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I

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REGULATIONS

COMMISSION REGULATION (EC) No 1230/2007

of 22 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 23 October 2007.

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

Done at Brussels, 22 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 22 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	55,3
	MK	27,6
	TR	117,9
	ZZ	66,9
0707 00 05	JO	151,2
	MA	40,3
	MK	48,1
	TR	143,2
	ZZ	95,7
0709 90 70	TR	124,8
	ZZ	124,8
0805 50 10	AR	81,8
	TR	85,0
	UY	73,9
	ZA	52,3
	ZZ	73,3
0806 10 10	BR	240,4
	TR	126,0
	US	202,0
	ZZ	189,5
0808 10 80	AU	145,1
	CL	117,6
	MK	33,9
	NZ	83,6
	US	96,6
	ZA	90,4
0808 20 50	ZZ	94,5
	CN	67,6
	TR	123,6
	ZZ	95,6

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

COMMISSION REGULATION (EC) No 1231/2007
of 19 October 2007
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN codes indicated in column 2, by virtue of the reasons set out in column 3 of that table.

- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN codes indicated in column 2 of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 19 October 2007.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 733/2007 (OJ L 169, 29.6.2007, p. 1).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
1. An infrared home sauna, intended to be incorporated into a building, designed to hold up to two persons, consisting of: — six 'ready to assemble' prefabricated wooden panels, — a bench, — ventilation equipment, — an air ioniser. Some of the panels are equipped with: — a door with a window, — a ceramic far-infrared heater, — digital controllers or, — loudspeakers. The wavelength of the rays generated by the ceramic far-infrared heater is 5,6–15 µm. The product combines the functions of a sauna and an infrared heat therapy device. It provides recreational and relaxing treatment.	8516 79 70	Classification is determined by General Rules 1, 2(a), 3(b) and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and by the wording of CN codes 8516, 8516 79 and 8516 79 70. The mechanical appliances and electronic equipment confer upon the whole its essential character. Classification under heading 4421 as other articles of wood is, therefore, excluded. The product does not provide any medical treatment and, therefore, classification under heading 9018 as a medical instrument or appliance is excluded. Classification under heading 9406 is excluded as the product is not a 'stand-alone' complete or incomplete pre-fabricated building. Since the ceramic far-infrared heater, performing the principal function of the product, is an electro-thermic appliance having a function specified elsewhere in Chapter 85 (heading 8516), classification under heading 8543 is excluded. As the ceramic far-infrared heater is mainly for heating up the body and not only for spaceheating, the product is excluded from subheading 8516 29 as an electric space heating apparatus. Therefore, it is to be classified under subheading 8516 79.
2. A stand-alone device for recording digital code representing video on a digital versatile disc (DVD) from a video camera recorder. The device is equipped with a USB interface for connecting it to a video camera recorder or to an automatic dataprocessing machine. When the device is connected to the video camera recorder, the video recording is controlled by the latter apparatus and records only in a video format. The device can also be used as a storage device for data on a DVD when it works in conjunction with an automatic dataprocessing machine.	8521 90 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 5(E) to Chapter 84 and by the wording of CN codes 8521 and 8521 90 00. Since the device has a specific function, video recording from a camera, classification as a storage unit under subheading 8471 70 is excluded (see Note 5(E) to Chapter 84). Because the device is specified in heading 8521 (as a video recording apparatus), classification as a transcribing device under heading 8471 (subheading 8471 90) is excluded. Since the device has a function specified elsewhere in Chapter 85 (heading 8521), classification under heading 8543 is excluded.

(1)	(2)	(3)
3. A digital camera for capturing and recording images onto an internal storage device with a capacity of 22 MB or onto a memory card of a maximum capacity of 1 GB. The camera is equipped with a 6 mega-pixels charge-coupled device (CCD) and a liquid crystal device (LCD) with a diagonal measurement of 6,35 cm (2,5 inches) that can be used as a display when capturing images or as a screen for displaying pre-recorded images. The maximum resolution of the still images is 3 680 × 2 760 pixels. Using this highest resolution and the 1 GB memory of the card, it is capable of recording approximately 290 still images. Using the resolution of 640 × 480 pixels and the 1 GB memory of the card, it is capable of recording approximately 7 550 still images. The maximum resolution of the video is 640 × 480 pixels. Using this highest resolution and the 1 GB memory of the card, it is capable of recording approximately 11 minutes of video at 30 frames per second. The camera offers an optical zoom function which cannot be used during video recording.	8525 80 30	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and the wording of CN codes 8525, 8525 80 and 8525 80 30. The camera is not classifiable under subheadings 8525 80 11 or 8525 80 19 as a television camera because it is capable of recording still images and video. The product can capture and record still images of a high quality. However, the product can only capture and record video of a quality of less than 800 × 600 pixels and has no zoom function during video recording. (See the CN Explanatory Notes to subheading 8525 80 30). Within the meaning of Note 3 to Section XVI, the principal function of the camera is the capturing and recording of still images and, therefore, the product is to be classified as a digital camera of subheading 8525 80 30.
4. A digital camera for capturing and recording images onto a memory card of a maximum capacity of 1 GB. The camera is equipped with a 6 mega-pixels charge-coupled device (CCD) and a foldable viewfinder of a liquid crystal device (LCD) type with a diagonal measurement of 5,08 cm (2,0 inches) that can be used when capturing images or as a screen for displaying pre-recorded images. The maximum resolution of the still images is 3 680 × 2 760 pixels. Using this highest resolution and the 1 GB memory of the card, it is capable of recording approximately 300 still images. Using the resolution of 640 × 480 pixels and the 1 GB memory of the card, it is capable of recording approximately 7 750 still images.	8525 80 30	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and the wording of CN codes 8525, 8525 80 and 8525 80 30. The camera is not classifiable under subheadings 8525 80 11 or 8525 80 19 as a television camera, because it is capable of recording still images and video. The product can capture and record still images of a high quality.

(1)	(2)	(3)
The maximum resolution of the video is 640 × 480 pixels. Using this highest resolution and the 1 GB memory of the card, it is capable of recording approximately 42 minutes of video at 30 frames per second. The camera offers an optical zoom function which can be used during video recording.		Although the product has the design of a video camera recorder, has a zoom function during video recording and is capable of recording approximately 42 minutes of video using the resolution of 640 × 480 pixels, the recording of the video remains a secondary function because the product can only capture and record video of a quality of less than 800 × 600 pixels. (See the CN Explanatory Notes to subheading 8525 80 30). Within the meaning of Note 3 to Section XVI, the principal function of the camera is the capturing and recording of still images and, therefore, the product is to be classified as a digital camera of subheading 8525 80 30.
5. A digital video camera for capturing and recording images onto a memory card of a maximum capacity of 2 GB. The camera is equipped with a 5 megapixels charge-coupled device (CCD) and a foldable viewfinder of an organic light-emitting diode (OLED) device type with a diagonal measurement of 5,9 cm (2,2 inches) that can be used when capturing images or as a screen for displaying pre-recorded images. It is equipped with a microphone input, and an audio-video output. The maximum resolution of the video is 1 280 × 720 pixels. Using this highest resolution and the 2 GB memory of the card, it is capable of recording approximately 42 minutes of video at 30 frames per second. Using the resolution of 640 × 480 pixels and the 2 GB memory of the card, it is capable of recording two hours of video at 30 frames per second. The maximum resolution of the still images is 3 680 × 2 760 pixels. Using this highest resolution and the 2 GB memory of the card, it is capable of recording approximately 600 still images. Using the resolution of 640 × 480 pixels and the 2 GB memory of the card, it is capable of recording approximately 15 500 still images. The camera offers an optical zoom function which can be used during video recording.	8525 80 91	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and the wording of CN codes 8525, 8525 80 and 8525 80 91. The camera is not classifiable under subheadings 8525 80 11 or 8525 80 19 as a television camera because it is capable of recording still images and video. Within the meaning of Note 3 to Section XVI, the principal function of the camera is the capturing and recording of video, because it can record video of a higher quality than 800 × 600 pixels for approximately 42 minutes using the resolution of 1 280 × 720 pixels, at 30 frames per second. Furthermore, the camera offers an optical zoom function which can be used during video recording. (See the CN Explanatory Notes to subheadings 8525 80 91 and 8525 80 99). The product, being only able to record sound and images taken by the television camera, is classified as a video camera recorder of subheading 8525 80 91.

(1)	(2)	(3)
6. A portable device consisting of a global positioning system (GPS) receiver, with integrated antenna and a personal digital assistant (PDA) with operating system in a single housing. The overall dimensions are: 11,2 (length) × 6,9 (width) × 1,6 (depth) cm. It is equipped with: — a memory card slot, — a 8,9 cm (3,5") LCD colour touch screen, — an LED backlight, — a 32 MB Flash memory, — a GPS built-in module with separate antenna, — a voice recorder, — an MP3 Playback support with built-in loudspeaker, — interfaces for headphone, USB, cradle, etc., and, — buttons to access the tasks, calendar, notes, contacts.	8526 91 20	Classification is determined by General Rules 1, 3(c) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8526, 8526 91 and 8526 91 20. The device consists of two components: an ADP machine of heading 8471 and a GPS receiver of heading 8526. Neither the dataprocessing nor the GPS receiving functions can be considered as the principal function. Therefore, the device is by application of GIR 3(c) to be classified under heading 8526.
7. A four-wheeled motor vehicle fitted with a diesel engine with a capacity of 132 kW and a maximum speed of 40 km/h. The vehicle has a fully automatic transmission, four forward gears and one reverse gear, and an enclosed cab with a seat for the driver only. The chassis is fitted with a 'fifth wheel'. The fifth wheel has a lift height of 60 cm and a maximum load-bearing capacity of 32 000 kg. Its purpose is to enable a trailer to be connected to it. The vehicle is specifically designed for use in distribution centres handling trailers.	8701 90 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of the CN codes 8701, 8701 90 and 8701 90 90. The vehicle is not to be classified under heading 8709, because it is neither designed nor intended to carry goods themselves and is unsuitable for use on railway station platforms. The Court of Justice of the European Communities ruled in Case C 495/03 ⁽¹⁾ that this type of vehicle is to be classified under heading 8701. It is not to be classified as a road tractor for semi-trailers under subheading 8701 20, because it is not designed for use on the public road for transportation of freight over substantial distances. Therefore, the vehicle is to be classified as a tractor under subheading 8701 90 90.

⁽¹⁾ [2005] ECR I-8151.

COMMISSION REGULATION (EC) No 1232/2007**of 22 October 2007****derogating from Regulations (EC) No 2058/96, (EC) No 1964/2006 and (EC) No 1002/2007 as regards the dates for the lodging of applications for import licences and the issuing of such licences in December 2007 under tariff quotas in the rice sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽¹⁾, and in particular Article 1(1) thereof,Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 13(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2058/96 of 28 October 1996 opening and providing for the management of a tariff quota for broken rice of CN code 1006 40 00 for production of food preparations of CN code 1901 10 ⁽³⁾ lays down specific provisions for the lodging of applications for import licences and the issuing of such licences for broken rice under tariff quota 09.4079.
- (2) Commission Regulation (EC) No 1964/2006 of 22 December 2006 laying down detailed rules for the opening and administration of an import quota for rice originating in Bangladesh, pursuant to Council Regulation (EEC) No 3491/90 ⁽⁴⁾ lays down specific provisions for the lodging of applications for import licences and the issuing of such licences for rice originating in Bangladesh under tariff quota 09.4517.
- (3) Commission Regulation (EC) No 1002/2007 of 29 August 2007 laying down detailed rules for the application of Council Regulation (EC) No 2184/96 concerning imports into the Community of rice origi-

nating in and coming from Egypt ⁽⁵⁾ lays down specific provisions for the lodging of applications for import licences and the issuing of such licences for rice under tariff quota 09.4094.

- (4) In view of the public holidays in 2007, derogations should be made from Regulations (EC) No 2058/96, (EC) No 1964/2006 and (EC) No 1002/2007 as regards the dates for the lodging of import licence applications and the issuing of those licences in order to ensure compliance with the quota volumes in question.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Notwithstanding the second subparagraph of Article 2(1) of Regulation (EC) No 2058/96, applications for import licences for broken rice under quota 09.4079 may no longer be lodged for 2007 after 13:00 Brussels time on 17 December 2007.
2. Notwithstanding Article 4(3) of Regulation (EC) No 1964/2006, applications for import licences for rice originating in Bangladesh under quota 09.4517 may no longer be lodged for 2007 after 13:00 Brussels time on 17 December 2007.
3. Notwithstanding Article 2(3) of Regulation (EC) No 1002/2007, applications for import licences for rice originating in and coming from Egypt under quota 09.4094 may no longer be lodged for 2007 after 13:00 Brussels time on 14 December 2007.

Article 2

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

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

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

⁽³⁾ OJ L 276, 29.10.1996, p. 7. Regulation as last amended by Regulation (EC) No 2019/2006 (OJ L 384, 29.12.2006, p. 48).

⁽⁴⁾ OJ L 408, 30.12.2006, p. 19, as corrected by OJ L 47, 16.2.2007, p. 15.

⁽⁵⁾ OJ L 226, 30.8.2007, p. 15.

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

Done at Brussels, 22 October 2007.

For the Commission
Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

COMMISSION REGULATION (EC) No 1233/2007**of 22 October 2007****amending Regulation (EC) No 885/2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 42 thereof,

Whereas:

- (1) According to Articles 3 and 4 of Regulation (EC) No 1290/2005, the European Agricultural Guarantee Fund (the EAGF) and the European Agricultural Fund for Rural Development (the EAFRD) finance only, in a context of shared management, expenditure effected in accordance with Community legislation. Undue payments made by Member States to beneficiaries which do not result from irregularities within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests ⁽²⁾ but from errors made by the national administrations, are not effected in accordance with Community legislation and, therefore, should be excluded from financing from the Community budget. It is for this reason that, if these undue payments have not been recovered by the Member States by the end of the financial year in which they are detected, they should be excluded from the annual accounts of the paying agencies. As a consequence, such payments should not be included in the table provided for in Annex III to Commission Regulation (EC) No 885/2006 ⁽³⁾.
- (2) Pursuant to Article 32(3) of Regulation (EC) No 1290/2005, Member States are required to provide the Commission with a summary report on recovery procedures when sending the annual accounts. In the report Member States must indicate separately the amounts not recovered within the time-limits specified as well as the amounts for which it has been decided not to pursue the recovery. In order to facilitate the clearance of the accounts of the paying agencies by the Commission, the accounts should include the total amount to be charged to the Community budget and the total amount to be charged to the budget of the Member State in accordance with, respectively, the first subparagraph of Article 32(5) of Regulation (EC) No 1290/2005 for the EAGF and the first subparagraph of Article 33(8) for the EAFRD as well as the total amount

to be charged to the Community budget in accordance with, respectively, Article 32(6) for the EAGF and Article 33(7) for the EAFRD of Regulation (EC) No 1290/2005.

- (3) For accounting purposes, Member States should be required to send to the Commission in the context of the annual accounts information on sums to be recovered other than those which result from errors made by the national administrations or irregularities committed by the beneficiaries such as, for example, sums to be recovered as a result of the application of reductions and exclusions for violations of cross-compliance obligations. To this effect, a model table indicating the required information should be added.
- (4) Certain references in relation to information systems security should be updated following recent changes in this respect.
- (5) Taking into account the experience gained in applying Annex III, that Annex should be simplified.
- (6) Regulation (EC) No 885/2006 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the Agricultural Funds,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 885/2006 is amended as follows:

1. Article 6 is replaced by the following:

'Article 6

Content of the annual accounts

The annual accounts referred to in Article 8(1)(c)(iii) of Regulation (EC) No 1290/2005 shall include:

- (a) the assigned revenues referred to in Article 34 of Regulation (EC) No 1290/2005;
- (b) the expenditure of the EAGF after deduction of any undue payments not recovered at the end of the financial year other than those referred to under point (h), including any interests thereon, summarised by item and sub-item of the Community budget;

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

⁽²⁾ OJ L 312, 23.12.1995, p. 1.

⁽³⁾ OJ L 171, 23.6.2006, p. 90.

- (c) the expenditure of the EAFRD, by programme and measure. At the closure of the programme, any undue payments not recovered other than those referred to under point (h), including any interests thereon, shall be deducted from the expenditure of the financial year in question;
- (d) information regarding expenditure and assigned revenues or confirmation that the detail of each transaction is held on computer file at the disposal of the Commission;
- (e) a table of differences by item and sub-item or, in the case of the EAFRD, by programme and measure, between the expenditure and the assigned revenues declared in the annual accounts and that declared for the same period in the documents referred to in Article 4(1)(c) of Commission Regulation (EC) No 883/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the keeping of accounts by the paying agencies, declarations of expenditure and revenue and the conditions for reimbursing expenditure under the EAGF and the EAFRD (*), as far as the EAGF is concerned and Article 16(2) of that Regulation as far as the EAFRD is concerned, accompanied by an explanation for every difference;
- (f) separately, the amounts to be borne by, respectively, the Member State concerned and the Community in accordance with the first subparagraph of Article 32(5) and Article 32(6) of Regulation (EC) No 1290/2005;
- (g) separately, the amounts to be borne by, respectively, the Member State concerned and the Community in accordance with the first subparagraph of Article 33(8) and Article 33(7) of Regulation (EC) No 1290/2005;
- (h) the table of the undue payments to be recovered at the end of the financial year as a consequence of irregularities within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95 (**), including any sanctions and interests thereon, following the model set out in Annex III to this Regulation;

- (i) an extract from the debtors ledger of the amounts to be recovered and credited to either the EAGF or the EAFRD other than those referred to in points (b), (c) and (h), including any sanctions and interests thereon, following the model set out in Annex IIIa;
- (j) a summary of intervention operations and a statement of the quantity and location of stocks at the end of the financial year;
- (k) confirmation that the details of each movement of intervention storage is held on the paying agency's files;

(*) OJ L 171, 23.6.1996, p. 1.

(**) OJ L 312, 23.12.1995, p. 1.

2. Annex I is amended in accordance with Annex I to this Regulation;
3. Annex III is replaced by the text in Annex II to this Regulation;
4. after Annex III, the text in Annex III to this Regulation is inserted as Annex IIIa.

Article 2

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

Points (1), (3) and (4) of Article 1 shall apply from 16 October 2007 in respect of financial year 2008 and following.

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

Done at Brussels, 22 October 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Point 3(B) of Annex I to Regulation (EC) No 885/2006 is amended as follows:

(a) the introductory phrase is replaced by the following:

'Information systems security shall be based on the criteria laid down in a version applicable in the financial year concerned of one of the following internationally accepted standards:';

(b) point (i) is replaced by the following:

'(i) International Standards Organisation 27002: Code of practice for Information Security management (ISO)'.

ANNEX II

‘ANNEX III

Model table referred to in Article 6(h)

Member States shall provide per paying agency the information referred to in Article 6(h) by using the following table:

a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u
	Fund (reference to Regulation (EC) No 1290/2005, Article 3 or 4)	Financial year n	Currency unit	Case identi- fication number	ECR identi- fication if appli- cable ⁽¹⁾	Case included in the debtors' ledger?	Ben- eficiary identi- fication	Pro- gramme closed? (only for EAFRD)	Financial year of primary finding of irregu- larity	Subject to judicial pro- cedures	Original amount to be re- covered	Total corrected amount (entire recovery period)	Total re- covered amount (entire recovery period)	Amount declared irrecov- erable	Financial year of estab- lishment of irre- cover- ability	Reasons for irre- cover- ability	Cor- rected amount (in financial year n)	Re- covered amount (in financial year n)	Amount for which recovery is ongoing	Amount to be credited to the Com- munity budget
Paying Agency																				
	3/4					y/n				y/n										
	3/4					y/n				y/n										
	3/4					y/n				y/n										
	3/4					y/n				y/n										
Total																				

⁽¹⁾ This concerns the unique identification of the cases notified under Commission Regulation (EC) No 1848/2006 (OJ L 355, 15.12.2006, p. 56)'

ANNEX III
‘ANNEX IIIA

Model table referred to in Article 6(i)

Other outstanding amounts in the debtors' ledger to be credited to the EAGF and the EAFRD
Member States shall provide per paying agency the information referred to in Article 6(i) by using the following table:

a	b	c	d	e	f	g	h
Paying Agency	Fund	Currency unit	Balance 15 October N-1	New cases (year N)	Total recoveries (year N)	Total corrections including irrecoverable amounts (year N)	Amount to be recovered 15 October N'

II

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

DECISIONS

COUNCIL

DECISION No 1/2007 OF THE EU-MEXICO JOINT COMMITTEE

of 14 June 2007

relating to Annex III to Decision No 2/2000 of the EU-Mexico Joint Council of 23 March 2000, concerning the definition of the concept of 'originating products' and methods of administrative cooperation

(2007/676/EC)

THE JOINT COMMITTEE,

Having regard to Decision No 2/2000 of the EU-Mexico Joint Council of 23 March 2000 ⁽¹⁾ (hereinafter 'Decision No 2/2000'), and in particular its Annex III concerning the definition of the concept of 'originating products' and methods of administrative cooperation,

Whereas:

- (1) Annex III to Decision No 2/2000 sets out the rules of origin for the products originating in the territory of the Parties to the Agreement.
- (2) According to Joint Declaration V to Decision No 2/2000, the Joint Committee shall review the necessity to extend beyond 30 June 2003 the application of the rules established in Notes 2 and 3 of Appendix II(a), if the economic conditions which formed the basis for establishing the rules set out in those Notes continue. On 22 March 2004 the Joint Committee adopted Decision No 1/2004 of the EU-Mexico Joint Committee ⁽²⁾ extending the application of the rules of origin established in Notes 2 and 3 of Appendix II(a) to Annex III to Decision No 2/2000 until 30 June 2006.
- (3) It is considered appropriate to extend once again, on a temporary basis, the application of the rules of origin

established in Notes 2 and 3 of Appendix II(a) to Annex III to Decision No 2/2000, thereby ensuring the continuity of application of the mutual advantages provided for under that Decision.

- (4) According to Joint Declaration VI to Decision No 2/2000, the Joint Committee shall extend beyond 31 December 2002 the rules of origin established in Note 4 of Appendix II(a) to Annex III to Decision No 2/2000 until the current round of multilateral negotiations within the World Trade Organisation (WTO) has finished.
- (5) By Decision No 1/2002 of the EU-Mexico Joint Committee of 20 December 2002 ⁽³⁾, the application of the rules of origin established in Note 4 of Appendix II(a) to Annex III to Decision No 2/2000 was extended until 31 December 2004. The WTO negotiations have not been concluded to date and it is thus necessary to extend once again the application of these rules of origin, thereby ensuring the continuity of application of the mutual advantages provided for under Decision No 2/2000.
- (6) The management method currently used to allocate the annual quotas set out in Appendix II to Annex III to Decision No 2/2000 for products classified in HS (Harmonised System) headings 5208 to 5212, 5407 and 5408, 5512 to 5516, 5801, 5806 and 5811 exported from the Community to Mexico should be changed from the present auction system to a 'first come, first served' basis in order to simplify access to such quotas and bring about a higher utilisation rate.

⁽¹⁾ OJ L 157, 30.6.2000, p. 10 and OJ L 245, 29.9.2000, p. 1 (Annexes). Decision as last amended by Decision No 3/2004 of the EU – Mexico Joint Council (OJ L 293, 16.9.2004, p. 15).

⁽²⁾ OJ L 113, 20.4.2004, p. 60.

⁽³⁾ OJ L 44, 18.2.2003, p. 97.

- (7) The management method currently used to allocate the annual quotas set out in Note 9 of Appendix II(a) to Annex III to Decision No 2/2000 for products classified in HS headings 6402 to 6404 exported from the Community to Mexico should be changed from the present auction system to a 'first come, first served' basis in order to simplify access to such quotas and bring about a higher utilisation rate.
- (8) The rule of origin set out in Appendix II to Annex III to Decision No 2/2000 for products classified in HS heading 1904 should be amended to allow the use of non-originating *Zea indurata* maize in the manufacture of products of this heading.
- (9) The rule of origin set out in Appendix II to Annex III to Decision No 2/2000 for products classified in HS heading 7601 should be amended to allow the acquisition of origin through different manufacturing processes,

HAS DECIDED AS FOLLOWS:

Article 1

The rules of origin set out in Notes 2 and 3 of Appendix II(a) to Annex III to Decision No 2/2000 shall apply until 30 June 2009 instead of the rules of origin set out in Appendix II to Annex III to that Decision.

Article 2

The rules of origin set out in Note 4 of Appendix II(a) to Annex III to Decision No 2/2000 shall apply until the conclusion of the present round of WTO negotiations instead of the rules of origin set out in Appendix II to Annex III to that Decision.

Article 3

1. The text of the footnotes in Appendix II to Annex III to Decision No 2/2000 referring to products classified in HS headings 5208 to 5212, 5407 and 5408, 5512 to 5516, 5801, 5806 and 5811 shall be replaced by the text contained in Annex I to this Decision.

2. A new Note 13 shall be added to Appendix II(a) to Annex III to Decision No 2/2000, the text of which is contained in Annex I to this Decision.

Article 4

The text of Note 9 of Appendix II(a) to Annex III to Decision No 2/2000 shall be replaced by the text contained in Annex II to this Decision.

Article 5

The rule of origin set out in Appendix II to Annex III to Decision No 2/2000 for products classified in HS heading 1904 shall be replaced by the text contained in Annex III to this Decision.

Article 6

The rule of origin set out in Appendix II to Annex III to Decision No 2/2000 for products classified in HS heading 7601 shall be replaced by the text contained in Annex IV to this Decision.

Article 7

This Decision shall enter into force on the date the Parties exchange written notifications certifying the completion of their respective legal procedures.

Article 1 shall apply from 1 July 2006.

Article 2 shall apply from 1 January 2005.

Done at Brussels, 14 June 2007.

For the Joint Committee
Tomás DUPLÁ DEL MORAL

ANNEX I

*(Referred in Article 3)***Text of the footnotes in Appendix II to Annex III to Decision No 2/2000 referring to products classified in HS headings 5208 to 5212, 5407 and 5408, 5512 to 5516, 5801, 5806 and 5811***Footnote to HS headings 5208 to 5212*

The printing rule shall apply only to exports from the EC to Mexico for an aggregate annual quota of 2 000 000 m². This quota will be allocated on a 'first come, first served' basis by Mexico. See Note 13 to Appendix II(a).

Footnote to HS headings 5407 and 5408

The printing rule shall apply only to exports from the EC to Mexico for an aggregate annual quota of 3 500 000 m². This quota will be allocated on a 'first come, first served' basis by Mexico. See Note 13 to Appendix II(a).

Footnote to HS headings 5512 to 5516

The printing rule shall apply only to exports from the EC to Mexico for an aggregate annual quota of 2 000 000 m². This quota will be allocated on a 'first come, first served' basis by Mexico. See Note 13 to Appendix II(a).

Footnote to HS headings 5801, 5806 and 5811

For HS headings 5801, 5806 and 5811, the printing rule shall apply only to exports from the EC to Mexico for an aggregate annual quota of 500 000 m². This quota will be allocated on a 'first come, first served' basis by Mexico. See Note 13 to Appendix II(a).

Text of Note 13 of Appendix II(a) to Annex III to Decision No 2/2000*Note 13*

Mexico shall allocate the benefit of the annual quotas set out in Appendix II for products classified in HS headings 5208 to 5212, 5407 and 5408, 5512 to 5516, 5801, 5806 and 5811 on a 'first come, first served' basis.

The Joint Committee shall review in 2009 the annual quotas to adjust them in the light of the experience in managing them and the bilateral trade flows.

ANNEX II

(Referred in Article 4)

Text of Note 9 of Appendix II(a) to Annex III to Decision No 2/2000

Note 9

For HS headings 6402, 6403 and 6404:

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
6402 to 6404	Footwear of plastics, leather and textiles	Manufacture from materials of any heading, except from assemblies of uppers affixed to inner soles or to other sole components of heading 6406	

This rule shall confer origin only to goods exported by the EC to Mexico within the following annual quotas for each heading:

6402	120 000 pairs
6403, only for pairs with a customs value over USD 20	250 000 (women's pairs) 250 000 (men's pairs) 125 000 (children's pairs)
6404	120 000 pairs

Mexico shall allocate the benefit of these annual quotas on a 'first come, first served' basis.

The Joint Committee shall review in 2009 the conditions established in this Note to adjust it in the light of the quota management experience with a view to allowing effective use of the trading opportunities offered.

ANNEX III

(Referred in Article 5)

Rule of origin set out in Appendix II to Annex III to Decision No 2/2000 for products classified in HS heading 1904

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal); precooked, or otherwise prepared, not elsewhere specified or included	Manufacture: — from materials not classified within heading 1806, — in which all the cereals and flour (except durum wheat and <i>Zea indurata</i> maize, and their derivatives) used must be wholly obtained, — in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product	

ANNEX IV

*(Referred in Article 6)***Rule of origin set out in Appendix II to Annex III to Decision No 2/2000 for products classified in HS heading 7601**

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
7601	Unwrought aluminium	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product or Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium	

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2007/677/CFSP

of 15 October 2007

on the European Union military operation in the Republic of Chad and in the Central African Republic

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14, the third subparagraph of Article 25 and Article 28(3) thereof,

Whereas:

- (1) In its Resolution 1706 (2006) concerning the situation in the Darfur region of Sudan, the United Nations Security Council (UNSC) reaffirmed its concern that the ongoing violence in Darfur might further negatively affect the rest of the Sudan as well as the region, in particular Chad and the Central African Republic, and stressed that regional security aspects must be addressed to achieve long lasting peace in Darfur. In its Resolution 1769 (2007), which authorised the establishment of an African Union/United Nations (AU/UN) Hybrid operation in Darfur (UNAMID), the UNSC expressed its readiness to support proposals by the UN General Secretary relating to a possible multidimensional UN presence in Eastern Chad and North-Eastern Central African Republic with a view to improving security of civilians in these regions.
- (2) In its conclusions of 23 July 2007, the Council reiterated its commitment to continue to support the efforts of the AU and the UN to resolve the conflict in the Darfur region of Sudan both in regard to the political process aimed at reaching a comprehensive and sustainable settlement between the concerned parties in the conflict and in regard to the AU/UN peacekeeping efforts through the deployment of an AU/UN Hybrid operation in Darfur. It underlined its support for ongoing efforts to facilitate humanitarian activities in Darfur and its readiness to consider further measures, notably within the UN framework, to ensure humanitarian deliveries and protection of civilians.
- (3) The Council further emphasised the regional dimension of the Darfur crisis and the urgent need to address the destabilising impact of the crisis on the humanitarian and security situation in neighbouring countries, and reiterated its support for the deployment of a multidimensional UN presence in Eastern Chad and North-Eastern Central African Republic and indicated its willingness to consider a EU military bridging operation in support of such a multidimensional UN presence with a view to improving security in those areas.
- (4) In his report of 10 August 2007, the UN Secretary General proposed the deployment of a multidimensional presence, including a possible EU military component, in Eastern Chad and North-Eastern Central African Republic, *inter alia*, aimed at improving the security of refugees and internally displaced persons, facilitating the delivery of humanitarian assistance and creating favourable conditions for reconstruction and development efforts in these regions.
- (5) On 27 August 2007, the President of the UNSC made a statement on behalf of the Security Council, welcoming the UN Secretary General's proposals on a multidimensional presence in the Republic of Chad and the Central African Republic, including a possible EU military deployment.
- (6) On 12 September 2007, the Council approved a general concept for a possible EU military operation in the Republic of Chad and in the Central African Republic.
- (7) The Secretary General/High Representative (SG/HR) informed the UN Secretary General of the Decision taken by the Council in a letter of 17 September 2007.

- (8) The authorities of Chad and the Central African Republic have welcomed a possible EU military presence in their respective countries.
- (9) United Nations Security Council Resolution (UNSCR) 1778 (2007) of 25 September 2007 approved the establishment of a UN Mission in the Central African Republic and Chad (MINURCAT) and authorised the EU to deploy forces in these countries for a period of 12 months from the declaration of Initial Operating Capability. Further it provided for an evaluation of needs within six months from that date by the EU and the UN in view of follow on arrangements, including a possible UN operation.
- (10) According to Joint Action 2007/108/CFSP⁽¹⁾, the policy objectives for the mandate of the European Union Special Representative (EUSR) for Sudan take into due account regional ramifications of the conflict in Darfur for the Republic of Chad and the Central African Republic. The EUSR for Sudan should therefore be mandated to provide political guidance to the EU Force Commander, *inter alia*, in order to ensure overall coherence with the EU's actions towards Sudan/Darfur.
- (11) The Political and Security Committee (PSC) should exercise political control of the EU military operation in the Republic of Chad and the Central African Republic, provide it with strategic direction and take the relevant decisions in accordance with third subparagraph of Article 25 of the EU Treaty.
- (12) In accordance with Article 28(3) of the EU Treaty, the operational expenditure arising from this Joint Action, having military or defence implications, should be charged to the Member States in accordance with Council Decision 2007/384/CFSP of 14 May 2007 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications⁽²⁾ (hereinafter referred to as 'ATHENA').
- (13) Article 14(1) of the EU Treaty calls for the indication in Joint Actions of the means to be made available to the European Union. The financial reference amount for a 12-month period for the common costs of the EU military operation constitutes the best current estimate and is without prejudice to the final figures that are to be included in a budget to be approved in accordance with the rules laid down in ATHENA.
- (14) In accordance with Article 6 of the Protocol on the position of Denmark annexed to the Treaty on

European Union and to the Treaty establishing the European Community, Denmark does not participate in the elaboration and implementation of decisions and actions of the European Union which have defence implications. Denmark does not participate in the implementation of this Joint Action and therefore does not participate in the financing of the operation,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mission

1. The European Union shall conduct a military bridging operation in the Republic of Chad and in the Central African Republic, named EUFOR Tchad/RCA, in accordance with the mandate set out in United Nations Security Council Resolution (UNSCR) 1778 (2007).

2. The forces deployed to that effect shall operate in accordance with the political and strategic objectives approved by the Council on 12 September 2007.

Article 2

Appointment of the EU Operation Commander

Lieutenant General Patrick NASH is hereby appointed EU Operation Commander.

Article 3

Designation of the EU Operational Headquarters

The EU Operational Headquarters shall be located at Mont Valérien.

Article 4

Appointment of the EU Force Commander

Brigadier General Jean-Philippe GANASCIA is hereby appointed EU Force Commander.

Article 5

Planning and launching of the operation

The Decision on the launching of the EU military operation shall be adopted by the Council following the approval of the Operation Plan and the Rules of Engagement.

⁽¹⁾ OJ L 46, 16.2.2007, p. 63.

⁽²⁾ OJ L 152, 13.6.2007, p. 14.

*Article 6***Political control and strategic direction**

1. Under the responsibility of the Council, the PSC shall exercise the political control and strategic direction of the EU military operation. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 25 of the EU Treaty. This authorisation shall include the powers to amend the planning documents, including the Operation Plan, the Chain of Command and the Rules of Engagement. It shall also include the powers to take further decisions on the appointment of the EU Operation Commander and/or EU Force Commander. The powers of decision with respect to the objectives and termination of the EU military operation shall remain vested in the Council, assisted by the SG/HR.

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

3. The PSC shall receive reports from the Chairman of the European Union Military Committee (CEUMC) regarding the conduct of the EU military operation, at regular intervals. The PSC may invite the EU Operation Commander and/or EU Force Commander to its meetings, as appropriate.

*Article 7***Military direction**

1. The EU Military Committee (EUMC) shall monitor the proper execution of the EU military operation conducted under the responsibility of the EU Operation Commander.

2. The EUMC shall receive reports from the EU Operation Commander at regular intervals. It may invite the EU Operation Commander and/or EU Force Commander to its meetings as necessary.

3. The CEUMC shall act as the primary point of contact with the EU Operation Commander.

*Article 8***Coherence of EU response**

1. The Presidency, the SG/HR, the EUSR, the EU Operation Commander and the EU Force Commander respectively shall ensure close coordination of their respective activities with respect to the implementation of this Joint Action.

2. Without prejudice to the chain of command, the EU Force Commander shall consult and take into account political guidance from the EUSR in particular on issues with a regional political dimension, except when decisions have to be taken urgently or when operational security is paramount.

*Article 9***Relations with the United Nations, the Republic of Chad, the Central African Republic and other actors**

1. The SG/HR, assisted by the EUSR, shall, in close coordination with the Presidency, act as a primary point of contact with the United Nations, the Chadian authorities, the authorities of the Central African Republic and neighbouring countries, as well as with other relevant actors.

2. The EU Operation Commander shall, in close coordination with the SG/HR, liaise with the Department of Peace-keeping Operations (DPKO) in the United Nations on issues relevant to his mission.

3. The EU Force Commander shall, on issues relevant to his mission, maintain close contacts with MINURCAT and local authorities, as well as with other international actors, as appropriate.

4. Without prejudice to Article 12 of ATHENA, the SG/HR and the EU Commanders shall enter into the necessary arrangements with the United Nations regarding the modalities for mutual assistance and cooperation.

*Article 10***Participation of third States**

1. Without prejudice to the decision-making autonomy of the European Union and to the single institutional framework, and in accordance with the relevant guidelines of the European Council, third States may be invited to participate in the operation.

2. The Council hereby authorises the PSC to invite third States to offer a contribution and to take, upon the recommendation of the EU Operation Commander and the EUMC, the relevant decisions on acceptance of the proposed contributions.

3. Detailed modalities regarding the participation of third States shall be the subject of agreements to be concluded in accordance with the procedure laid down in Article 24 of the EU Treaty. The SG/HR, assisting the Presidency, may negotiate such agreements on its behalf. Where the EU and a third State have concluded an agreement establishing a framework for the latter's participation in the EU crisis management operations, the provisions of such an agreement shall apply in the context of this operation.

4. Third States making significant military contributions to the EU military operation shall have the same rights and obligations in terms of day-to-day management of the operation as EU Member States taking part in the operation.

5. The Council hereby authorises the PSC to take relevant decisions on the setting-up of a Committee of Contributors, should third States provide significant military contributions.

Article 11

Community action

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

2. Arrangements for the coordination of the EU's activities in the Republic of Chad and in the Central African Republic shall be established as appropriate on the ground as well as in Brussels.

Article 12

Status of the EU-led forces

The status of the EU-led forces and their personnel, including the privileges, immunities and further guarantees necessary for the fulfilment and smooth functioning of their mission, shall be agreed in accordance with the procedure laid down in Article 24 of the EU Treaty. The SG/HR, who shall assist the Presidency, may negotiate such arrangements on its behalf.

Article 13

Financial arrangements

1. The common costs of the EU military operation shall be administered by ATHENA.

2. The financial reference amount for the common costs of the EU military operation shall be EUR 99 200 000. The percentage of the reference amount referred to in Article 33(3) of ATHENA shall be 50 %.

Article 14

Release of information to United Nations and other third parties

1. The SG/HR is hereby authorised to release to the United Nations and to other third parties, associated with this Joint Action, EU classified information and documents generated

for the purposes of the EU military operation up to the level of classification relevant respectively for each of them and in accordance with the Council Security Regulations.

2. The SG/HR is hereby authorised to release to the United Nations and to other third parties, associated with this Joint Action, EU non-classified documents related to the deliberations of the Council with regard to the operation, covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council Rules of Procedure ⁽¹⁾.

Article 15

Entry into force and termination

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

2. The EU military operation shall end no later than 12 months after having reached Initial Operating Capability. The EU force shall begin recovery at the end of the EU military operation. During the period of recovery, the EU force may continue to perform the tasks entrusted to it in accordance with UNSCR 1778 (2007), within the limits of its residual capabilities; in particular, the chain of command for the EU military operation shall continue to apply.

3. This Joint Action shall be repealed following the recovery of the EU force, in accordance with approved termination planning of the EU military operation, and without prejudice to the relevant provisions of ATHENA.

Article 16

Publication

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

Done at Luxembourg, 15 October 2007.

For the Council

The President

L. AMADO

⁽¹⁾ Council Decision 2004/338/EC, Euratom of 22 March 2004 adopting the Council's Rules of Procedure (OJ L 106, 15.4.2004, p. 22). Decision as last amended by Decision 2006/34/EC, Euratom (OJ L 22, 26.1.2006, p. 32).