintain, by way of derogation from Article 90 of the Treaty, a reduced rate of excise duty on 'traditional' rum produced in its overseas departments in order to avoid endangering their development.

(5) The overhaul of the common organisation of the markets in the sugar sector in February 2006 goes some way towards securing the sector's future. Thus, there are plans to introduce support measures under the Posei

⁽¹⁾ Opinion of 25 September 2007. Not yet published in the Official Journal.

⁽²⁾ OJ L 55, 26.2.2002, p. 33.

⁽³⁾ OJ L 316, 31.10.1992, p. 29.

systems (Council Regulation (EC) No 247/2006 of 30 January 2006 laying down specific measures for agriculture in the outermost regions of the Union⁽¹⁾), in the form of both Community and national aid, in order to improve the competitiveness of the overseas departments' cane-sugar-rum sector. However, these measures still do not offset the gradual dismantling of customs protection and maintain the overseas departments' share of the rum market.

- (6) Given the small scale of the local market, the overseas departments' distilleries can continue their activities only if they have sufficient access to the market in mainland France, which is the main outlet for their rum production (over 50 % of the total).
- (7) The inability to compete on the Community market, which is mainly the result of increased market prices, originates from cost prices which have increased since 2001. Since that date both production and labour costs have increased substantially in the overseas departments. Moreover, overseas departments' rums have to comply with Community regulatory standards, which call for significant non-productive investment. Since 2001, investment in the overseas departments has exceeded EUR 45 500 000, over half of which was destined for conservation of the environment, representing 47 % of the total. However, though part of this investment has been covered by structural funds, this is not the case of the resulting operating costs, which, depending on the distillery, can add about 10 to 15 % to the cost price of rum.
- (8) All these costs, which have increased significantly since 2001, place overseas departments' businesses in financial difficulties. The only way to ensure the sector's long-term survival is to offset these costs against greater output.
- (9) Since 2002 the total volume shipped to the Community market has fallen by 12 %, from 176 791 hectolitres of pure alcohol to 155 559 hectolitres of pure alcohol. Only the market in mainland France, where rum from the overseas departments qualifies for special tax arrangements that partially compensate its high cost price, has enabled the overseas departments' rum industry to survive. Since the competitiveness of traditional rum from the overseas departments needs to be supported on the market in mainland France in order to safeguard the activity of their sugar-cane-rum sector, the quantities of traditional rum originating in the overseas departments eligible for a reduced rate of excise duty when released for consumption on that market should be reviewed.
- (10) The tax advantage authorised by the present decision does not go beyond what is necessary to address the

high cost of production faced by traditional rum producers.

- (11) In order to ensure that the present decision does not undermine the single market, the quantities of rums originating in the overseas departments eligible for this measure may not, as before, exceed the trade flows recorded in recent years for the different sources of supply.
- (12) Given the need to create a climate of legal certainty for operators in the cane-sugar-rum sector and in view of the depreciation periods for plant and buildings, and in the interests of consistency with other Community rules for the sector, the derogation should be granted to the end of 2012.
- (13) The granting of such a duration must, however, be subject to the condition that a mid-term report be produced so that the Commission can assess whether the reasons which justify the granting of the tax derogation still apply and, if need be, consider whether the duration or quantities concerned should be revised in the light of developments on the Community rum market.
- (14) Decision 2002/166/EC should be replaced.
- (15) This Decision is without prejudice to the possible application of Articles 87 and 88 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 90 of the Treaty, France is authorised to extend the application on the French mainland, to 'traditional' rum produced in its overseas territories, of a rate of excise duty lower than the full rate for alcohol set by Article 3 of Directive 92/84/EEC.

Article 2

The derogation referred to in Article 1 shall be confined to rum as defined in Article 1(4)(a) of Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks⁽²⁾, produced in the overseas departments from sugar cane harvested in the place of manufacture, having a content of volatile substances other than ethyl and methyl alcohol equal to or exceeding 225 grams per hectolitre of pure alcohol and an alcoholic strength by volume of 40 % volume or more.

⁽¹⁾ OJ L 42, 14.2.2006, p. 1. Regulation as amended by Regulation (EC) No 2013/2006 (OJ L 384, 29.12.2006, p. 13).

⁽²⁾ OJ L 160, 12.6.1989, p. 1. Regulation as last amended by the 2005 Act of Accession.

Article 3

1. The reduced rate of excise duty applicable to the product referred to in Article 2 shall be confined to an annual quota of 108 000 hectolitres of pure alcohol.
2. The reduced rate may be lower than the minimum rate of excise duty on alcohol set by Directive 92/84/EEC, but may not be more than 50 % lower than the standard national excise duty on alcohol.

Article 4

By 30 June 2010 at the latest, France shall send the Commission a report to enable it to assess whether the reasons which justified the granting of the reduced rate still exist and, if need be, whether the quota needs to be adjusted in the light of developments on the market.

Article 5

This Decision shall apply from 1 January 2007 until 31 December 2012.

Article 6

1. Decision 2002/166/EC is hereby repealed.
2. References to the repealed Decision shall be construed as references to this Decision.

Article 7

This Decision is addressed to the French Republic.

Done at Luxembourg, 9 October 2007.

For the Council

The President

F. TEIXEIRA DOS SANTOS

COUNCIL DECISION**of 9 October 2007****appointing four Netherlands members and four Netherlands alternate members to the Committee of the Regions**

(2007/660/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Netherlands Government,

Whereas:

- (1) On 24 January 2006 the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) Two members' seats on the Committee of the Regions have become vacant following the end of the mandates of Mr BIJMAN and Mr LOKKER. Two members' seats have become vacant following the resignation of Mr JANSSEN and Mr HOES. Four alternate members' seats have become vacant following the end of the mandates of Mr van GELDER, Mr SWIERSTRA, Mr van DIESSEN and Mr EURLINGS,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2010:

as members:

Mr Co VERDAAS, gedeputeerde in de provincie Gelderland,

Ms Johanna MAIJ-WEGGEN, Commissaris der Koningin in de provincie Noord-Brabant,

Mr Léon FRISSEN, Commissaris der Koningin in de provincie Limburg,

Mr Rob BATS, gedeputeerde in de provincie Drenthe,

and

as alternate members:

Ms Carla PEIJS, Commissaris der Koningin in de provincie Zeeland,

Mr Sjoerd GALEMA, gedeputeerde in de provincie Friesland,

Mr Joop BINNEKAMP, gedeputeerde in de provincie Utrecht,

Mr Dick BUURSINK, gedeputeerde in de provincie Overijssel.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Luxembourg, 9 October 2007.

For the Council
The President
F. TEIXEIRA DOS SANTOS

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COUNCIL DECISION**of 9 October 2007****appointing an Italian member and an Italian alternate member to the Committee of the Regions**

(2007/661/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Italian Government,

Whereas:

- (1) On 24 January 2006 the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) A member's seat on the Committee of the Regions has become vacant following the end of the mandate of Mr GUARISCHI. An alternate member's seat has become vacant following the appointment as a member of Mr SCOMA,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2010:

- (a) as a member:

Mr Francesco SCOMA, Deputato regionale dell'Assemblea Regionale Siciliana (change of mandate)

and

- (b) as an alternate member:

Mr Sante ZUFFADA, Consigliere della Regione Lombardia.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Luxembourg, 9 October 2007.

*For the Council**The President*

F. TEIXEIRA DOS SANTOS

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COUNCIL DECISION**of 9 October 2007****appointing five Slovenian members and three Slovenian alternate members to the Committee of the Regions**

(2007/662/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Slovenian Government,

Whereas:

- (1) On 24 January 2006 the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) Five members' seats on the Committee of the Regions have fallen vacant following the end of the mandates of Mr SOVIČ, Mr KOVAČIČ, Ms PEČAN, Mr ŠTEBE and Mr HALB. Two alternate members' seats have fallen vacant following the end of the mandate of Mr COLARIČ and the resignation of Mr KOVŠE. One alternate member's seat is to fall vacant following the appointment of Ms MAJCEN as a member (change of mandate),

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2010:

(a) as members:

Mr Franci ROKAVEC, župan Občine Litija,

Mr Franci VOVK, župan Občine Dolenjske Toplice,

Ms Irena MAJCEN, županja Občine Slovenska Bistrica (change of mandate),

Mr Aleš ČERIN, podžupan Mestne občine Ljubljana,

Ms Jasmina VIDMAR, članica občinskega sveta Mestne občine Maribor,

and

(b) as alternate members:

Mr Antón ŠTIHEC, župan Mestne občine Murska Sobota,

Mr Blaž MILAVEC, župan Občine Sodražica,

Mr Jure MEGLIČ, podžupan Občine Tržič.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Luxembourg, 9 October 2007.

For the Council
The President
F. TEIXEIRA DOS SANTOS

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COMMISSION DECISION

of 12 October 2007

amending Decision 2007/554/EC concerning certain protection measures against foot-and-mouth disease in the United Kingdom*(notified under document number C(2007) 4660)***(Text with EEA relevance)**

(2007/663/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

restricted areas, or that have undergone a treatment proven effective in inactivating possible foot-and-mouth disease virus.

Having regard to the Treaty establishing the European Community,

- (3) In the interests of clarity of Community legislation, it is appropriate to rephrase the first and second subparagraphs of Article 2(6) of Decision 2007/554/EC.

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

- (4) It is appropriate to permit, under specific certification conditions, the re-dispatch of frozen semen and embryos of the ovine and caprine species imported into the United Kingdom in accordance with Community legislation and stored separately from semen, ova and embryos not eligible for dispatch from the high and low risk areas listed in Annexes I and II to Decision 2007/554/EC. Additional certification conditions should be introduced and Article 6(2)(b) of that Decision should therefore be amended accordingly.

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (5) It is also appropriate to amend the certification requirements laid down in Decision 2007/554/EC as regards animal products, including petfood, that have undergone a heat treatment effectively inactivating the possible foot-and-mouth disease virus in the product concerned. Article 8(4) and (6) of that Decision should therefore be amended accordingly.

- (1) Following recent outbreaks of foot-and-mouth disease in Great Britain, Commission Decision 2007/554/EC of 9 August 2007 concerning certain protection measures against foot-and-mouth disease in the United Kingdom ⁽³⁾ was adopted to reinforce the control measures against foot-and-mouth disease taken by that Member State in the framework of Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease ⁽⁴⁾.

- (6) In addition, it is necessary to clarify which parts of the territory of the United Kingdom are concerned by the measures required to be taken by the other Member States in relation to animals of a susceptible species dispatched during the period when animals could have been dispatched from those parts of the United Kingdom not included in the surveillance zone established in the county of Surrey, in relation to the two outbreaks confirmed in August 2007. Article 13(2) of Decision 2007/554/EC should therefore be amended to refer specifically to Great Britain.

- (2) Decision 2007/554/EC lays down rules applicable to the dispatch from high and low risk areas in Great Britain of products considered safe that either were produced before the restrictions were put in place in the United Kingdom, from raw material sourced from outside those

- (7) Decision 2007/554/EC should therefore be amended accordingly.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33); corrected version (OJ L 195, 2.6.2004, p. 12).

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽³⁾ OJ L 210, 10.8.2007, p. 36. Decision as last amended by Decision 2007/608/EC (OJ L 241, 14.9.2007, p. 26).

⁽⁴⁾ OJ L 306, 22.11.2003, p. 1. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

- (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

Decision 2007/554/EC is amended as follows:

1. In Article 2, paragraph 6 is replaced by the following:

‘6. The prohibition set out in paragraph 2 of this Article shall not apply to fresh meat obtained from animals reared outside the areas listed in Annex I and Annex II and transported, by way of derogation from Article 1(2) and (3), directly and under official control in sealed means of transport to a slaughterhouse situated in the areas listed in Annex I outside the protection zone for immediate slaughter, provided that such fresh meat is only placed on the market in the areas listed in Annex I and Annex II and complies with the following conditions:

- (a) all such fresh meat is marked in accordance with the second subparagraph of Article 4(1) of Directive 2002/99/EC or in accordance with Decision 2001/304/EC;
- (b) the slaughterhouse is operated under strict veterinary control;
- (c) the fresh meat is clearly identified, and transported and stored separately from meat which is eligible for dispatch outside the United Kingdom.

Compliance with the conditions set out in the first subparagraph shall be checked by the competent veterinary authority under the supervision of the central veterinary authorities.

The central veterinary authorities shall communicate to the Commission and to the other Member States a list of the establishments which they have approved for the purposes of application of this paragraph.’

2. Article 6 is amended as follows:

(a) In paragraph 2, point (b) is replaced by the following:

- ‘(b) frozen bovine semen and embryos, frozen porcine semen, and frozen ovine and caprine semen and embryos imported into the United Kingdom, in accordance with the conditions laid down in Directives 88/407/EEC, 89/556/EEC, 90/429/EEC or 92/65/EEC respectively, and which, since their introduction into the United Kingdom, have been stored

and transported separately from semen, ova and embryos not eligible for dispatch in accordance with paragraph 1.’

(b) The following paragraphs 6 and 7 are added:

‘6. The health certificate provided for in Directive 92/65/EEC and accompanying frozen ovine or caprine semen dispatched from the United Kingdom to other Member States shall bear the following words:

“Frozen ovine/caprine semen conforming to Commission Decision 2007/554/EC of 9 August 2007 concerning certain protection measures against foot-and-mouth disease in the United Kingdom.”

7. The health certificate provided for in Directive 92/65/EEC and accompanying frozen ovine or caprine embryos dispatched from the United Kingdom to other Member States shall bear the following words:

“Frozen ovine/caprine embryos conforming to Commission Decision 2007/554/EC of 9 August 2007 concerning certain protection measures against foot-and-mouth disease in the United Kingdom.”

3. Article 8 is amended as follows:

(a) Paragraph 4 is replaced by the following:

‘4. By way of derogation from paragraph 3, it shall be sufficient, in the case of the products referred to in paragraph 2(a) to (d) and (f) of this Article that compliance with the conditions for the treatment stated in the commercial document required in accordance with the respective Community legislation is endorsed in accordance with Article 9(1).’

(b) Paragraph 6 is replaced by the following:

‘6. By way of derogation from paragraph 3 it shall be sufficient, in the case of products referred to in paragraph 2(g) which have been produced in an establishment operating HACCP and an auditable standard operating procedure which ensures that pre-processed ingredients comply with the respective animal health conditions laid down in this Decision, that this is stated on the commercial document accompanying the consignment, endorsed in accordance with Article 9(1).’

4. In Article 13, paragraph 2 is replaced by the following:

Article 2

Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 12 October 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

‘2. Without prejudice to the provisions of Article 6 of Council Decision 90/424/EEC and the measures already taken by Member States, Member States other than the United Kingdom shall take appropriate precautionary measures in relation to susceptible animals dispatched from Great Britain between 15 July 2007 and 13 September 2007, including isolation and clinical inspection, where necessary combined with laboratory testing to detect or rule out infection with the foot-and-mouth disease virus, and where necessary those of Article 4 of Directive 2003/85/EC.’

COMMISSION DECISION

of 12 October 2007

amending Decision 2007/554/EC concerning certain protection measures against foot-and-mouth disease in the United Kingdom*(notified under document number C(2007) 4674)***(Text with EEA relevance)**

(2007/664/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Following recent outbreaks of foot-and-mouth disease in Great Britain, Commission Decision 2007/554/EC of 9 August 2007 concerning certain protection measures against foot-and-mouth disease in the United Kingdom ⁽³⁾ was adopted to reinforce the control measures against foot-and-mouth disease taken by that Member State in the framework of Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease ⁽⁴⁾.
- (2) Decision 2007/554/EC lays down rules applicable to the dispatch from high and low risk areas in Great Britain of products considered safe that either were produced before the restrictions were put in place in the United Kingdom, from raw material sourced from outside those restricted areas, or that have undergone a treatment proven effective in inactivating possible foot-and-mouth disease virus.

- (3) On the basis of information provided by the United Kingdom, it is now appropriate to lay down rules for the dispatch of certain categories of meat from certain areas that have not recorded any outbreak of foot-and-mouth disease for at least 90 days prior to slaughter and which comply with certain specified conditions. Accordingly, a new Annex should be added to Decision 2007/554/EC listing those areas as Annex III thereto.

- (4) In addition, problems have been encountered with the supply of certain medical devices manufactured in accordance with Council Directive 93/42/EEC of 14 June 1993 concerning medical devices ⁽⁵⁾ from animal tissues that were subject to treatments that render them non-viable and incapable of disease transmission. Such medical devices should therefore not be subject to the prohibition set out in the first subparagraph of Article 8(1) of Decision 2007/554/EC.

- (5) In the interests of consistency of Community legislation, Commission Decision 2005/176/EC of 1 March 2005 laying down the codified form and the codes for the notification of animal diseases pursuant to Council Directive 82/894/EEC ⁽⁶⁾ should be used for the description of the areas listed in Annex III to Decision 2007/554/EC, added by the present Decision.

- (6) Given the disease situation in the United Kingdom, it is necessary to extend the application of Decision 2007/554/EC until 15 November 2007.

- (7) Decision 2007/554/EC should therefore be amended accordingly.

- (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,

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33); corrected version OJ L 195, 2.6.2004, p. 12.

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽³⁾ OJ L 210, 10.8.2007, p. 36. Decision as last amended by Decision 2007/608/EC (OJ L 241, 14.9.2007, p. 26).

⁽⁴⁾ OJ L 306, 22.11.2003, p. 1. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁽⁵⁾ OJ L 169, 12.7.1993, p. 1. 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).

⁽⁶⁾ OJ L 59, 5.3.2005, p. 40. Decision as amended by Decision 2006/924/EC (OJ L 354, 14.12.2006, p. 48).

HAS ADOPTED THIS DECISION:

Article 1

Decision 2007/554/EC is amended as follows:

1. In Article 2, paragraph 4 is replaced by the following:

‘4. The prohibition set out in paragraph 2 shall not apply to meats bearing the health mark in accordance with Chapter III of Section I of Annex I to Regulation (EC) No 854/2004, provided that:

(a) the meat is clearly identified, and has been transported and stored since the date of production separately from meat which is not eligible, in accordance with this Decision, for dispatch outside the areas listed in Annex I;

(b) the meat complies with one of the following conditions:

(i) it was obtained before 15 July 2007; or

(ii) it is derived from animals reared for at least 90 days prior to the date of slaughter and slaughtered; or in the case of meat obtained from wild game of species susceptible to foot-and-mouth disease (“wild game”) killed, outside the areas listed in Annex I and II; or

(iii) it complies with the conditions set out in points (c), (d) and (e);

(c) the meat was obtained from domestic ungulates or from farmed game of species susceptible to foot-and-mouth disease (“farmed game”), as specified for the respective category of meat in one of the appropriate columns 4 to 7 in Annex III, and complies with the following conditions:

(i) the animals have been reared for at least 90 days prior to the date of slaughter on holdings situated within the areas specified in columns 1, 2 and 3 of Annex III, where there has been no outbreak of foot-and-mouth disease during at least that period;

(ii) during the 30 days prior to the date of transport to the slaughterhouse, or in the case of farmed game prior to the date of on-farm slaughtering, the animals have remained under the supervision of the competent veterinary authorities on a single holding which is situated in the centre of a circle around the holding of at least 10 km radius, where there has been no outbreak of foot-and-mouth disease during at least that period;

(iii) no animal of species susceptible to foot-and-mouth disease has been introduced into the holding referred to in point (ii) during the 21 days prior to the date of loading, or in the case of farmed game prior to the date of on-farm slaughtering, except in the case of pigs coming from a supplying holding which complies with the conditions laid down in point (ii), in which case the period of 21 days may be reduced to 7 days;

(iv) the animals or, in the case of farmed game slaughtered on the farm, the carcasses have been transported under official control in means of transport that have been cleaned and disinfected before loading from the holding referred to in point (ii) directly to the designated slaughterhouse;

(v) the animals have been slaughtered less than 24 hours following the time of arrival at the slaughterhouse and separately from animals the meat of which is not eligible for dispatch from the area listed in Annex I;

(d) the meat, if positively marked in column 8 of Annex III, was obtained from wild game, that was killed in areas where there has been no outbreak of foot-and-mouth disease for at least a period of 90 days before the date of killing and at a distance of at least 20 km from areas not specified in columns 1, 2 and 3 of Annex III;

(e) meat referred to in points (c) and (d) must in addition comply with the following conditions:

(i) the dispatch of such meat is only to be authorised by the competent veterinary authority of the United Kingdom, if the establishment of dispatch is situated within the areas specified in columns 1, 2 and 3 of Annex III;

(ii) the meat is at all times clearly identified, handled, stored and transported separately from meat which is not eligible for dispatch from the area listed in Annex I;

(iii) during *post-mortem* inspection by the official veterinarian in the establishment of dispatch, or in the case of on-farm slaughtering of farmed game on the holding referred to in point (c)(ii), or in the case of wild game at the game-handling establishment, no clinical signs or *post-mortem* evidence of foot-and-mouth disease were established;

(iv) the meat has remained in the establishments or holdings referred to in point (iii) of this paragraph for at least 24 hours following the *post-mortem* inspection of the animals referred to in point (c) and (d);

(v) in the case where foot-and-mouth disease has been diagnosed in the establishments or holdings referred to in point (iii) of this paragraph, any further preparation of meat for dispatch outside the area listed in Annex I shall only be authorised after the slaughter of all animals present, the removal of all meat and dead animals and not earlier than 24 hours after the completion of the total cleaning and disinfection of those establishments and holdings under the control of an official veterinarian;

(vi) the central veterinary authorities shall communicate to the other Member States and the Commission a list of those establishments and holdings which they have approved for the purposes of application of points (c), (d) and (e).'

2. Article 8 is amended as follows:

(a) In paragraph 2, point (j) is replaced by the following:

‘(j) medicinal products as defined in Directive 2001/83/EC, medical devices manufactured utilising animal tissue which is rendered non-viable as referred to in Article 1(5)(g) of Directive 93/42/EEC, veterinary medicinal products as defined in Directive 2001/82/EC, and investigational medicinal products as defined in Directive 2001/20/EC.’

(b) Paragraph 7 is replaced by the following:

‘7. By way of derogation from paragraph 3, it shall be sufficient, in the case of products referred to in paragraph 2(i) and (j), to be accompanied by a commercial document stating that the products are for use as *in-vitro* diagnostic, laboratory reagents, medical products or medical devices, provided that the products are clearly labelled “for *in-vitro* diagnostic use only” or “for laboratory use only”, as “medical products” or as “medical devices”.’

3. In Article 17, ‘15 October 2007’ is replaced by ‘15 November 2007’.

4. A new Annex III, the text of which is set out in the Annex to the present Decision, is added.

Article 2

Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 12 October 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

'ANNEX III

1	2	3	4	5	6	7	8
GROUP	ADNS	Administrative Unit	B	S/G	P	FG	WG
Scottish Islands	131	Shetland Islands	+	+	+		
	123	Orkney Islands	+	+	+		
	124	NA H-Eileanan An Iar	+	+	+		
Scotland	121	Highland	+	+	+		
	122	Moray	+	+	+		
	126	Aberdeenshire	+	+	+		
	128	Aberdeen City	+	+	+		
	79	Angus	+	+	+		
	81	Dundee City	+	+	+		
	80	Clackmannanshire	+	+	+		
	90	Perth & Kinross	+	+	+		
	127	Fife	+	+	+		
	85	Falkirk	+	+	+		
	88	Midlothian	+	+	+		
	96	West Lothian	+	+	+		
	129	City of Edinburgh	+	+	+		
	130	East Lothian	+	+	+		
	92	Scottish Borders	+	+	+		
	94	Stirling	+	+	+		
	125	Argyll and Bute	+	+	+		
	83	East Dunbartonshire	+	+	+		
	84	East Renfrewshire	+	+	+		
	86	City of Glasgow	+	+	+		
	87	Inverclyde	+	+	+		
	89	North Lanarkshire	+	+	+		
	91	Renfrewshire	+	+	+		
	93	South Lanarkshire	+	+	+		
	95	West Dunbartonshire	+	+	+		
	82	East Ayrshire	+	+	+		
	132	North Ayrshire	+	+	+		
	133	South Ayrshire	+	+	+		
	134	Dumfries & Galloway	+	+	+		
England	141	Cumbria	+	+	+		
	169	Northumberland	+	+	+		
	10	Gateshead	+	+	+		
	16	Newcastle upon Tyne	+	+	+		
	17	North Tyneside	+	+	+		
	26	South Tyneside	+	+	+		
	29	Sunderland	+	+	+		
	144	Durham	+	+	+		
	52	Darlington	+	+	+		
	55	Hartlepool	+	+	+		
	58	Middlesbrough	+	+	+		
	64	Redcar and Cleveland	+	+	+		
	69	Stockton-on-Tees	+	+	+		

1	2	3	4	5	6	7	8
GROUP	ADNS	Administrative Unit	B	S/G	P	FG	WG
	151	Lancashire	+	+	+		
	38	Blackburn with Darwen	+	+	+		
	39	Blackpool	+	+	+		
	176	North Yorkshire excluding Selby	+	+	+		
	177	Selby District	+	+	+		
	78	York	+	+	+		
	53	East Riding of Yorkshire	+	+	+		
	45	City of Kingston upon Hull	+	+	+		
	60	North East Lincolnshire	+	+	+		
	61	North Lincolnshire	+	+	+		
	32	West Yorkshire consisting of Wakefield District	+	+	+		
	11	Kirklees District	+	+	+		
	6	Calderdale District	+	+	+		
	4	Bradford	+	+	+		
	13	Leeds	+	+	+		
	1	South Yorkshire consisting of Barnsley District	+	+	+		
	8	Doncaster District	+	+	+		
	20	Rotherham District	+	+	+		
	24	Sheffield District	+	+	+		
	30	Greater Manchester consisting of Tameside District	+	+	+		
	18	Oldham District	+	+	+		
	19	Rochdale District	+	+	+		
	5	Bury District	+	+	+		
	3	Bolton District	+	+	+		
	21	Salford District	+	+	+		
	31	Trafford District	+	+	+		
	15	Manchester District	+	+	+		
	27	Stockport District	+	+	+		
	34	Wigan District	+	+	+		
	12	Merseyside consisting of Knowsley District	+	+	+		
	14	Liverpool District	+	+	+		
	23	Sefton District	+	+	+		
	28	St. Helens District	+	+	+		
	74	Warrington	+	+	+		
	140	Cheshire County	+	+	+		
	54	Halton	+	+	+		
	35	Wirral District	+	+	+		
	142	Derbyshire County	+	+	+		
	44	City of Derby	+	+	+		
	157	Nottinghamshire County	+	+	+		
	47	City of Nottingham	+	+	+		
	153	Lincolnshire	+	+	+		
	159	Shropshire	+	+	+		
	71	Telford and Wrekin	+	+	+		
	161	Staffordshire County	+	+	+		
	50	City of Stoke-on-Trent	+	+	+		

1	2	3	4	5	6	7	8
GROUP	ADNS	Administrative Unit	B	S/G	P	FG	WG
	170	Devon County	+	+	+		
	73	Torbay	+	+	+		
	136	Plymouth	+	+	+		
	171	Cornwall County	+	+	+		
	172	Isles of Scilly	+	+	+		
	114	Isle of Wight	+	+	+		
Wales	115	Sir Ynys Mon — Isle of Anglesey	+	+	+		
	116	Gwynedd	+	+	+		
	103	Conwy	+	+	+		
	108	Sir Ddinbych-Denbigshir	+	+	+		
	111	Sir Y Fflint-Flintshire	+	+	+		
	113	Wrecsam-Wrexham	+	+	+		
	173	North Powys	+	+	+		
	174	South Powys	+	+	+		
	118	Sir Ceredigion-Ceredigion	+	+	+		
	110	Sir Gaerfyrddin-Carmarthen	+	+	+		
	119	Sir Benfro-Pembrokeshire	+	+	+		
	97	Abertawe-Swansea	+	+	+		
	102	Castell-Nedd Port Talbot-Neath Port Talbot	+	+	+		
	105	Pen-y-Bont Ar Ogwr — Bridgend	+	+	+		
	107	Rhondda/Cynon/Taf	+	+	+		
	99	Bro Morgannwg-The Vale of Glamorgan	+	+	+		
	98	Bleanau Gwent	+	+	+		
	112	Tor-Faen — Tor Faen	+	+	+		
	101	Casnewydd — Newport	+	+	+		
	104	Merthyr Tudful-Merthyr Tydfil	+	+	+		
	100	Caerffili — Caerphilly	+	+	+		
	117	Caerdydd — Cardiff	+	+	+		
	109	Sir Fynwy — Monmouthshire	+	+	+		

ADNS = Animal Disease Notification System Code (Decision 2005/176/EC)

B = bovine meat

S/G = sheep and goat meat

P = pig meat

FG = farmed game of species susceptible to foot-and-mouth disease

WG = wild game of species susceptible to foot-and-mouth disease'

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL DECISION 2007/665/CFSP

of 28 September 2007

concerning the conclusion of an Agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 24 thereof,

Having regard to the recommendation from the Presidency,

Whereas:

- (1) On 30 May 2007, the Council adopted Joint Action 2007/369/CFSP on the establishment of the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) ⁽¹⁾.
- (2) Article 12(5) of Joint Action 2007/369/CFSP provides that detailed arrangements regarding the participation of third States shall be the subject of an agreement, in conformity with Article 24 of the Treaty.
- (3) On 13 September 2004, the Council authorised the Presidency, assisted where necessary by the Secretary-General/High Representative, in case of future EU civilian crisis management operations to open negotiations with third States with a view to concluding an agreement on the basis of the model agreement between the European Union and a third State on the participation of a third State in a European Union civilian crisis management operation. On that basis, the Presidency negotiated an Agreement with the Republic of Croatia on the participation of the Republic of Croatia in the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN).
- (4) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) is hereby approved on behalf of the European Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the European Union.

Article 3

This Decision shall take effect on the day of its adoption.

Article 4

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

Done at Brussels, 28 September 2007.

For the Council
The President
M. PINHO

⁽¹⁾ OJ L 139, 31.5.2007, p. 33.

AGREEMENT**between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN)**

THE EUROPEAN UNION (EU),

of the one part, and

THE REPUBLIC OF CROATIA,

of the other part,

hereinafter referred to as the 'Parties',

TAKING INTO ACCOUNT:

- the adoption by the Council of the European Union on 30 May 2007 of Joint Action 2007/369/CFSP on establishment of the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) ⁽¹⁾,
- the invitation to the Republic of Croatia to participate in EUPOL AFGHANISTAN,
- the decision by the Republic of Croatia to participate in EUPOL AFGHANISTAN,
- the Political and Security Committee Decision on the acceptance of the Republic of Croatia's contribution to EUPOL AFGHANISTAN,

HAVE AGREED AS FOLLOWS:

Article 1

Participation in the operation

1. The Republic of Croatia shall associate itself with Joint Action 2007/369/CFSP and with any Joint Action or Decision by which the Council of the European Union decides to extend EUPOL AFGHANISTAN, in accordance with the provisions of this Agreement and any required implementing arrangements.

2. The contribution of the Republic of Croatia to EUPOL AFGHANISTAN is without prejudice to the decision-making autonomy of the European Union.

3. The Republic of Croatia shall ensure that its personnel participating in EUPOL AFGHANISTAN undertake their mission in conformity with:

- Joint Action 2007/369/CFSP and possible subsequent amendments,

- the Operation Plan,

- implementing measures.

4. Personnel seconded to EUPOL AFGHANISTAN by the Republic of Croatia shall carry out their duties and conduct themselves solely with the interest of EUPOL AFGHANISTAN in mind.

5. The Republic of Croatia shall inform in due time the EUPOL AFGHANISTAN Head of Mission and the General Secretariat of the Council of the European Union of any change to its contribution to EUPOL AFGHANISTAN.

6. Personnel seconded to EUPOL AFGHANISTAN shall undergo a medical examination, vaccination and be certified medically fit for duty by a competent authority from the Republic of Croatia. Personnel seconded to EUPOL AFGHANISTAN shall produce a copy of this certification.

⁽¹⁾ OJ L 139, 31.5.2007, p. 33.

*Article 2***Status of personnel**

1. The status of the personnel contributed to EUPOL AFGHANISTAN by the Republic of Croatia shall be governed by the Agreement on the status of mission concluded between the European Union and the Islamic Republic of Afghanistan.

2. Without prejudice to the Agreement referred to in paragraph 1, the Republic of Croatia shall exercise jurisdiction over its personnel participating in EUPOL AFGHANISTAN.

3. The Republic of Croatia shall be responsible for answering any claims linked to the participation in EUPOL AFGHANISTAN, from or concerning any of its personnel. The Republic of Croatia shall be responsible for bringing any action, in particular legal or disciplinary, against any of its personnel, in accordance with its laws and regulations.

4. The Republic of Croatia undertakes to make a declaration as regards the waiver of claims against any State participating in EUPOL AFGHANISTAN, and to do so when signing this Agreement. A model for such a declaration is annexed to this Agreement.

5. The European Union shall ensure that its Member States make a declaration as regards the waiver of claims for the participation of the Republic of Croatia in EUPOL AFGHANISTAN, and to do so when signing this Agreement.

*Article 3***Classified information**

1. The Republic of Croatia shall take appropriate measures to ensure that EU classified information is protected in accordance with the European Union Council's security regulations, contained in Council Decision 2001/264/EC⁽¹⁾, and in accordance with further guidance issued by competent authorities, including the EUPOL AFGHANISTAN Head of Mission.

2. The provisions of the Agreement between the European Union and the Republic of Croatia on security procedures for the exchange of EU classified information⁽²⁾, dated 10 April 2006, shall apply in the context of EUPOL AFGHANISTAN.

*Article 4***Chain of command**

1. All personnel participating in EUPOL AFGHANISTAN shall remain under the full command of their national authorities.

2. National authorities shall transfer Operational Control to the EUPOL AFGHANISTAN Head of Mission, who shall exercise that command through a hierarchical structure of command and control.

3. The Head of Mission shall lead EUPOL AFGHANISTAN and assume its day-to-day management.

4. The Republic of Croatia shall have the same rights and obligations in terms of the day-to-day management of EUPOL AFGHANISTAN as participating European Union Member States taking part in the operation, in accordance with the legal instruments referred to in Article 1(1) of this Agreement.

5. The EUPOL AFGHANISTAN Head of Mission shall be responsible for disciplinary control over EUPOL AFGHANISTAN personnel. Where required, disciplinary action shall be taken by the national authority concerned.

6. A National Contingent Point of Contact (NPC) shall be appointed by the Republic of Croatia to represent its national contingent in EUPOL AFGHANISTAN. The NPC shall report to the EUPOL AFGHANISTAN Head of Mission on national matters and shall be responsible for day-to-day contingent discipline.

7. The decision to end the operation shall be taken by the European Union, following consultation with the Republic of Croatia, provided that the Republic of Croatia is still contributing to EUPOL AFGHANISTAN at the date of termination of the operation.

*Article 5***Financial aspects**

1. The Republic of Croatia shall assume all the costs associated with its participation in the operation apart from the costs which are subject to common funding, as set out in the operational budget of the operation.

2. In case of death, injury, loss or damage to natural or legal persons from Afghanistan, the Republic of Croatia shall, when its liability has been established, pay compensation under the conditions provided for in the Agreement on status of mission, if available, as referred to in Article 2(1) of this Agreement.

⁽¹⁾ OJ L 101, 11.4.2001, p. 1. Decision as last amended by Decision 2007/438/EC (OJ L 164, 26.6.2007, p. 24).

⁽²⁾ OJ L 116, 29.4.2006, p. 74.

*Article 6***Contribution to operational budget**

As the participation by the Republic of Croatia constitutes a significant contribution which is essential for the operation, the Republic of Croatia is exempted from contributions to the operational budget of EUPOL AFGHANISTAN.

*Article 7***Arrangements to implement this Agreement**

Any necessary technical and administrative arrangements in pursuance of the implementation of this Agreement shall be concluded between the Secretary-General/High Representative and the appropriate authorities of the Republic of Croatia.

*Article 8***Non-compliance**

Should one of the Parties fail to comply with its obligations laid down in this Agreement, the other Party shall have the right to terminate this Agreement by written notification through diplomatic channels one month in advance.

*Article 9***Dispute settlement**

Disputes concerning the interpretation or application of this Agreement shall be settled by diplomatic means between the Parties.

*Article 10***Entry into force**

1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other through diplomatic channels of the completion of the internal procedures necessary for this purpose.

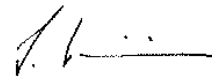
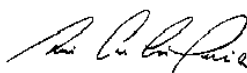
2. This Agreement shall be provisionally applied from the date of signature.

3. This Agreement shall remain in force for the duration of the Republic of Croatia's contribution to the operation.

Done at Brdo pri Kranjiv, on the fourth day of October in the year two thousand and seven in the English language in two copies.

For the European Union

For the Republic of Croatia



ANNEX

Declarations*Referred to in Article 2(4) and (5)*

DECLARATION BY THE EU MEMBER STATES

'The EU Member States applying Joint Action 2007/369/CFSP of 30 May 2007 on establishment of the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) will endeavour, insofar as their internal legal systems so permit, to waive as far as possible claims against the Republic of Croatia for injury, death of their personnel, or damage to, or loss of, any assets owned by themselves and used by EUPOL AFGHANISTAN if such injury, death, damage or loss:

- was caused by personnel from the Republic of Croatia in the execution of their duties in connection with EUPOL AFGHANISTAN, except in case of gross negligence or wilful misconduct,
- or arose from the use of any assets owned by the Republic of Croatia, provided that the assets were used in connection with the operation and except in case of gross negligence or wilful misconduct of EUPOL AFGHANISTAN personnel from the Republic of Croatia using those assets.'

DECLARATION BY THE REPUBLIC OF CROATIA

'The Republic of Croatia applying Joint Action 2007/369/CFSP of 30 May 2007 on establishment of the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) will endeavour, insofar as its internal legal system so permits, to waive as far as possible claims against any other State participating in EUPOL AFGHANISTAN for injury, death of their personnel, or damage to, or loss of, any assets owned by itself and used by EUPOL AFGHANISTAN if such injury, death, damage or loss:

- was caused by personnel in the execution of their duties in connection with EUPOL AFGHANISTAN, except in case of gross negligence or wilful misconduct,
 - or arose from the use of any assets owned by States participating in EUPOL AFGHANISTAN, provided that the assets were used in connection with the operation and except in case of gross negligence or wilful misconduct of EUPOL AFGHANISTAN personnel using those assets.'
-

CORRIGENDA**Corrigendum to Directive 2005/68/EC of the European Parliament and of the Council of 16 November 2005 on reinsurance and amending Council Directives 73/239/EEC, 92/49/EEC as well as Directives 98/78/EC and 2002/83/EC**

(Official Journal of the European Union L 323 of 9 December 2005)

1. On page 30, Article 58 concerning amendments to Directive 92/49/EEC:

(a) point 2, introductory phrase:

for: '2. In Article 16, paragraphs 4, 5 and 6 shall be replaced by the following';

read: '2. In Article 16, paragraphs 4, 5 and 5a shall be replaced by the following';

(b) point 2, fourth indent of Article 16, paragraph 4:

for: '— in court proceedings initiated under Article 53 or under special provisions provided for in this Directive and other Directives adopted in the field of insurance undertakings and reinsurance undertakings,'

read: '— in court proceedings initiated under Article 56 or under special provisions provided for in this Directive and other Directives adopted in the field of insurance undertakings and reinsurance undertakings.'

2. On page 39, Article 60 concerning amendments to Directive 2002/83/EC, point 11, introductory phrase:

for: '11. Article 37(4) shall be replaced by the following';

read: '11. Article 38(4) shall be replaced by the following';
