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Price: EUR 22

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⁽¹⁾ Text with EEA relevance

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I

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

REGULATIONS

COUNCIL REGULATION (EC) No 538/2008

of 29 May 2008

amending Regulation (EC) No 1386/2007 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation

THE COUNCIL OF THE EUROPEAN UNION,

(4) Regulation (EC) No 1386/2007 should therefore be amended accordingly,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EC) No 1386/2007 of 22 October 2007 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation ⁽¹⁾, and in particular Article 70 thereof,

Article 1

Regulation (EC) No 1386/2007 is hereby amended as follows:

Having regard to the proposal from the Commission,

1. the following point shall be added to Article 3:

Whereas:

‘20. “Transshipment” means the transfer, over the side, of any quantity of fisheries resources or products thereof retained on board, from one fishing vessel to another.’;

(1) Regulation (EC) No 1386/2007 implements certain conservation and enforcement measures adopted by the Northwest Atlantic Fisheries Organisation (hereinafter referred to as ‘the NAFO’).

2. the following paragraph shall be added to Article 7:

(2) At its 29th annual meeting held in September 2007, NAFO adopted a number of amendments to its conservation and enforcement measures. Those amendments relate to the provisions on mesh size, transshipments, closed areas to ensure coral protection, catch reports, definition of serious infringement, product codes, the port inspection format as well as technical requirements for boarding ladders.

‘4. Vessels fishing for redfish in Division 3O using midwater trawls shall use nets with a minimum mesh size of 90 mm.’;

(3) Furthermore, mistakes have been found in Regulation (EC) No 1386/2007 that need to be corrected: there are a number of errors in cross references and certain elements are missing in point 3 of Annex VII.

3. Article 12 shall be replaced by the following:

‘Article 12

Fisheries restricted areas

1. The conduct of fishing activities involving demersal fishing gears shall be prohibited in the following areas:

⁽¹⁾ OJ L 318, 5.12.2007, p. 1.

Area	Coordinate 1	Coordinate 2	Coordinate 3	Coordinate 4
Orphan Knoll	50.00.30 N 45.00.30 W	51.00.30 N 45.00.30 W	51.00.30 N 47.00.30 W	50.00.30 N 45.00.30 W
Corner Seamounts	35.00.00 N 48.00.00 W	36.00.00 N 48.00.00 W	36.00.00 N 52.00.00 W	35.00.00 N 52.00.00 W
Newfoundland Seamounts	43.29.00 N 43.20.00 W	44.00.00 N 43.20.00 W	44.00.00 N 46.40.00 W	43.29.00 N 46.40.00 W
New England Seamounts	35.00.00 N 57.00.00 W	39.00.00 N 57.00.00 W	39.00.00 N 64.00.00 W	35.00.00 N 64.00.00 W

2. The following area in Division 3O shall be closed to all fishing activity involving bottom contact gear. The closed area is defined by connecting the following coordinates (in numerical order and back to coordinate 1):

Point No	Latitude	Longitude
1	42°53'00"N	51°00'00"W
2	42°52'04"N	51°31'44"W
3	43°24'13"N	51°58'12"W
4	43°24'20"N	51°58'18"W
5	43°39'38"N	52°13'10"W
6	43°40'59"N	52°27'52"W
7	43°56'19"N	52°39'48"W
8	44°04'53"N	52°58'12"W
9	44°18'38"N	53°06'00"W
10	44°18'36"N	53°24'07"W
11	44°49'59"N	54°30'00"W
12	44°29'55"N	54°30'00"W
13	43°26'59"N	52°55'59"W
14	42°48'00"N	51°41'06"W
15	42°33'02"N	51°00'00"W

4. in Article 19, paragraph 5 shall be replaced by the following:

'5. Member States shall every two years certify the correctness of the capacity plans for all vessels authorised to fish pursuant to Article 14. The master shall ensure that a copy of this certification remains onboard to be shown to an inspector upon request.'

5. the following point shall be added to Article 21(2):

'(f) the catch prior to entry and exit from Division 3L. These reports shall be made by vessels that fish

shrimp in Division 3L and shall be sent one hour prior to crossing the boundary of that Division. The report shall indicate the catches taken onboard since the previous catch report, by Division and species (3 alpha code) in kg, rounded to the nearest 100 kg.'

6. in Article 30, paragraph 5 shall be replaced by the following:

'5. The master of the vessel observed may, on his own request, be provided with a copy of the observer's report referred to in Article 28(1).'

7. in Article 32, paragraph 1 shall be replaced by the following:

'1. The competent authorities of the Member States receiving the report of the observer in accordance with Article 28 shall evaluate the contents and conclusions of that report.'

8. Article 47 shall be amended as follows:

(a) point (b) shall be replaced by the following:

'(b) provide a boarding ladder constructed and used as described in the conservation and enforcement measures of NAFO';

(b) the following point shall be inserted:

'(b)a if a mechanical hoist is provided, ensure that its ancillary equipment is of a type approved by the national administration. It shall be of such design and construction as to ensure that the inspector can embark and disembark in a safe manner including a safe access from the hoist to the deck and vice versa. A boarding ladder complying with point (b) shall be kept on deck adjacent to the hoist and available for immediate use';

9. Annex II shall be replaced by the text in Annex I to this Regulation;
10. Annex VII shall be amended in accordance with Annex II to this Regulation;
11. Annex XII shall be replaced by the text in Annex III to this Regulation;
12. Annex XIII shall be deleted;
13. Annex XIV(b) shall be replaced by the text in Annex IV to this Regulation.

Article 2

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

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

Done at Brussels, 29 May 2008.

For the Council
The President
A. VIZJAK

ANNEX I

‘ANNEX II

The list that follows is a list of stocks that need to be reported in accordance with Article 22.

ANG/N3NO	<i>Lophius americanus</i>	American angler
CAA/N3LMN	<i>Anarhichas lupus</i>	Atlantic wolffish
CAP/N3LM	<i>Mallotus villosus</i>	Capelin
CAT/N3LMN	<i>Anarhichas</i> spp.	Catfishes (Wolffishes) nei
HAD/N3LNO	<i>Melanogrammus aeglefinus</i>	Haddock
HAL/N23KL	<i>Hippoglossus hippoglossus</i>	Atlantic halibut
HAL/N3M	<i>Hippoglossus hippoglossus</i>	Atlantic halibut
HAL/N3NO	<i>Hippoglossus hippoglossus</i>	Atlantic halibut
HER/N3L	<i>Clupea harengus</i>	Herring
HKR/N2J3KL	<i>Urophycis chuss</i>	Red hake
HKR/N3MNO	<i>Urophycis chuss</i>	Red hake
HKS/N3LMNO	<i>Merluccius bilinearis</i>	Silver hake
RNG/N23	<i>Coryphaenoides rupestris</i>	Roundnose grenadier
HKW/N2J3KL	<i>Urophycis tenuis</i>	White hake
POK/N3O	<i>Pollachius virens</i>	Pollock (= Saithe)
PRA/N3M	<i>Pandalus borealis</i>	Northern prawn
RHG/N23	<i>Macrourus berglax</i>	Roughhead grenadier
SKA/N2J3K	<i>Raja</i> spp.	Skates
SKA/N3M	<i>Raja</i> spp.	Skates
SQI/N56	<i>Illex illecebrosus</i>	Short-fin squid
VFF/N3LMN	—	Fishes unsorted, unidentified
WIT/N3M	<i>Glyptocephalus cynoglossus</i>	Witch flounder
YEL/N3M	<i>Limanda ferruginea</i>	Yellow-tail flounder'

ANNEX II

Point 3 of Annex VII to Regulation (EC) No 1386/2007 shall be replaced by the following:

‘3. ‘Catch’ report

Data element	Field code	Mandatory/ optional	Remarks
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, ‘XNW’ for NAFO
From	FR	M	Name of transmitting party
Sequence number	SQ	M	Message detail; message serial number in current year
Type of message	TM	M	Message detail; message type, ‘CAT’ as catch report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 flag state code followed by number
External registration number	XR	O	Vessel registration detail; the side number of the vessel
Relevant area	RA	M	NAFO Division into which the vessel has entered
Latitude	LA	M ⁽¹⁾	Activity detail; position at time of transmission
Longitude	LO	M ⁽¹⁾	Activity detail; position at time of transmission
Catches	CA		Activity detail; cumulative catch by species retained on board, either since commencement of fishing in RA or last ‘Catch’ report, in pairs as needed.
Species		M	FAO species code
Live weight		M	Live weight in kilograms, rounded to the nearest 100 kilograms
Days fished	DF	M	Activity detail; number of fishing days in the NAFO Regulatory area since commencement of fishing or last ‘Catch’ report
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

⁽¹⁾ Optional if a vessel is subject to satellite tracking.’

ANNEX III

ANNEX XII

Port inspection report

A. "PORT INSPECTION REPORT" FORM

Page No

of

1. INSPECTION REFERENCE

Inspection authority

Date of the report

Port of inspection

Vessel name

2. TRIP INFORMATION ⁽¹⁾

Date trip started

Trip number ⁽²⁾

Activity in the NAFO RA:

Date entry in the RA

Date exit from the RA

Other areas visited

Date trip ended

3. VESSEL IDENTIFICATION ⁽³⁾

External identification

International radio call sign

Flag state

NAFO Contracting Party

Home port

Vessel owner

Vessel operator

Master name

☐ No

5.2. Otter trawl details

NAFO seal number		
Is seal undamaged?	Yes	No
Gear type:		
Attachments:		
Grate bar spacing (mm)		
Mesh type:		

Average mesh sizes (mm)

Trawl part	
Wings:	
Body:	
Lengthening piece:	
Codend:	

6. INFRINGEMENTS AND FOLLOW-UP**6.1. Sea inspection**

Infringements resulting from inspections inside NAFO RA			
Inspection party	Date of inspection	Division	NAFO CEM infringement legal reference

6.2. Port inspection infringements results

(a) Confirmation of infringements found at sea inspection	
NAFO CEM infringement legal reference	National infringement legal reference

(b) Infringements found at sea inspection and not possible to be confirmed during the port inspection

Comments:	

(c) Additional infringements found during the port inspection

NAFO CEM infringement legal reference	National infringement legal reference

Follow-up comments:

B. INFORMATION TO BE INSERTED IN THE REPORT**1. INSPECTION REFERENCES**

Data element	M/O	Category; definition
Inspection authority	M	Inspection detail: Name of the inspection authority or of the alternate body nominated by the authority
Date	M	Inspection detail: Date the report is compiled
Port of inspection	M	Vessel activity detail: Place where the vessel is inspected: port followed by ISO-3 code of the country as "St Johns/CAN"
Vessel name	M	Vessel registration detail: name of the vessel

2. TRIP INFORMATION

Data element	M/O	Category; definition
Date trip started	M	Vessel activity details: date started the current fishing trip
Vessel trip number	O	Vessel activity details: Number of the fishing trip in current year
Date entry in the RA	M	Vessel activity details: Date the vessel entered the NRA for the current fishing trip
Date exit from the RA	M	Vessel activity details: Date the vessel exited from the NRA for the current fishing trip
Other areas visited	O	Vessel activity details: other area where vessel has been fishing during the current trip
Date trip ended	M	Vessel activity details: date ended the current fishing trip

3. VESSEL IDENTIFICATION

Data element	M/O	Category; definition
External identification number	M	Vessel registration details: Side number of the vessel
International radio call sign	M	Vessel registration details: International radio call sign of the vessel
Flag state	M	Vessel registration details: State where the vessel is registered, ISO-3 country code
NAFO Contracting Party	O ⁽¹⁾	Vessel registration detail: NAFO Contracting Party of the vessel, as ISO code of the country, EUR for European Community, NCP for Non-Contracting Party
Home port	O	Vessel registration details: Port of registration of the vessel or homeport
Vessel owner	M	Vessel registration details: Name and address of the vessel owner
Vessel operator	M ⁽²⁾	Vessel registration details: Responsible for using the vessel
Master name	O	Vessel activity details: Name of the master

⁽¹⁾ If different from the flag state.

⁽²⁾ If different from the flag state.If different from the vessel owner.

4. RESULT OF INSPECTION ON DISCHARGE

4.1. General information

Data element	M/O	Category; definition
Start date of discharge	M	Discharge detail: Date the vessel started discharge
End date of discharge	M	Discharge detail: Date the vessel finished discharge
Has vessel landed all catches on board?	M	Discharge detail: Has vessel landed all catches on board? "yes" or "no"
Comments	O	Discharge detail: Comments as necessary If discharge as not been completed, please give an estimation on catch still on board

4.2. Quantity discharged

Data element	M/O	Category; definition
Species	M	Discharge detail: FAO 3-alpha code (part V, schedule II, attachment II)
Presentation	M	Discharge detail: Product form
Live weight	M	Quantities determined from the logbook
Conversion factor	O	Product detail: Conversion factor as defined by the master for the corresponding species, size and presentation, optional if already mentioned in table B
Process weight	M	Discharge detail: Quantities landed by species and presentation, in kilograms of product, rounded to the nearest 10 kg
Equivalent live weight	M	Discharge detail: Quantities landed in equivalent live weight, as "product weight x conversion factor", in kilograms, rounded to the nearest 10 kg
Comments	O	Discharge details: Free text area

4.3. Quantities staying on board the vessel

Data element	M/O	Category; definition
Species	M	Discharge detail: FAO 3-alpha code (part V, schedule II, attachment II)
Presentation	M	Discharge detail: Product form
Conversion factor	O	Product detail: Conversion factor as defined by the master for the corresponding species, size and presentation, optional if already mentioned in table B
Process weight	M	Discharge detail: Quantities landed by species and presentation, in kilograms of product, rounded to the nearest 10 kg
Equivalent live weight	M	Discharge detail: Quantities landed in equivalent live weight, as "product weight x conversion factor", in kilograms, rounded to the nearest 10 kg
Comments	O	Discharge details: Free text area

5. RESULT OF GEAR INSPECTION ⁽⁶⁾

5.1. General information

Data element	M/O	Category; definition
Date of inspection	M	Inspection detail: Date of current gear inspection
Inspected gear	M	Inspection detail: Number of gear checked during port inspection

5.2. **Otter trawl details**

Data element	M/O	Category; definition
NAFO seal number	M	Inspection detail (if required): Number of the NAFO seal attached to the gear after inspection at sea
Is seal undamaged?	M	Whether NAFO inspection seal is intact: — “yes” or “no”
Gear type	M	International Standard Statistical Classification of the Fishing Gear, OTB for otter trawl
Attachments		Otter trawl detail: attachment to footrope
Grade bar spacing	M	Otter trawl detail: grade bar spacing in millimetres
Mesh type	M	Otter trawl detail: respectively mesh type: SQ for square mesh, DI for diamond mesh
Mesh size average	M	Otter trawl detail: average mesh size in the trawl part, by pair
Trawl part	M	Trawl part measured
Mesh size	M	Mesh size in millimetres

6. INFRINGEMENTS AND FOLLOW-UP

6.1. **Sea inspection**

Data element	M/O	Category; definition
Inspectors team	M	Contracting Party name; Fishery patrol vessel name
Date of inspection	M	
Legal reference	M	Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement

6.2. **Port inspection infringements results**(a) *Confirmation of infringements found at sea inspection*

Data element	M/O	Category; definition
Identification of the NAFO infringement	M	Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement
Identification of the national infringement	O	Mention of the national reg. title Chapter; Article(s) paragraph(s) for each infringement

(b) *Additional infringements found during the port inspection*

Data element	M/O	Category; definition
Identification of the NAFO infringement	M	Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement
Identification of the national infringement	O	Mention of the national reg. title Chapter; Article(s) paragraph(s) for each infringement

⁽¹⁾ To be completed by the inspection authority or any alternate body nominated by the authorities as soon as the vessel land to port, based on logbook records.

⁽²⁾ Where applicable.

⁽³⁾ To be completed based on the licence information.

⁽⁴⁾ To be completed after completion of discharge.

⁽⁵⁾ Verification shall be done when non-compliance has been cited/observed during inspection at sea. To be completed when port inspection also concerns inspection of gears on board. A detail form shall be completed for every gear having been subject to port inspection.

⁽⁶⁾ Verification shall be done when non-compliance has been cited/observed during inspection at sea. To be completed when port inspection also concerns inspection of gear on board. A detail form shall be completed for every gear having been subject to port inspection.

ANNEX IV

'ANNEX XIV(b)

Product form codes

Code	Product form
A	Round — Frozen
B	Round — Frozen (cooked)
C	Gutted head on — Frozen
D	Gutted head off — Frozen
E	Gutted head off — Trimmed — Frozen
F	Skinless fillets — Bone in — Frozen
G	Skinless fillets — Boneless — Frozen
H	Skin on fillets — Bone in — Frozen
I	Skin on fillets — Boneless — Frozen
J	Salted fish
K	Pickled fish
L	Canned products
M	Oil
N	Meal produced from whole fish
O	Meal produced from offal
P	Other (specify)

COMMISSION REGULATION (EC) No 539/2008**of 16 June 2008****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 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽¹⁾, and in particular Article 138(1) thereof,

Whereas:

- (1) Regulation (EC) No 1580/2007 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 138 of Regulation (EC) No 1580/2007 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 June 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

to Commission Regulation of 16 June 2008 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	44,6
	MK	36,7
	TR	59,3
	ZZ	46,9
0707 00 05	JO	151,2
	TR	119,3
	ZZ	135,3
0709 90 70	TR	103,9
	ZZ	103,9
0805 50 10	AR	123,7
	EG	150,8
	US	132,6
	ZA	121,6
	ZZ	132,2
0808 10 80	AR	101,4
	BR	84,3
	CL	92,5
	CN	92,5
	MK	63,0
	NZ	111,5
	US	104,5
	UY	84,0
	ZA	82,9
	ZZ	90,7
0809 10 00	IL	124,0
	TR	230,0
	ZZ	177,0
0809 20 95	TR	401,5
	US	429,2
	ZZ	415,4
0809 30 10, 0809 30 90	EG	182,1
	US	239,8
	ZZ	211,0
0809 40 05	IL	190,0
	TR	223,9
	ZZ	207,0

⁽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 540/2008**of 16 June 2008****amending Annex II to Regulation (EC) No 336/2006 of the European Parliament and of the Council
on the implementation of the International Safety Management (ISM) Code within the Community,
as regards format of forms**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95 ⁽¹⁾, and in particular Article 11(2) thereof,

Whereas:

(1) The ISM Code was amended by the International Maritime Organisation (IMO) by Resolution 179(79) of the Maritime Safety Committee, adopted on 10 December 2004, which amended the format of the document of compliance and safety management certificate with effect from 1 July 2006.

(2) Article 2(1) of Regulation (EC) No 336/2006 defines the ISM Code as that set out in Annex I to the said Regulation, in its up-to-date version.

(3) In the interests of clarity and legibility, the relevant forms should also be updated in Annex II of Regulation (EC) No 336/2006.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Safe Seas and Prevention of Pollution from Ships,

HAS ADOPTED THIS REGULATION:

Article 1

Section 5 in Part B of Annex II to Regulation (EC) No 336/2006 is replaced by the Annex to this Regulation.

*Article 2*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, 16 June 2008.

For the Commission

Antonio TAJANI

Vice-President

⁽¹⁾ OJ L 64, 4.3.2006, p. 1.

ANNEX

5. Form of Documents of Compliance and Safety Management Certificates

When ships operate only in a Member State, Member States shall either use the forms attached to the ISM Code or the Document of Compliance, the Safety Management Certificate, the Interim Document of Compliance and the Interim Safety Management Certificate drawn up in the form set out below.

In the event of a derogation under Article 7(1) and, if applicable, Article 7(2), the certificate issued shall be different from the one referred to above and clearly indicate that a derogation in accordance with Article 7(1) and, if applicable, Article 7(2) of this Regulation, has been granted and shall include the applicable operational limitations.

DOCUMENT OF COMPLIANCE

(Official seal)/(State)

Certificate No

Issued under the provisions of [the INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended and] (*) of Regulation (EC) No 336/2006 on the implementation of the ISM Code within the Community

Under the authority of the Government of

(Name of the State)

by

(person or organisation authorised)

Name and address of the Company

.....

(see paragraph 1.1.2 of Part A of Annex I to Regulation (EC) No 336/2006)

THIS IS TO CERTIFY THAT the safety management system of the Company has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) for the types of ships listed below (delete as appropriate):

Passenger ship

Passenger high-speed craft

Cargo high-speed craft

Bulk carrier

Oil tanker

Chemical tanker

Gas carrier

Mobile offshore drilling unit

Other cargo ship

Ro-ro passenger ship (ro-ro ferry)

(*) May be deleted for ships engaged only on voyages within one Member State.

This Document of Compliance is valid until, subject to periodical verification.

Completion date of the verification on which this certificate is based

(dd/mm/yyyy)

Issued at

(place of issue of the document)

Date of issue

.....

(Signature of the duly authorised official issuing the document)

(Seal or stamp of issuing authority, as appropriate)

Certificate No

ENDORSEMENT FOR ANNUAL VERIFICATION

THIS IS TO CERTIFY THAT, at the periodical verification in accordance with [Regulation IX/6.1 of the Convention and paragraph 13.4 of the ISM Code and] (*) Article 6 of Regulation (EC) No 336/2006 on the implementation of the ISM Code within the Community, the safety management system was found to comply with the requirements of the ISM Code.

FIRST ANNUAL VERIFICATION

Signed:

(Signature of authorised official)

Place:

Date:

SECOND ANNUAL VERIFICATION

Signed:

(Signature of authorised official)

Place:

Date:

THIRD ANNUAL VERIFICATION

Signed:

(Signature of authorised official)

Place:

Date:

FOURTH ANNUAL VERIFICATION

Signed:

(Signature of authorised official)

Place:

Date:

(*) May be deleted for ships engaged only on voyages within one Member State.

SAFETY MANAGEMENT CERTIFICATE

(Official seal)/(State)

Certificate No

Issued under the provisions of [the INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended] and (*) of Regulation (EC) No 336/2006 on the implementation of the ISM Code within the Community

Under the authority of the Government of

(name of the State)

by

(person or organisation authorised)

Name of ship:

Distinctive number or letters:

Port of registry:

Type of ship (**):

Gross tonnage:

IMO Number:

Name and address of company:

(see paragraph 1.1.2 of Part A of Annex I to Regulation (EC) No 336/2006)

THIS IS TO CERTIFY THAT the safety management system of the ship has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), following verification that the Document of Compliance for the Company is applicable to this type of ship.

This Safety Management Certificate is valid until, subject to periodical verification and the Document of Compliance remaining valid.

Completion date of the verification on which this certificate is based

(dd/mm/yyyy)

Issued at

(place of issue of the document)

Date of issue

.....

(Signature of the duly authorised official issuing the certificate)

(Seal or stamp of issuing authority, as appropriate)

(*) May be deleted for ships engaged only on voyages within one Member State.

(**) Insert the type of ship from among the following: passenger ship; passenger high-speed craft; cargo high-speed craft; bulk carrier; oil tanker; chemical tanker; gas carrier; mobile offshore drilling unit; other cargo ship; ro-ro passenger ferry.

Certificate No

ENDORSEMENT FOR INTERMEDIATE VERIFICATION AND ADDITIONAL VERIFICATION (IF REQUIRED)

THIS IS TO CERTIFY THAT, at the periodical verification in accordance with [Regulation IX/6.1 of the Convention and paragraph 13.8 of the ISM Code and] (*) Article 6 of Regulation (EC) No 336/2006 on the implementation of the ISM Code within the Community, the safety management system was found to comply with the requirements of the ISM Code.

INTERMEDIATE VERIFICATION (to be completed between the second and third anniversary date)

Signed:

(Signature of authorised official)

Place:

Date:

ADDITIONAL VERIFICATION (**)

Signed:

(Signature of authorised official)

Place:

Date:

ADDITIONAL VERIFICATION (**)

Signed:

(Signature of authorised official)

Place:

Date:

ADDITIONAL VERIFICATION (**)

Signed:

(Signature of authorised official)

Place:

Date:

(*) May be deleted for ships engaged only on voyages within one Member State.

(**) If applicable. Reference is made to paragraph 13.8 of the ISM Code and paragraph 3.4.1 of the Guidelines on Implementation of the International Safety Management (ISM) Code by Administrations (Resolution A.913(22)).

INTERIM DOCUMENT OF COMPLIANCE

(Official seal)/(State)

Certificate No

Issued under the provisions of [the INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended and] (*) of Regulation (EC) No 336/2006 on the implementation of the ISM Code within the Community

Under the authority of the Government of

(name of the State)

by

(person or organisation authorised)

Name and address of the Company

.....

(see paragraph 1.1.2 of Part A of Annex I to Regulation (EC) No 336/2006)

THIS IS TO CERTIFY THAT the safety management system of the Company has been recognised as meeting the objectives of paragraph 1.2.3 of Part A of Annex I to Regulation (EC) No 336/2006 for the type(s) of ships listed below (delete as appropriate):

Passenger ship

Passenger high-speed craft

Cargo high-speed craft

Bulk carrier

Oil tanker

Chemical tanker

Gas carrier

Mobile offshore drilling unit

Other cargo ship

Ro-ro passenger ship (ro-ro ferry)

This Interim Document of Compliance is valid until

Issued at:

(place of issue of the document)

Date of issue:

(Signature of the duly authorised official issuing the document)

(Seal or stamp of issuing authority, as appropriate)

(*) May be deleted for ships engaged only on voyages within one Member State.

INTERIM SAFETY MANAGEMENT CERTIFICATE

(Official seal)/(State)

Certificate No

Issued under the provisions of [the INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended and] (*) of Regulation (EC) No 336/2006 on the implementation of the ISM Code within the Community

Under the authority of the Government of

(name of the State)

by

(person or organisation authorised)

Name of ship:

Distinctive number or letters:

Port of registry:

Type of ship (**):

Gross tonnage:

IMO Number:

Name and address of Company:

(see paragraph 1.1.2 of Part A of Annex I to Regulation (EC) No 336/2006)

THIS IS TO CERTIFY THAT the requirements of paragraph 14.4 of Part A of Annex I to Regulation (EC) No 336/2006 have been met and that the Document of Compliance/Interim Document of Compliance (***) of the Company is relevant to this ship.

This Interim Safety Management Certificate is valid until subject to the Document of Compliance/Interim Document of Compliance (***) remaining valid.

Issued at:

(place of issue of the document)

Date of issue:

(Signature of the duly authorised official issuing the certificate)

(Seal or stamp of issuing authority, as appropriate)

Certificate No

The validity of this Interim Safety Management Certificate is extended to:

Date of extension:

(Signature of the duly authorised official extending the validity)

(Seal or stamp of issuing authority, as appropriate)

(*) May be deleted for ships engaged only on voyages within one Member State.

(**) Insert the type of ship from among the following: passenger ship; passenger high-speed craft; cargo high-speed craft; bulk carrier; oil tanker; chemical tanker; gas carrier; mobile offshore drilling unit; other cargo ship; ro-ro passenger ferry.

(***) Delete as appropriate.

COMMISSION REGULATION (EC) No 541/2008**of 16 June 2008****adapting certain fish quotas for 2008 pursuant to Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACs and quotas**

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 23(4) thereof,

Having regard to Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas ⁽²⁾, and in particular Articles 4(2), 5(1) and 5(2) thereof,

Whereas:

- (1) Council Regulation (EC) No 2015/2006 of 19 December 2006 fixing for 2007 and 2008 the fishing opportunities for deep-sea fish stocks ⁽³⁾, Council Regulation (EC) No 1941/2006 of 11 December 2006 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2007 ⁽⁴⁾ and 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 ⁽⁵⁾, specify which stocks may be subject to the measures foreseen by Regulation (EC) No 847/96.
- (2) Council Regulation (EC) No 2015/2006, Council Regulation (EC) No 1404/2007 of 26 November 2007 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable

in the Baltic Sea for 2008 ⁽⁶⁾, Council Regulation (EC) No 40/2008 of 16 January 2008 fixing for 2008 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 ⁽⁷⁾, fix quotas for certain stocks for 2008.

- (3) Commission Regulation (EC) No 147/2007 of 15 February 2007 adapting certain fish quotas from 2007 to 2012 pursuant to Article 23(4) of Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽⁸⁾ reduces certain fish quotas for the United Kingdom and Ireland in the years from 2007 to 2012.
- (4) Certain Member States have requested, pursuant to Regulation (EC) No 847/96 that part of their quotas for 2007 be transferred to the following year. Within the limits indicated in that Regulation, the quantities withheld should be added to the quota for 2008.
- (5) On the basis of Article 5(1) of Regulation (EC) No 847/96, deductions from national quotas for 2008 should be made at a level equivalent to the quantity fished in excess. On the basis of Article 5(2) of Regulation (EC) No 847/96 weighted deductions from national quotas for 2008 should be made in the case of overfishing of permitted landings in 2007 for certain stocks identified in Regulation (EC) No 41/2007, Regulation (EC) No 2015/2006 and Regulation 1941/2006. Those deductions shall be applied taking into account the specific provisions governing stocks falling within the scope of Regional Fisheries Organisations.
- (6) Certain Member States have requested, pursuant to Regulation (EC) No 847/96, permission to land additional quantities of fish of certain stocks in the year 2007. Those exceeding permitted landings should however be deducted from their quotas for 2008.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

⁽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 115, 9.5.1996, p. 3.

⁽³⁾ OJ L 384, 29.12.2006, p. 28. Regulation as last amended by Regulation (EC) No 1533/2007 (OJ L 337, 21.12.2007, p. 21).

⁽⁴⁾ OJ L 367, 22.12.2006, p. 1. Regulation as last amended by Regulation (EC) No 754/2007 (OJ L 172, 30.6.2007, p. 26).

⁽⁵⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Regulation (EC) No 1533/2007 (OJ L 337, 21.12.2007, p. 21).

⁽⁶⁾ OJ L 312, 30.11.2007, p. 1.

⁽⁷⁾ OJ L 19, 23.1.2008, p. 1.

⁽⁸⁾ OJ L 46, 16.2.2007, p. 10.

HAS ADOPTED THIS REGULATION:

shown in Annex I or reduced as shown in Annex II to this Regulation.

Article 1

Article 2

Without prejudice to Regulation (EC) No 147/2007, the quotas fixed in Regulation (EC) No 40/2008, Regulation (EC) No 1404/2007 and Regulation (EC) 2015/2006 are increased as

This Regulation shall enter into force on the seventh 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, 16 June 2008.

For the Commission

Joe BORG

Member of the Commission

ANNEX I

TRANSFERS ON TO 2008 QUOTAS

Country ID	Stock Id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
BEL	ANF/07.	Anglerfish	VII	2 255		928,7	121,9	46,6	225,50	2 595	2 821	
BEL	ANF/8ABDE.	Anglerfish	VIIa, b, d, e	101		20,9		20,7	10,10	0	10	
BEL	COD/07A.	Cod	VIIa	133		65,7		49,4	13,30	16	29	
BEL	HAD/5BC6A.	Haddock	EC waters of Vb and VIa	17		0,2		1,2	1,70	7	9	
BEL	HAD/6B1214	Haddock	VIb, XII, XIV	10		0,0		0,0	1,00	16	17	
BEL	HKE/2AC4-C	Hake	EC waters of IIa and IV	80		58,5		73,1	8,00	27	35	
BEL	HKE/571214	Hake	VI, VII: EC waters of Vb, international waters of XII and XIV	26		10,6		40,8	2,60	278	281	
BEL	HKE/8ABDE.	Hake	VIIa, b, d, e	10		2,7		27,0	1,00	9	10	
BEL	LEZ/8ABDE.	Megrim	VIIa, b, d, e	6		3,3		55,0	0,60	0	1	
BEL	NEP/2AC4-C	Norway lobster	EC waters of IIa and IV	926		194,1		21,0	92,60	1 368	1 461	
BEL	PLE/07A.	Plaice	VIIa	788		179,8		22,8	78,80	47	126	
BEL	PLE/7FG.	Plaice	VIIIf, g	232		174,9		75,4	23,20	77	100	
BEL	SOL/07A.	Common Sole	VIIa	599		288,6		48,2	59,90	326	386	
BEL	SOL/07D.	Common Sole	VIIId	1 846		1 345,3		72,9	184,60	1 775	1 960	
BEL	SOL/24.	Common Sole	EC waters of II and IV	1 497		936,7		62,6	149,70	1 059	1 209	
BEL	SOL/7FG.	Common Sole	VIIIf, g	590		538,9		91,3	51,10	603	654	
DEU	ANF/07.	Anglerfish	VII	245		148,0		60,4	24,50	289	314	
DEU	BLI/245-	Blue ling	EC waters and waters not under the sovereignty or jurisdiction of third countries of II, IV, V	7		0,0		0,0	0,70	6	7	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
DEU	BSF/1234-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	5		0,0		0,0	0,50	5	6	
DEU	BSF/56712-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, XII	18		0,0		0,0	1,80	35	37	
DEU	COD/3BC+24	Cod	Subdivisions 22-24 (EC waters)	8 341		7 626,6		91,4	714,40	4 102	4 816	
DEU	DWS/56789-	Deep Sea Sharks	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII, IX	7		0,1		1,4	0,70	39	40	
DEU	GFB/1234-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	10		0,0		0,0	1,00	10	11	
DEU	GFB/567-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII	10		0,0		0,0	1,00	10	11	
DEU	HAD/5BC6A.	Haddock	EC waters of Vb and VIa	20		0,0		0,0	2,00	9	11	
DEU	HAD/6B1214	Haddock	Vlb, XII, XIV	12		0,0		0,0	1,20	19	20	
DEU	HER/3BC+24	Herring	Subdivisions 22-24	26 749		22 903,0		85,6	2 674,90	24 579	27 254	
DEU	HKE/2AC4-C	Hake	EC waters of IIa and IV	107		95,9		89,6	10,70	126	137	
DEU	JAX/578/14	Horse Mackerel	VI, VII and VIIla, b, d, e; EC waters of Vb; international waters of XII and XIV	6 710		4 525,8		67,4	671,00	12 178	12 849	
DEU	NEP/2AC4-C	Norway lobster	EC waters of IIa and IV	676		580,2		85,8	67,60	20	88	
DEU	PLE/3BCD-C	Plaice	IIIb, c, d (EC waters)	330		242,0		73,3	33,00	255	288	
DEU	RNG/3A/BCD	Roundnose grenadier	IIIa and EC waters of IIIbcd	6		0,0		0,0	0,60	5	6	
DEU	RNG/5B67-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI, VIII	9		0,0		0,0	0,90	9	10	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
DEU	RNG/8X14-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	111		0,0		0,0	11,10	40	51	
DEU	SOL/24.	Common Sole	EC waters of II and IV	732		455,4		62,2	73,20	847	920	
DEU	SOL/3A/BCD	Common Sole	IIIa: EC waters of IIIbcd	45		41,0		91,1	4,00	46	50	
DEU	SPR/3BCD-C	Sprat	IIIbcd (EC waters)	31 603		23 642,0		74,8	3 160,30	28 403	31 563	
DEU	WHB/1X14	Blue whiting	EC and international waters of I, II, III, IV, V, VI, VII, VIIIa, b, d, e, XII, XIV	37 819		33 978,8	744	91,8	3 096,20	10 416	13 512	
DNK	BLI/03-	Blue ling	EC waters and waters not under the sovereignty or jurisdiction of third countries of III	9		0,4		4,4	0,90	6	7	
DNK	BLI/245-	Blue ling	EC waters and waters not under the sovereignty or jurisdiction of third countries of II, IV, V	8		0,1		1,3	0,80	6	7	
DNK	COD/3BC+24	Cod	Subdivisions 22-24 (EC waters)	13 713		12 105,0		88,3	1 371,30	8 390	9 761	
DNK	HER/3BC+24	Herring	Subdivisions 22-24	8 961		5 445,9		60,8	896,10	6 245	7 141	
DNK	HKE/2AC4-C	Hake	EC waters of IIa and IV	1 153		389,8		33,8	115,30	1 096	1 211	
DNK	HKE/3A/BCD	Hake	IIIa: EC waters of IIIb, IIIc and IIId	1 575		311,8		19,8	157,50	1 499	1 657	
DNK	JAX/578/14	Horse Mackerel	VI, VII and VIIIa, b, d, e; EC waters of Vb; international waters of XII and XIV	13 384		7 971,7		59,6	1 338,40	15 236	16 574	
DNK	NEP/2AC4-C	Norway lobster	EC waters of IIa and IV	1 523		772,2		50,7	152,30	1 368	1 520	
DNK	NEP/3A/BCD	Norway lobster	IIIa: EC waters of IIIbcd	4 063		2 916,6		71,8	406,30	3 800	4 206	
DNK	PLE/3BCD-C	Plaice	IIIb, c, d (EC waters)	2 968		1 965,6		66,2	296,80	2 293	2 590	
DNK	SOL/24.	Common Sole	EC waters of II and IV	702		415,3		59,2	70,20	484	554	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
DNK	SOL/3A/BCD	Common Sole	IIIa; EC waters of IIIb, c, d	837		568,6		67,9	83,70	788	872	
DNK	SPR/3BCD-C	Sprat	IIIbcd (EC waters)	43 788		39 028,9		89,1	4 378,80	44 833	49 212	
DNK	WHB/1X14	Blue whiting	EC and international waters of I, II, III, IV, V, VI, VII, VIIIa, b, d, e, XII, XIV	43 257		40 643,8	176,1	94,4	2 437,10	26 789	29 226	
ESP	ANF/07.	Anglerfish	VII	2 150		2 043,9		95,1	106,10	1 031	1 137	
ESP	ANF/8ABDE.	Anglerfish	VIIIa, b, d, e	1 205		695,6		57,7	120,50	1 206	1 327	
ESP	ANF/8C3411	Anglerfish	VIIIc, IX, X, EC waters of CECAF 34.1.1	1 541		1 539,9		99,9	1,10	1 629	1 630	
ESP	BSF/8910-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X	13		5,0		38,5	1,30	13	14	
ESP	DWS/12-	Deep Sea Sharks	EC waters and waters not under the sovereignty or jurisdiction of third countries of XII	69		4,3		6,2	6,90	34	41	
ESP	DWS/56789-	Deep Sea Sharks	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII, IX	228		204,0		89,5	22,80	187	210	
ESP	GFB/89-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX	225		220,0		97,8	5,00	242	247	
ESP	HKE/571214	Hake	VI, VII; EC waters of Vb, international waters of XII and XIV	10 871		9 342,3	10,9	86,0	1 087,10	8 926	10 013	
ESP	HKE/8ABDE.	Hake	VIIIa, b, d, e	6 784		4 491,0		66,2	678,40	6 214	6 892	
ESP	HKE/8C3411	Hake	VIIIc, IX and X; EC waters of CECAF 34.1.1	3 819		3 816,8		99,9	2,20	4 510	4 512	
ESP	JAX/578/14	Horse Mackerel	VI, VII and VIIIabde; EC waters of Vb; international waters of XII and XIV	1 642		978,7		59,6	164,20	16 631	16 795	
ESP	JAX/8C9.	Horse Mackerel	VIIIc, IX	29 622		29 597,6		99,9	24,40	31 069	31 093	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
ESP	LEZ/8ABDE.	Megrim	VIIIa, b, d, e	1 302		294,4		22,6	130,20	1 176	1 306	
ESP	LEZ/8C3411	Megrim	VIIIc, IX, X, EC waters of CECAF 34.1.1	1 310		960,7		73,3	131,00	1 320	1 451	
ESP	NEP/07.	Norway lobster	VII	1 504		447,1		29,7	150,40	1 509	1 659	
ESP	NEP/08C.	Norway lobster	VIIIc	115		84,3		73,3	11,50	119	131	
ESP	NEP/5BC6.	Norway lobster	VI; EC waters of Vb	43		2,0		4,7	4,30	40	44	
ESP	NEP/8ABDE.	Norway lobster	VIIIa, b, d, e	55		0,4		0,7	5,50	259	265	
ESP	NEP/9/3411	Norway lobster	IX and X; EC waters of CECAF 34.1.1	123		116,2		94,5	6,80	104	111	
ESP	ORY/06-	Orange Roughy	EC waters and waters not under the sovereignty or jurisdiction of third countries of VI	6		0,0		0,0	0,60	4	5	06C-
ESP	RNG/8X14-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	5 765		5 753,1		99,8	11,90	4 391	4 403	
ESP	SBR/09-	Red seabream	EC waters and waters not under the sovereignty or jurisdiction of third countries of IX	850		85,0		10,0	85,00	850	935	
ESP	SBR/10-	Red seabream	EC waters and waters not under the sovereignty or jurisdiction of third countries of X	10		0,0		0,0	1,00	10	11	
ESP	WHB/8C3411	Blue whiting	VIIIc, IX, X, EC waters of CECAF 34.1.1	43 707		26 953,3		61,7	4 370,70	25 686	30 057	
EST	COD/3BC+24	Cod	Subdivisions 22-24 (EC waters)	174		73,3		42,1	17,40	186	203	
EST	HER/03DRG	Herring	Subdivision 28.1	19 164		12 763,8		66,6	1 916,40	16 668	18 584	
FIN	HER/30/31.	Herring	Subdivisions 30-31	82 809		71 089,7		85,8	8 280,90	71 344	79 625	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
FRA	ALF/3X14-	Alfonsinos	EC waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII, XIV	30		0,0		0,0	3,00	20	23	
FRA	ANF/07.	Anglerfish	VII	17 055		12 703,5		74,5	1 705,50	16 651	18 357	
FRA	ANF/8ABDE.	Anglerfish	VIIIa, b, d, e	7 333		5 835,3		79,6	733,30	6 714	7 447	
FRA	ANF/8C3411	Anglerfish	VIIIc, IX, X, EC waters of CECAP 34.1.1	34		23,3		68,5	3,40	2	5	
FRA	BLI/245-	Blue ling	EC waters and waters not under the sovereignty or jurisdiction of third countries of II, IV, V	55		41,8		76,0	5,50	34	40	
FRA	BLI/67-	Blue ling	EC waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII	2 140		1 960,1		91,6	179,90	1 518	1 698	
FRA	BSF/1234-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	5		1,6		32,0	0,50	5	6	
FRA	BSF/56712-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, XII	2 617		2 324,9		88,8	261,70	2 433	2 695	
FRA	BSF/8910-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X	111		20,4		18,4	11,10	31	42	
FRA	COD/07A.	Cod	VIIa	62		9,8		15,8	6,20	44	50	
FRA	COD/561214	Cod	VI; EC waters of Vb, international waters of XII, XIV	101		91,5		90,6	9,50	64	74	
FRA	DWS/56789-	Deep Sea Sharks	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII, IX	1 311		929,1		70,9	131,10	676	807	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
FRA	GFB/1012-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of X, XII	10		0,0		0,0	1,00	10	11	
FRA	GFB/1234-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	10		1,1		11,0	1,00	10	11	
FRA	GFB/567-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII	677		609,5		90,0	67,50	356	424	
FRA	GFB/89-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX	26		22,5		86,5	2,60	15	18	
FRA	HAD/5BC6A.	Haddock	EC waters of Vb and Vla	803		218,7		27,2	80,30	366	446	
FRA	HAD/6B1214	Haddock	Vlb, XII, XIV	515		0,6		0,1	51,50	763	815	
FRA	HER/7G-K.	Herring	Vllg, h, j, k	587		577,8		98,4	9,20	487	496	
FRA	HKE/2AC4-C	Hake	EC waters of IIa and IV	257		246,1		95,8	10,90	243	254	
FRA	HKE/571214	Hake	VI, VII; EC waters of Vb, international waters of XII and XIV	12 370		6 787,2	0,2	54,9	1 237,00	13 785	15 022	
FRA	HKE/8ABDE.	Hake	VIIIa, b, d, e	14 349		4 708,0		32,8	1 434,90	13 955	15 390	
FRA	HKE/8C3411	Hake	VIIIc, IX and X; EC waters of CECAF 34.1.1	251		179,0		71,3	25,10	433	458	
FRA	JAX/578/14	Horse Mackerel	VI, VII and VIIIabde; EC waters of Vb; international waters of XII and XIV	21 839		12 413,8		56,8	2 183,90	8 047	10 231	
FRA	JAX/8C9.	Horse Mackerel	VIIIc, IX	415		12,2		2,9	41,50	393	435	
FRA	LEZ/8ABDE.	Megrims	VIIIa, b, d, e	1 055		589,2		55,8	105,50	949	1 055	
FRA	LEZ/8C3411	Megrims	VIIIc, IX, X, EC waters of CECAF 34.1.1	72		12,8		17,8	7,20	66	73	
FRA	NEP/07.	Norway lobster	VII	6 696		2 373,0		35,4	669,60	6 116	6 786	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
FRA	NEP/08C.	Norway lobster	VIIIc	32		14,5		45,3	3,20	5	8	
FRA	NEP/2AC4-C	Norway lobster	EC waters of IIa and IV	44		0,0		0,0	4,40	40	44	
FRA	NEP/5BC6.	Norway lobster	VI; EC waters of Vb	176		0,8		0,5	17,60	161	179	
FRA	NEP/8ABDE.	Norway lobster	VIIIa, b, d, e	4 444		3 093,5		69,6	444,40	4 061	4 505	
FRA	ORY/06-	Orange Roughy	EC waters and waters not under the sovereignty or jurisdiction of third countries of VI	33		11,0		33,3	3,30	22	25	06C-
FRA	ORY/07-	Orange Roughy	EC waters and waters not under the sovereignty or jurisdiction of third countries of VII	147		136,9		93,1	10,10	98	108	07C-
FRA	ORY/1X14-	Orange Roughy	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV, V, VIII, IX, X, XII, XIV	31		24,3		78,4	3,10	15	18	1CX14C
FRA	PLE/07A.	Plaice	VIIa	23		2,2		9,6	2,30	21	23	
FRA	PLE/7FG.	Plaice	VIIIf, g	105		101,2		96,4	3,80	139	143	
FRA	RNG/1245A-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, IV, Va	14		4,5		32,1	1,40	14	15	
FRA	RNG/5B67-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI, VIII	3 841		1 868,0		48,6	384,10	3 789	4 173	
FRA	RNG/8X14-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	202		30,5		15,1	20,20	202	222	
FRA	SBR/678-	Red seabream	EC waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII, VIII	94,5		89,7		94,9	4,80	12	17	
FRA	SOL/07A.	Common Sole	VIIa	6		0,6		10,0	0,60	4	5	
FRA	SOL/07D.	Common Sole	VIIId	3 691		1 821,4		49,3	369,10	3 550	3 919	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
FRA	SOL/24.	Common Sole	EC waters of II and IV	629		447,2		71,1	62,90	212	275	
FRA	SOL/7FG.	Common Sole	VIIc, g	100		85,5		85,5	10,00	60	70	
FRA	SOL/8AB.	Common Sole	VIIIa, b	4 023		3 605,6		89,6	402,30	3 823	4 225	
FRA	WHB/1X14	Blue whiting	EC and international waters of I, II, III, IV, V, VI, VII, VIIIa, b, d, e, XII, XIV	28 445		14 378,8		50,5	2 844,50	18 643	21 488	
GBR	ANF/07.	Anglerfish	VII	5 468		4 470,1	82,9	83,3	546,80	5 050	5 597	
GBR	COD/07A.	Cod	VIIa	724		425,6		58,8	72,40	345	417	
GBR	COD/561214	Cod	VI; EC waters of Vb, international waters of XII, XIV	360,8		303,3		84,1	36,08	241	277	
GBR	COD/7X7A34	Cod	VIIb-k, VIII, IX, X, EC waters of CECAF 34.1.1	601		569,5		94,8	31,50	328	360	
GBR	HAD/5BC6A.	Haddock	EC waters of Vb and VIa	6 080		2 761,7		45,4	608,00	4 743	5 351	
GBR	HAD/6B1214	Haddock	VIb, XII, XIV	3 659		1 643,0		44,9	365,90	5 574	5 940	
GBR	HER/07A/MM	Herring	VIa	4 699		4 629,7		98,5	69,30	3 550	3 619	
GBR	HER/7G-K.	Herring	VIIg, h, j, k	64		63,3		98,9	0,70	10	11	
GBR	HKE/2AC4-C	Hake	EC waters of IIa and IV	398		360,4		90,6	37,60	341	379	
GBR	HKE/571214	Hake	VI, VII; EC waters of Vb, international waters of XII and XIV	5 775		3 322,7	0,3	57,5	577,50	5 442	6 020	
GBR	JAX/578/14	Horse Mackerel	VI, VII and VIIIa, b, d, e; EC waters of Vb; international waters of XII and XIV	11 910		10 159,6		85,3	1 191,00	16 470	17 661	
GBR	NEP/07.	Norway lobster	VII	9 119		7 044,7		77,3	911,90	8 251	9 163	
GBR	NEP/2AC4-C	Norway lobster	EC waters of IIa and IV	24 462		20 923,2		85,5	2 446,20	22 644	25 090	
GBR	NEP/5BC6.	Norway lobster	VI; EC waters of Vb	21 178		16 055,6		75,8	2 117,80	19 415	21 533	
GBR	PLE/07A.	Plaice	VIIa	708		415,1		58,6	70,80	558	629	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
GBR	PLE/7FG.	Plaice	VIIIf, g	72		60,9		84,6	7,20	73	80	
GBR	SOL/07A.	Common Sole	VIIa	204		70,5		34,6	20,40	146	166	
GBR	SOL/07D.	Common Sole	VIIId	1 315		780,1		59,3	131,50	1 268	1 400	
GBR	SOL/24.	Common Sole	EC waters of II and IV	1 406		1 190,7		84,7	140,60	545	686	
GBR	SOL/7FG.	Common Sole	VIIIf, g	272		244,1		89,7	27,20	271	298	
GBR	WHB/1X14	Blue whiting	EC and international waters of I, II, III, IV, V, VI, VII, VIIa, b, d, e, XII, XIV	55 565		53 666,7		96,6	1 898,30	34 759	36 657	
GBR	ALF/3X14-	Alfonsinos	EC waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII, XIV	10		0,6		6,0	1,00	10	11	
GBR	BLI/245-	Blue ling	EC waters and waters not under the sovereignty or jurisdiction of third countries of II, IV, V	19		5,5		28,9	1,90	20	22	
GBR	BLI/67-	Blue ling	EC waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII	222		174,2		78,5	22,20	386	408	
GBR	BSF/1234-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	5		0,0		0,0	0,50	5	6	
GBR	BSF/56712-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, XII	93		56,4		60,6	9,30	173	182	
GBR	DWS/56789-	Deep Sea Sharks	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII, IX	467		83,1		17,8	46,70	375	422	
GBR	GFB/1234-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	16		2,2		13,8	1,60	16	18	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
GBR	GFB/567-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII	709		343,5		48,4	70,90	814	885	
GBR	GFB/1012-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of X, XII	10		0,0		0,0	1,00	10	11	
GBR	ORY/06-	Orange Roughy	EC waters and waters not under the sovereignty or jurisdiction of third countries of VI	6		0,0		0,0	0,60	4	5	06C-
GBR	RNG/5B67-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI, VIII	170		4,3		2,5	17,00	222	239	
GBR	RNG/8X14-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	18		0,0		0,0	1,80	18	20	
GBR	SBR/10-	Red seabream	EC waters and waters not under the sovereignty or jurisdiction of third countries of X	10		0,0		0,0	1,00	10	11	
IRL	ANF/07.	Anglerfish	VII	3 162		2 938,7		92,9	223,30	2 128	2 351	
IRL	BSF/56712-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, XII	122		121,3		99,4	0,70	87	88	
IRL	COD/07A.	Cod	VIIa	743		608,1		81,8	74,30	790	864	
IRL	DWS/12-	Deep Sea Sharks	EC waters and waters not under the sovereignty or jurisdiction of third countries of XII	5		0,0		0,0	0,50	2	3	
IRL	DWS/56789-	Deep Sea Sharks	EC waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII, IX	9		7,3		81,1	0,90	109	110	
IRL	HAD/5BC6A.	Haddock	EC waters of Vb and VIa	1 105		759,4		68,7	110,50	995	1 106	
IRL	HAD/6B1214	Haddock	VIIb, XII, XIV	468		339,1		72,5	46,80	544	591	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
IRL	HER/07A/MM	Herring	VIIa	587		0,0		0,0	58,70	1 250	1 309	
IRL	HER/6AS7BC	Herring	VIIaS, VIIb, c	13 732		12 174,5		88,7	1 373,20	10 584	11 957	
IRL	HER/7G-K	Herring	VIIg, h, j, k	9 109		8 267,6		90,8	841,40	6 818	7 659	
IRL	HKE/571214	Hake	VI, VII; EC waters of Vb, international waters of XII and XIV	1 765		1 427,6		80,9	176,50	1 670	1 847	
IRL	JAX/578/14	Horse Mackerel	VI, VII and VIIIa, b, d, e; EC waters of Vb; international waters of XII and XIV	34 297		29 133,5		84,9	3 429,70	39 646	43 076	
IRL	NEP/5BC6	Norway lobster	VI; EC waters of Vb	383		161,2		42,1	38,30	269	307	
IRL	ORY/06-	Orange Roughy	EC waters and waters not under the sovereignty or jurisdiction of third countries of VI	7		0,0		0,0	0,70	4	5	06C-
IRL	ORY/1X14-	Orange Roughy	EC waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV, V, VIII, IX, X, XII, XIV	6		0,0		0,0	0,60	4	5	1CX14C
IRL	PLE/07A	Plaice	VIIa	507		192,9		38,0	50,70	1 209	1 260	
IRL	PLE/7FG	Plaice	VIIIf, g	59		57,6		97,6	1,40	202	203	
IRL	POK/561214	Saithe	VI; EC waters of Vb, international waters of XII, XIV	514		321,5		62,5	51,40	483	534	
IRL	RNG/5B67-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI, VIII	323		29,7		9,2	32,30	299	331	
IRL	RNG/8X14-	Roundnose grenadier	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	10		0,0		0,0	1,00	9	10	
IRL	SAN/2A3A4	Sandeel	IIIa; EC waters of IIa and IV	148 972				0,0	14 897,20	0	14 897	
IRL	WHB/1X14	Blue whiting	EC and international waters of I, II, III, IV, V, VI, VII, VIIIa, b, d, e, XII, XIV	34 498		31 091,8		90,1	3 406,20	20 745	24 151	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
LTU	JAX/578/14	Horse Mackerel	VI, VII and VIIa, b, d, e; EC waters of Vb; international waters of XII and XIV	6 437		3 466,7		53,9	643,70	0	644	
LTU	SPR/3BCD-C	Sprat	IIIbcd (EC waters)	22 027		14 773,5		67,1	2 202,70	22 745	24 948	
LTU	WHB/1X14	Blue whiting	EC and international waters of I, II, III, IV, V, VI, VII, VIIa, b, d, e, XII, XIV	9 974		9 812,0		98,4	162,00	0	162	
NLD	ANF/07.	Anglerfish	VII	112		13,6		12,1	11,20	336	347	
NLD	COD/07A.	Cod	VIIa	5		0,0		0,0	0,50	4	5	
NLD	COD/7X7A34	Cod	VIIb-k, VIII, IX, X, EC waters of CECAF 34.1.1	51		46,6		91,4	4,40	25	29	
NLD	HER/6AS7BC	Herring	VIaS, VIIb, c	258		254,4		98,6	3,60	1 058	1 062	
NLD	HER/7G-K.	Herring	VIIg, h, j, k	473		461,8		97,6	11,20	487	498	
NLD	HKE/2AC4-C	Hake	EC waters of IIa and IV	47		29,9		63,6	4,70	63	68	
NLD	HKE/571214	Hake	VI, VII; EC waters of Vb, international waters of XII and XIV	201	1	63,6	1	32,0	20,10	180	200	
NLD	JAX/578/14	Horse Mackerel	VI, VII and VIIabde; EC waters of Vb; international waters of XII and XIV	52 731		40 530,0		76,9	5 273,10	58 102	63 375	
NLD	NEP/2AC4-C	Norway lobster	EC waters of IIa and IV	1 367		1 155,6		84,5	136,70	704	841	
NLD	SOL/24.	Common Sole	EC waters of II and IV	11 887		10 348,8		87,1	1 188,70	9 563	10 752	
NLD	WHB/1X14	Blue whiting	EC and international waters of I, II, III, IV, V, VI, VII, VIIa, b, d, e, XII, XIV	88 561		79 699,6	69,9	90,1	8 791,50	32 666	41 458	
POL	HER/3BC+24	Herring	Subdivisions 22-24	6 441		2 935,8		45,6	644,10	5 797	6 441	
POL	SPR/3BCD-C	Sprat	IIIbcd (EC waters)	121 135		57 801,8		47,7	12 113,50	133 435	145 549	
PRT	BSF/8910-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X	3 876		3 466,6		89,4	387,60	3 956	4 344	

Country ID	Stock id	Specie	Zone	Adapted quantity 2007	Margin	Catches 2007	SC catches 2007	% Adapted quantity	Transferred quantity	Initial quantity 2008	Revised quantity 2008	New code 2008
PRT	BSF/C3412-	Black scabbardfish	EC waters and waters not under the sovereignty or jurisdiction of third countries of CECAF 34.1.2	4 285		3 086,9		72,0	428,50	4 285	4 714	
PRT	DWS/10-	Deep Sea Sharks	EC waters and waters not under the sovereignty or jurisdiction of third countries of X	20		10,5		52,5	2,00	20	22	
PRT	GFB/1012-	Forkbeards	EC waters and waters not under the sovereignty or jurisdiction of third countries of X, XII	43		16,9		39,3	4,30	43	47	
PRT	JAX/8C9.	Horse Mackerel	VIIIc, IX	25 036		14 498,8		57,9	2 503,60	26 288	28 792	
PRT	NEP/9/3411	Norway lobster	IX and X; EC waters of CECAF 34.1.1	328		267,8		81,6	32,80	311	344	
PRT	SBR/09-	Red seabream	EC waters and waters not under the sovereignty or jurisdiction of third countries of IX	230		187,2		81,4	23,00	230	253	
SWE	BLI/03-	Blue ling	EC waters and waters not under the sovereignty or jurisdiction of third countries of III	8		0,0		0,0	0,80	6	7	
SWE	COD/3BC+24	Cod	Subdivisions 22-24 (EC waters)	3 602		2 960,2		82,2	360,20	2 989	3 349	
SWE	HER/30/31.	Herring	Subdivisions 30-31	16 501		3 626,1		22,0	1 650,10	15 676	17 326	
SWE	HER/3BC+24	Herring	Subdivisions 22-24	8 806		7 724,6		87,7	880,60	7 926	8 807	
SWE	HKE/3A/BCD	Hake	IIIa; EC waters of IIIb, c, d	125		45,8		36,6	12,50	128	141	
SWE	NEP/3A/BCD	Norway lobster	IIIa; EC waters of IIIb, c, d	1 509		1 462,7		96,9	46,30	1 359	1 405	
SWE	PLE/3BCD-C	Plaice	IIIb, c, d (EC waters)	192		170,5		88,8	19,20	173	192	
SWE	RNG/3A/BCD	Roundnose grenadier	IIIa and EC waters of IIIb, c, d	52		0,0		0,0	5,20	49	54	
SWE	SOL/3A/BCD	Common Sole	IIIa; EC waters of IIIb, c, d	46		44,3		96,3	1,70	30	32	
SWE	SPR/3BCD-C	Sprat	IIIb, c, d (EC waters)	94 970		86 272,2		90,8	8 697,80	86 670	95 368	
SWE	WHB/1X14	Blue whiting	EC and international waters of I, II, III, IV, V, VI, VII, VIIIa, b, d, e, XII, XIV	539		148,8		27,6	53,90	6 627	6 681	

ANNEX II

DEDUCTIONS FROM 2008 QUOTAS

Country	Species Code	Area Code 2007	Species Name	Area Name	Penalties Art. 5(2) R. 847/96	Adapted Qty 2007	Margin	Total Adapted Qty 2007	SC Catches 2007	Catches 2007	Total Catches 2007	%	Deductions	Initial Qty 2008	Revised Qty 2008	Area Code 2008
BEL	COD	2AC4.	Cod	IV, EC waters of IIa	y	937,00	0,0	937,00	0,0	998,60	998,60	106,6	- 61,60	654,00	592	2A3AX4
BEL	COD	7X7A34	Cod	VII b-k, VIII, IX and X; EC waters of CECAF 34.1.1	y	172,00	0,0	172,00	0,0	180,40	180,40	104,9	- 8,40	177,00	169	
BEL	LEZ	2AC4-C	Megrins	EC waters of IIa and IV	y	4,00	0,0	4,00	0,0	5,60	5,60	140,0	- 1,60	5,00	3	
BEL	SOL	8AB.	Common Sole	VIII a and b	y	393,00	0,0	393,00	0,0	396,00	396,00	100,76	- 3,00	52,00	49	
DEU	ANF	561214	Anglerfish	VI; EC waters of Vb; International waters of XII and XIV (Norwegian waters)	y	213,00	0,0	213,00	0,0	227,80	227,80	106,9	- 14,80	212,00	197	
DEU	COD	03AN.	Cod	Kattegat	y	53,00	0,0	53,00	0,0	63,40	63,40	119,6	- 10,40	64,00	54	
DEU	COD	2AC4.	Cod	IV, EC waters of IIa	y	1 828,00	0,0	1 828,00	0,0	1 922,60	1 922,60	105,2	- 94,60	2 384,00	2 289	2A3AX4
DEU	LEZ	2AC4-C	Megrins	EC waters of IIa and IV	y	4,00	0,0	4,00	0,0	12,90	12,90	322,5	- 8,90	4,00	- 5	
DEU	LIN	4AB-N.	Ling	Norwegian waters of IV	y	33,00	0,0	33,00	0,0	34,00	34,00	103,0	- 1,00	21,00	20	
DEU	HAL	514GRN	Atlantic halibut	Greenland zone: V & XIV	y			0,00		3,40	3,40	0,0	- 3,40	0,00	- 3	
DEU	HKE	571214	European hake	Vb) (I), VI, VII, XII, XIV	y			0,00		4,00	4,00	0,0	- 4,00	0,00	- 4	
DEU	PRA	03A.	Northern prawn	IIla	y			0,00		0,50	0,50	0,0	- 0,50	0,00	- 1	
DEU	SPR	2AC4-C	European sprat	EC waters of IIa and IV	y			0,00		2,70	2,70	0,0	- 2,70	2 018,00	2 015	
DNK	COD	1N2AB.	Atlantic cod	I, II (Norwegian waters)	y			0,00		11,00	11,00	0,0	- 11,00	0,00	- 11	
DNK	MAC	2CX14-	Atlantic mackerel	VI, VII, VIIa, b, d, e, EC waters of Vb, international waters of IIa, XII and XIV	y			0,00		8,00	8,00	0,0	- 8,00	0,00	- 8	

Country	Species Code	Area Code 2007	Species Name	Area Name	Penalties Art. 5(2) R. 847/96	Adapted Qty 2007	Margin	Total Adapted Qty 2007	SC Catches 2007	Catches 2007	Total Catches 2007	%	Deductions	Initial Qty 2008	Revised Qty 2008	Area Code 2008
DNK	NOP	2A3A4.	Norway pout	IIla: EC waters of IIa and IV	y			0,00		83,00	83,00	0,0	83,00	36 466,00	36 383	
DNK	OTH	1N2AB.	Other species	I, II (Norwegian waters)	y			0,00		14,70	14,70	0,0	- 14,70	0,00	- 15	
DNK	POK	1N2AB.	Saithe (= Pollock)	I, II (Norwegian waters)	y			0,00		0,50	0,50	0,0	- 0,50	0,00	- 1	
ESP	BLI	67-	Blue ling	VI, VII (Community waters and waters not under the sovereignty and jurisdiction of third countries)	n	72,00	0,0	72,00	0,0	211,00	211,00	293,1	- 139,00	67,00	- 72	
ESP	COD	1/2B.	Cod	I and IIb	y	7 006,00	0,0	7 006,00	0,0	7 014,00	7 014,00	100,1	- 8,00	7 349,00	7 341	
ESP	HAD	1N2AB.	Haddock	Norwegian waters of I and II	y	60,00	0,0	60,00	0,0	65,00	65,00	108,3	- 5,00	0,00	- 5	
ESP	POK	1N2AB.	Saithe	Norwegian waters of I and II	y	50,00	0,0	50,00	0,0	53,00	53,00	106,0	- 3,00	0,00	- 3	
ESP	SBR	678-	Red seabream	VI, VII and VIII (Community waters and waters not under the sovereignty and jurisdiction of third countries)	y	188,00	23,8	211,80	0,0	204,50	204,50	96,6	7,30	238,00	222	(x)

(x) margin authorised excess catch up to 10 % — Reg 847/96 Art. 3.3

EST	PLE	3BCD-C	European plaice	IIlb-c,d (1)- Excluding MU3				0,0		0,80	0,80	0,0	- 0,80	0,00	- 1	
FRA	COD	7X7A34	Cod	VIIb-k; VIII, IX and X; EC waters of CECAF 34.1.1	y	3 736,00	0,0	3 736,00	0,0	4 079,60	4 079,60	109,2	- 343,60	3 033,00	2 689	
GBR	LEZ	2AC4-C	Megrim	EC waters of IIa and IV	y	1 424,00	0,0	1 424,00	0,0	1 430,40	1 430,40	100,4	- 6,40	1 537,00	1 531	
GBR	NOP	2A3A4.	Norway pout	IIla: EC waters of IIa and IV				0,00		4,30	4,30	0,0	- 4,30	0,00	- 4	

Country	Species Code	Area Code 2007	Species Name	Area Name	Penalties Art. 5(2) R. 847/96	Adapted Qty 2007	Margin	Total Adapted Qty 2007	SC Catches 2007	Catches 2007	Total Catches 2007	%	Deductions	Initial Qty 2008	Revised Qty 2008	Area Code 2008
IRL	COD	1/2B.	Cod	I, II b	y	57,00	100,0	157,00	0,0	201,80	201,80	128,5	- 44,80	0,00	- 45	(xx)
IRL	COD	561214	Cod	VI; EC waters of Vb; EC and International waters of XII and XIV	y	93,00	0,0	93,00	0,0	94,20	94,20	101,3	- 1,20	241,00	240	
IRL	COD	7X7A34	Cod	VIIb-k; VIII, IX and X; EC waters of CECAF 34.1.1	y	737,00	0,0	737,00	0,0	792,00	792,00	107,5	- 55,00	753,00	698	
IRL	ORY	07-	Orange roughy	VII (Community waters)	n	68,00	0,0	68,00	0,0	199,80	199,80	293,8	- 131,80	29,00	- 103	
IRL	SOL	07A.	Common sole	VIIa	y	111,00	0,0	111,00	0,0	115,20	115,20	103,8	- 4,20	90,00	86	

(xx) margin indicated the AMS quota used only by IRL

NLD	HER	1/2.	Herring	EC Norwegian and International waters of I and II	y	27 651,00	0,0	27 651,00	0,0	28 125,70	28 125,70	101,7	- 474,70	12 117,00	11 642	
POL	COD	3BC+24	Cod	EC waters of subdivision 22-24	y	2 287,00	0,0	2 287,00	0,0	2 360,70	2 360,70	103,2	- 73,70	2 245,00	2 171	
POL	GHL	514GRN	Greenland Halibut	Greenland waters of V and XIV	y	1 217,00	0,0	1 217,00	0,0	1 228,40	1 228,40	100,9	- 11,40	0,00	- 11	
POL	HER	1/2.	Herring	EC Norwegian and International waters of I and II	y	3 057,00	0,0	3 057,00	0,0	3 153,50	3 153,50	103,2	- 96,50	1 714,00	1 618	
POL	PRA	N3L.	Northern prawn	NAFO 3L	y	245,00	0,0	245,00	0,0	245,80	245,80	100,3	- 0,80	278,00	277	
POL	HAD	2AC4.	Haddock	IV; EC waters of IIa				0,00		1,40	1,40	0,0	- 1,40	0,00	- 1	
PRT	ALF	3X14-	Alfonsinos	III, IV, V, VI, VII, VIII, IX, X, XII, XIV (Community waters and waters not under the sovereignty and jurisdiction of third countries)	n	214,00	0,0	214,00	0,0	224,40	224,40	104,9	- 10,40	214,00	204	

Country	Species Code	Area Code 2007	Species Name	Area Name	Penalties Art. 5(2) R. 847/96	Adapted Qty 2007	Margin	Total Adapted Qty 2007	SC Catches 2007	Catches 2007	Total Catches 2007	%	Deductions	Initial Qty 2008	Revised Qty 2008	Area Code 2008
PRT	ANF	8C3411	Anglerfish	VIIIc, IX, X (CECAF 34.1.1 (EC waters))	y	375,00	0,0	375,00	0,0	392,20	392,20	104,6	- 17,20	324,00	307	
PRT	COD	1/2B.	Cod	I and Iib	y	1 479,00	0,0	1 479,00	0,0	1 490,30	1 490,30	100,8	- 11,30	1 552,00	1 541	
PRT	DWS	56789-	Deep Sea Sharks	V, VI, VII, VIII, IX (Community waters and waters not under the sovereignty and jurisdiction of third countries)	n	483,00	0,0	483,00	0,0	505,50	505,50	104,7	- 22,50	254,00	232	
PRT	HKE	8C3411	Hake	VIIIc, IX, X (CECAF 34.1.1 (EC waters))	y	1 990,00	0,0	1 990,00	0,0	2 054,30	2 054,30	103,2	- 64,30	2 104,00	2 040	
PRT	COD	7X7A34	Cod	VIIb,c,d,e,f,g,h,j,k, VIII,IX,X:EC waters of CECAF 34.1.1				0,00		4,70	4,70	0,0	- 4,70	0,00	- 5	
PRT	GHL	2A-C46	Greenland halibut	Ila (EC waters), IV, VI (Community waters and international waters)				0,00		17,70	17,70	0,0	- 17,70	0,00	- 18	
PRT	HAD	1N2AB.	Haddock	I, II (Norwegian waters)				0,00		369,20	369,20	0,0	- 369,20	0,00	- 369	
PRT	POK	1N2AB.	Saithe (= Pollock)	I, II (Norwegian waters)				0,00		391,40	391,40	0,0	- 391,40	0,00	- 391	

COMMISSION REGULATION (EC) No 542/2008

of 16 June 2008

amending Annexes I and II to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin, as regards cyfluthrin and lectin extracted from red kidney beans (*Phaseolus vulgaris*)

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, and in particular Articles 2 and 3 thereof,

Having regard to the opinion of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

(1) All pharmacologically active substances used in the Community in veterinary medicinal products intended for food-producing animals should be evaluated in accordance with Regulation (EEC) No 2377/90.

(2) The substance cyfluthrin is currently included in Annex I to Regulation (EEC) No 2377/90 for bovine species for muscle, fat, liver and kidney and for bovine species for milk provided that, for milk, the further provisions in Council Directive 94/29/EC of 23 June 1994 amending the Annexes to Directives 86/362/EEC and 86/363/EEC on the fixing of maximum levels for pesticide residues in and on cereals and foodstuffs of animal origin respectively ⁽²⁾ are observed. Following a request to extend the existing entry for cyfluthrin for bovine species in Annex I to all ruminants, the Committee for Medicinal Products for Veterinary Use (hereinafter CVMP), having reviewed the maximum residue limits (hereinafter MRLs) already established for the substance cyfluthrin, concluded that

the existing MRLs for bovine species could not be extrapolated to all ruminants, as residue data from ovine species was not available. The CVMP concluded that the extrapolation was possible for caprine species only. As a consequence, it is considered appropriate to extend the current entry in Annex I of Regulation (EEC) No 2377/90 for cyfluthrin to include caprine species, with the same MRLs values as for bovine species, for muscle, fat, liver, kidney and milk, provided that, for milk, the further provisions in Directive 94/29/EC are observed.

(3) Lectin extracted from red kidney beans (*Phaseolus vulgaris*) is currently not included in the Annexes to Regulation (EEC) No 2377/90. Following an examination of an application for the establishment of MRLs for lectin extracted from red kidney beans (*Phaseolus vulgaris*) in porcine species, the CVMP concluded that there is no need to establish MRLs for lectin extracted from red kidney beans (*Phaseolus vulgaris*) and recommended the inclusion of that substance in Annex II for porcine species, for oral use only. As a consequence, it is found appropriate to insert this substance in Annex II to Regulation (EEC) No 2377/90 for porcine species, for oral use only.

(4) Regulation (EEC) No 2377/90 should therefore be amended accordingly.

(5) An adequate period should be allowed before the applicability of this Regulation in order to enable Member States to make any adjustment which may be necessary in the light of this Regulation to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products ⁽³⁾ to take account of the provisions of this Regulation.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

⁽¹⁾ OJ L 224, 18.8.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 203/2008 (OJ L 60, 5.3.2008, p. 18).

⁽²⁾ OJ L 189, 23.7.1994, p. 67.

⁽³⁾ OJ L 311, 28.11.2001, p. 1. Directive as last amended by Directive 2004/28/EC (OJ L 136, 30.4.2004, p. 58).

HAS ADOPTED THIS REGULATION:

Article 2

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

Article 1

Annexes I and II to Regulation (EEC) No 2377/90 are amended in accordance with the Annex to this Regulation.

It shall apply from 16 August 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Günter VERHEUGEN

Vice-President

ANNEX

A. In point 2.2.3 of Annex I (List of pharmacologically active substances for which maximum residue limits have been fixed), the entry for 'Cyfluthrin' is replaced by the following:
2.2.3. Pyrethroids

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Cyfluthrin	Cyfluthrin (sum of isomers)	Bovine, caprine	10 µg/kg	Muscle	Further provisions in Directive 94/29/EC are to be observed'
			50 µg/kg	Fat	
			10 µg/kg	Liver	
			10 µg/kg	Kidney	
			20 µg/kg	Milk	

B. In point 6 of Annex II (List of substances not subject to maximum residue limits), the following substance is inserted:
6. Substances of vegetable origin

Pharmacologically active substance(s)	Animal species	Other provisions
'Lectin extracted from red kidney beans (<i>Phaseolus vulgaris</i>)	Porcine	For oral use only'

COMMISSION REGULATION (EC) No 543/2008**of 16 June 2008****laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 121(e) in conjunction with Article 4 thereof,

Whereas:

(1) As from 1 July 2008, Regulation (EEC) No 1906/90 of 26 June 1990 on certain marketing standards for poultry ⁽²⁾ is repealed by Regulation (EC) No 1234/2007.

(2) Some of the provisions and obligations in Regulation (EEC) No 1906/90 were not taken over in Regulation (EC) No 1234/2007.

(3) As a result, certain provisions and obligations, as appropriate, must be adopted in a Regulation laying down detailed rules for the application of Regulation (EC) No 1234/2007 to enable the common market organisation and in particular the marketing standards to continue to function properly.

(4) Regulation (EC) No 1234/2007 lays down certain marketing standards for poultrymeat, the application of which requires the adoption of provisions concerning in particular the list of those poultry carcasses, parts thereof and offal to which the said Regulation applies, classification by conformation, appearance and weight, types of presentation, the indication of the name under which the products in question are to be sold, the optional use of indications concerning chilling methods and the type of farming, conditions for storage and transport of certain types of poultrymeat and the supervision of these provisions in order to ensure their uniform application throughout the Community. Commission Regulation (EEC) No 1538/91 ⁽³⁾, which lays down detailed rules for the application of Regulation (EEC) No 1906/90, should therefore be repealed and replaced by a new Regulation.

(5) In order to provide for the marketing of poultry in different classes according to conformation and appearance, it is necessary to lay down definitions relating to species, age and presentation in the case of carcasses, and anatomical conformation and content in the case of poultry cuts. In the case of the product known as 'foie gras' the high value and consequent risk of fraudulent practices make it necessary to lay down especially precise minimum marketing standards.

(6) It is not necessary for these standards to be applied to certain products and presentations which are of local or otherwise limited importance. However, names under which such products are sold should not be such as to mislead the consumer to a material degree by causing him to confuse these products with products which are subject to the standards. Similarly, additional descriptive terms used to qualify the names of such products should also be subject to the standards.

(7) With a view to the uniform application of this Regulation, the terms 'marketing' and 'batch' should be defined in the poultrymeat sector.

(8) Storage and handling temperature is of crucial importance to the maintenance of high standards of quality. Therefore, it is appropriate to lay down a minimum temperature at which chilled poultrymeat products are to be kept.

(9) The provisions of this Regulation and in particular those relating to surveillance and enforcement should be applied uniformly throughout the Community. Detailed rules adopted to those ends should also be uniform. It is therefore necessary to lay down common measures in the matter of sampling procedures and tolerances.

(10) It is necessary, in order that the consumer be provided with sufficient, unequivocal and objective information concerning such products offered for sale, and to secure the free movement of such products throughout the Community, to ensure that poultrymeat marketing standards take into account as far as is practicable the provisions of Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain pre-packaged products ⁽⁴⁾.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1. Regulation as last amended by Regulation (EC) No 470/2008 (OJ L 40, 30.5.2008, p. 1).

⁽²⁾ OJ L 173, 6.7.1990, p. 1. Regulation as last amended by Regulation (EC) No 1029/2006 (OJ L 186, 7.7.2006, p. 6).

⁽³⁾ OJ L 143, 7.6.1991, p. 11. Regulation as last amended by Regulation (EC) No 1474/2007 (OJ L 329, 14.12.2007, p. 14).

⁽⁴⁾ OJ L 46, 21.2.1976, p. 1. Directive as last amended by Directive 2007/45/EC of the European Parliament and of the Council (OJ L 247, 21.9.2007, p. 17).

- (11) Among the indications which may optionally be used on the labelling are those concerning the method of chilling and particular types of farming. The use of the latter, in the interest of consumer protection, needs to be subject to compliance with closely defined criteria concerning both husbandry conditions and quantity thresholds for stating certain criteria such as age at slaughter or length of fattening period and content of certain foodstuff ingredients.
- (12) When 'free-range farming' is indicated on the label for meat from ducks and geese kept for foie gras production, it is necessary also to provide an indication of the latter on the label to ensure that the consumer has full information on the products' characteristics.
- (13) It is desirable that the Commission should exercise permanent surveillance of the compatibility with Community law, including the marketing standards, of any national measures adopted in pursuance of these provisions. Particular provision should also be made for the registration and regular inspection of undertakings authorised to use terms referring to particular types of farming. Such undertakings should therefore be obliged to maintain detailed records for this purpose.
- (14) In view of the specialised nature of these inspections, the competent authorities of the Member States concerned should be able to delegate responsibility for them to properly qualified and duly licensed outside bodies, without prejudice to appropriate supervision and precautions.
- (15) Operators in third countries may wish to make use of the optional indications concerning chilling methods and types of farming. Provision should be made for them to do so, subject to appropriate certification by the competent authority of the third country concerned, which appears on a list established by the Commission.
- (16) In view of economic and technological developments in both the preparation of poultry and checks, and given that water content is of particular interest in the marketing of frozen or quick-frozen poultry, the maximum water content of frozen or quick-frozen poultry should be fixed and a monitoring system both in slaughterhouses and at all marketing stages should be defined without violating the principle of the free circulation of products in a single market.
- (17) Water absorption in the production establishment should be verified and reliable methods for the determination of the content of water added during the preparation of carcasses of frozen or quick-frozen poultry should be established without a distinction being made between physiological liquid and other water originating from the preparation of the poultry given that such a distinction would entail practical difficulties.
- (18) The marketing of non-conforming frozen or quick-frozen poultry without a suitable indication on the packaging should be prohibited. As a result, it is necessary to adopt practical rules with regard to the indications to be marked on individual and bulk packaging depending on their destination so as to facilitate checks and to ensure that they are not used other than for their intended use.
- (19) It is necessary to lay down the action to be taken if a check reveals an irregularity in a consignment, where the products do not satisfy the requirements of this Regulation. A procedure should be established for the settlement of disputes which may arise in respect of intra-Community consignments.
- (20) In the event of a dispute, the Commission should be able to take action on the spot and by adopting measures appropriate to the situation.
- (21) The harmonisation of requirements concerning water content presupposes the designation of Community and national reference laboratories.
- (22) Community financial assistance should be provided.
- (23) A contract should be concluded between the Community and the Community reference laboratory setting out the conditions governing payment of financial assistance.
- (24) Provision should be made for the Member States to adopt practical arrangements for checking the water content of frozen and quick-frozen poultry. With a view to ensuring the uniform application of this Regulation, provisions should be made for Member States to inform the Commission and the other Member States of the arrangements.
- (25) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- The products referred to in Article 121(e)(ii) of Regulation (EC) No 1234/2007 are hereby defined as follows:
- 1. Poultry carcasses**
- (a) DOMESTIC FOWL (*Gallus domesticus*)
- chicken, broiler: fowl in which the tip of the sternum is flexible (not ossified),

— cock, hen, casserole or boiling fowl: fowl in which the tip of the sternum is rigid (ossified),

— capon: male fowl castrated surgically before reaching sexual maturity and slaughtered at a minimum age of 140 days: after castration the capons must be fattened for at least 77 days,

— poussin, coquelet: chicken of less than 650 g carcase weight (expressed without giblets, head and feet); chicken of 650 g to 750 g may be called 'poussin' if the age at slaughter does not exceed 28 days. Member States may apply Article 12 for the checking of this slaughter age,

— young cock: male chicken of laying strains in which the tip of the sternum is rigid but not completely ossified and of which the age at slaughter is at least 90 days;

(b) TURKEYS (*Meleagris gallopavo dom.*)

— (young) turkey: bird in which the tip of the sternum is flexible (not ossified),

— turkey: bird in which the tip of the sternum is rigid (ossified);

(c) DUCKS (*Anas platyrhynchos dom.*, *Cairina moschata*), Mulard ducks (*Cairina moschata* x *Anas platyrhynchos*)

— young duck or duckling, (young) Muscovy duck, (young) Mulard duck: bird in which the tip of the sternum is flexible (not ossified),

— duck, Muscovy duck, Mulard duck: bird in which the tip of the sternum is rigid (ossified);

(d) GEESE (*Anser anser dom.*)

— (young) goose or gosling: bird in which the tip of the sternum is flexible (not ossified). The fat layer all over the carcase is thin or moderate; the fat of the young goose may have a colour indicative of a special diet,

— goose: bird in which the tip of the sternum is rigid (ossified); a moderate to thick fat layer is present all over the carcase;

(e) GUINEA FOWL (*Numida meleagris domesticus*)

— (young) guinea fowl: bird in which the tip of the sternum is flexible (not ossified),

— guinea fowl: bird in which the tip of the sternum is rigid (ossified).

For the purpose of this Regulation, variants of the terms used in (a) to (e) relating to sex shall be construed as equivalent.

2. Poultry cuts

(a) half: half of the carcase, obtained by a longitudinal cut in a plane along the sternum and the backbone;

(b) quarter: leg quarter or breast quarter, obtained by a transversal cut of a half;

(c) unseparated leg quarters: both leg quarters united by a portion of the back, with or without the rump;

(d) breast: the sternum and the ribs, or part thereof, distributed on both sides of it, together with the surrounding musculature. The breast may be presented as a whole or a half;

(e) leg: the femur, tibia and fibula together with the surrounding musculature. The two cuts shall be made at the joints;

(f) chicken leg with a portion of the back: the weight of the back does not exceed 25 % of that of the whole cut;

(g) thigh: the femur together with the surrounding musculature. The two cuts shall be made at the joints;

(h) drumstick: the tibia and fibula together with the surrounding musculature. The two cuts shall be made at the joints;

(i) wing: the humerus, radius, and ulna, together with the surrounding musculature. In the case of turkey wings, humerus or radius/ulna together with the surrounding musculature may be presented separately. The tip, including the carpal bones, may or may not have been removed. The cuts shall be made at the joints;

(j) unseparated wings: both wings united by a portion of the back, where the weight of the latter does not exceed 45 % of that of the whole cut;

- (k) breast fillet: the whole or half of the breast deboned, i.e. without sternum and ribs. In the case of turkey breast, the fillet may comprise the deep pectoral muscle only;
- (l) breast fillet with wishbone: the breast fillet without skin with the clavicle and the cartilaginous point of the sternum only, the weight of clavicle and cartilage not to exceed 3 % of that of the cut;
- (m) magret, maigret: breast fillet of ducks and geese referred to in point (3) comprising skin and subcutaneous fat covering the breast muscle, without the deep pectoral muscle;
- (n) deboned turkey leg meat: turkey thighs and/or drumsticks, deboned, i.e. without femur, tibia and fibula, whole, diced or cut into strips.

For the products listed under (e), (g) and (h) the wording 'cuts shall be made at the joints' is to mean cuts made within the two lines delineating the joints as shown in the graphical presentation in Annex II.

Products listed under (d) to (k) may be presented with or without skin. The absence of the skin in the case of products listed under (d) to (j) or the presence of the skin in the case of the product listed under (k) shall be mentioned on the labelling within the meaning of Article 1(3)(a) of Directive 2000/13/EC of the European Parliament and of the Council ⁽¹⁾.

3. Foie gras

The livers of geese, or of ducks of the species *Cairina moschata* or *Cairina moschata* x *Anas platyrhynchos* which have been fed in such a way as to produce hepatic fatty cellular hypertrophy.

The birds from which such livers are removed shall have been completely bled, and the livers shall be of a uniform colour.

The livers shall be of the following weight:

- duck livers shall weigh at least 300 g net,
- goose livers shall weigh at least 400 g net.

Article 2

For the purposes of this Regulation:

- (a) 'carcase' means the whole body of a bird of the species referred to in Article 1(1) after bleeding, plucking and evisceration; however, removal of the kidneys shall be optional; an eviscerated carcase may be presented for sale with or without giblets, meaning heart, liver, gizzard and neck, inserted into the abdominal cavity;
- (b) 'cuts thereof' means poultrymeat which owing to the size and the characteristics of the coherent muscle tissue is identifiable as having been obtained from a particular part of the carcase;
- (c) 'pre-packaged poultrymeat' means poultrymeat presented in accordance with the conditions laid down in Article 1(3)(b) of Directive 2000/13/EC;
- (d) 'poultrymeat without pre-packaging' means poultrymeat presented for sale to the final consumer without pre-packaging or else packed at the place of sale at the latter's request;
- (e) 'marketing' means holding or displaying for sale, offering for sale, selling, delivery or any other form of marketing;
- (f) 'batch' means poultrymeat of the same species and type, the same class, the same production run, from the same slaughterhouse or cutting plant, situated in the same place, which is to be inspected. For the purposes of Article 9 and Annexes V and VI, a batch shall only comprise pre-packages of the same nominal weight category.

Article 3

1. Poultry carcasses shall, in order to be marketed in accordance with this Regulation, be presented for sale in one of the following forms:

- partially eviscerated ('effilé', 'roped'),
- with giblets,
- without giblets.

The word 'eviscerated' may be added.

2. Partially eviscerated carcasses are carcasses from which the heart, liver, lungs, gizzard, crop, and kidneys have not been removed.

3. For all carcase presentations, if the head is not removed, trachea, oesophagus and crop may remain in the carcase.

⁽¹⁾ OJ L 109, 6.5.2000, p. 29.

4. Giblets shall comprise only the following:

The heart, neck, gizzard and liver, and all other parts considered as edible by the market on which the product is intended for final consumption. Livers shall be without gall bladders. The gizzard shall be without the horned membrane, and the contents of the gizzard shall have been removed. The heart may be with or without the pericardial sac. If the neck remains attached to the carcase, it is not considered as one of the giblets.

Where one of these four organs is customarily not included with the carcase for sale, its absence shall be mentioned on the labelling.

5. In addition to complying with national legislation adopted in accordance with Directive 2000/13/EC, the following further indications shall be shown on the accompanying commercial documents within the meaning of Article 13(1)(b) of that Directive:

- (a) the class as referred to in point III(1) of Part B of Annex XIV to Regulation (EC) No 1234/2007;
- (b) the condition in which the poultrymeat is marketed in accordance with point III(2) of Part B of Annex XIV to Regulation (EC) No 1234/2007 and the recommended storage temperature.

Article 4

1. The names under which the products covered by this Regulation are sold, within the meaning of Article 3(1)(1) of Directive 2000/13/EC, shall be those enumerated in Article 1 of this Regulation and the corresponding terms in the other Community languages listed in Annex I to this Regulation, qualified in the case of:

- whole carcasses, by reference to one of the forms of presentation as laid down in Article 3(1) of this Regulation,
- poultry cuts, by reference to the respective species.

2. The names defined in points (1) and (2) of Article 1 may be supplemented by other terms provided that the latter do not mislead the consumer to a material degree and in particular do not allow confusion with other products listed in points (1) and (2) of Article 1 or with indications provided for in Article 11.

Article 5

1. Products other than those defined in Article 1 may be marketed in the Community only under names which do not mislead the consumer to a material degree by allowing confusion with those referred to in Article 1 or with indications provided for in Article 11.

2. In addition to complying with national legislation adopted in accordance with Directive 2000/13/EC, the labelling, presentation and advertising of poultrymeat intended for the final consumer shall comply with the additional requirements set out in paragraphs 3 and 4 of this Article.

3. In the case of fresh poultrymeat, the date of minimum durability shall be replaced by the 'use by' date in accordance with Article 10 of Directive 2000/13/EC.

4. In the case of pre-packaged poultrymeat, the following particulars shall also appear on the pre-packaging or on a label attached thereto:

- (a) the class as referred to in point III(1) of Part B of Annex XIV to Regulation (EC) No 1234/2007;
- (b) in the case of fresh poultrymeat, the total price and the price per weight unit at the retail stage;
- (c) the condition in which the poultrymeat is marketed in accordance with point III(2) of Part B of Annex XIV to Regulation (EC) No 1234/2007 and the recommended storage temperature;
- (d) the registered number of the slaughterhouse or cutting plant in accordance with Article 4 of Regulation (EC) No 853/2004 of the European Parliament and of the Council ⁽¹⁾, except in the case of cutting and boning at the place of sale as provided for in Article 4(2)(d) of that Regulation;
- (e) in the case of poultrymeat imported from third countries, an indication of the country of origin.

5. Where poultrymeat is offered for sale without pre-packaging, except where cutting and boning take place at the place of sale as provided for in Article 4(2)(d) of Regulation (EC) No 853/2004, provided such cutting and boning is carried out at the request and in the presence of the consumer, Article 14 of Directive 2000/13/EC shall apply to the indications referred to in paragraph 4.

6. By way of derogation from Article 3(5) and paragraphs 2 to 5 of this Article, it shall not be necessary to classify poultrymeat or to indicate the additional particulars referred to in those Articles in the case of deliveries to cutting or processing establishments.

Article 6

The following additional provisions shall apply to frozen poultrymeat as defined in point II(3) of Part B of Annex XIV to Regulation (EC) No 1234/2007:

⁽¹⁾ OJ L 139, 30.4.2004, p. 55. Corrigendum published in OJ L 226, 25.6.2004, p. 22.

The temperature of frozen poultrymeat concerned by this Regulation must be stable and maintained, at all points in the product, at -12°C or lower, with brief upward fluctuations of no more than 3°C . These tolerances in the temperature of the product shall be permitted in accordance with good storage and distribution practice during local distribution and in retail display cabinets.

Article 7

1. In order to be graded as classes A and B, poultry carcasses and cuts covered by this Regulation shall meet the following minimum requirements, i.e. they shall be:

- (a) intact, taking into account the presentation;
- (b) clean, free from any visible foreign matter, dirt or blood;
- (c) free of any foreign smell;
- (d) free of visible bloodstains except those which are small and unobtrusive;
- (e) free of protruding broken bones;
- (f) free of severe contusions.

In the case of fresh poultry, there shall be no traces of prior chilling.

2. In order to be graded as class A, poultry carcasses and cuts shall in addition satisfy the following criteria:

- (a) they shall be of good conformation. The flesh shall be plump, the breast well developed, broad, long and fleshy, and the legs shall be fleshy. On chickens, young ducks or ducklings and turkeys, there shall be a thin regular layer of fat on the breast, back and thighs. On cocks, hens, ducks and young geese a thicker layer of fat is permissible. On geese a moderate to thick fat layer shall be present all over the carcass;
- (b) a few small feathers, stubs (quill ends) and hairs (filoplumes) may be present on the breast, legs, back, footjoints and wing tips. In the case of boiling fowl, ducks, turkeys and geese, a few may also be present on other parts;
- (c) some damage, contusion and discoloration is permitted provided that it is small and unobtrusive and not present on the breast or legs. The wing tip may be missing. A slight redness is permissible in wing tips and follicles;

- (d) in the case of frozen or quick-frozen poultry there shall be no traces of freezer-burn ⁽¹⁾ except those that are incidental, small and unobtrusive and not present on the breast or legs.

Article 8

1. Decisions arising from failure to comply with Articles 1, 3 and 7 may only be taken for the whole of the batch which has been checked in accordance with the provisions of this Article.

2. A sample consisting of the following numbers of individual products as defined in Article 1 shall be drawn at random from each batch to be inspected in slaughterhouses, cutting plants, wholesale and retail warehouses or at any other stage of marketing, including during transport or, in the case of imports from third countries, at the time of customs clearance:

Batch size	Sample size	Tolerable number of defective units	
		Total	For points (1) ⁽¹⁾ and (3) of Article 1, and Article 7(1)
1	2	3	4
100 to 500	30	5	2
501 to 3 200	50	7	3
> 3 200	80	10	4

⁽¹⁾ Tolerance within each species, not from one species to another.

3. In the checking of a batch of class A poultrymeat, the total tolerable number of defective units referred to in column 3 of the table in paragraph 2 is allowed. These defective units may also comprise, in the case of breast fillet, fillets with up to 2 % in weight of cartilage (flexible tip of sternum).

However, the number of defective units not complying with the provisions of points (1) and (3) of Article 1, nor Article 7(1), shall not exceed the figures shown in column 4 of the table in paragraph 2.

As regards point (3) of Article 1, no defective unit shall be considered tolerable unless it be of a weight of at least 240 g in the case of duck livers and of at least 385 g in the case of goose livers.

⁽¹⁾ Freezer-burn: (in the sense of a reduction in quality) is the local or area-type irreversible drying up of skin and/or flesh which may produce changes:

- in the original colour (mostly getting paler), or
- in flavour and smell (flavourless or rancid), or
- in texture (dry, spongy).

4. In the checking of a batch of class B poultrymeat, the tolerable number of defective units shall be doubled.

5. Where the checked batch does not comply, the supervising agency shall prohibit its marketing or, if the batch comes from a third country, its import, unless and until proof is forthcoming that it has been made to comply with Articles 1 and 7.

Article 9

1. Frozen or quick-frozen poultrymeat pre-packaged within the meaning of Article 2 of Directive 76/211/EEC may be classified by weight category in accordance with point III(3) of Part B of Annex XIV to Regulation (EC) No 1234/2007. The pre-packages may contain:

- one poultry carcase, or
- one or more poultry cuts of the same type and species, as defined in Article 1.

2. All pre-packages shall in accordance with paragraphs 3 and 4 bear an indication of the weight of the product, known as ‘nominal weight’, which they are required to contain.

3. Pre-packages of frozen or quick-frozen poultrymeat may be classified by categories of nominal weights as follows:

- (a) carcases:
- < 1 100 g: classes of 50 g (1 050 — 1 000 — 950, etc.),
 - 1 100 — < 2 400 g: classes of 100 g (1 100 — 1 200 — 1 300, etc.),
 - ≥ 2 400 g: classes of 200 g (2 400 — 2 600 — 2 800, etc.);

- (b) cuts:
- < 1 100 g: classes of 50 g (1 050 — 1 000 — 950, etc.),
 - ≥ 1 100 g: classes of 100 g (1 100 — 1 200 — 1 300, etc.).

4. Pre-packages referred to in paragraph 1 shall be made up in such a way that they satisfy the following requirements:

- (a) the actual contents shall not be less, on average, than the nominal weight;
- (b) the proportion of pre-packages having a negative error greater than the tolerable negative error laid down in paragraph 9 shall be sufficiently small for batches of pre-packages to satisfy the requirements of the tests specified in paragraph 10;

- (c) no pre-package having a negative error greater than twice the tolerable negative error given in paragraph 9 shall be marketed.

For the purpose of applying this Regulation, the definitions of nominal weight, actual content and negative error laid down in Annex I to Directive 76/211/EEC shall apply.

5. Regarding responsibility of the packer or importer of frozen or quick-frozen poultrymeat and checks to be carried out by competent authorities, points 4, 5 and 6 of Annex I to Directive 76/211/EEC apply *mutatis mutandis*.

6. The checking of pre-packages shall be carried out by sampling and shall be in two parts:

- a check covering the actual content of each pre-package in the sample,
- a check on the average actual contents of the pre-packages in the sample.

A batch of pre-packages shall be considered acceptable if the results of both these checks satisfy the acceptance criteria referred to in paragraphs 10 and 11.

7. A batch shall be made up of all the pre-packages of the same nominal weight, the same type and the same production run, packed in the same place, which are to be inspected.

The batch size shall be limited to the quantities laid down below:

- where pre-packages are checked at the end of the packing line, the number in each batch shall be equal to the maximum hourly output of the packing line, without any restriction as to batch size,
- in other cases the batch size shall be limited to 10 000.

8. A sample consisting of the following numbers of pre-packages shall be drawn at random from each batch to be inspected:

Batch size	Sample size
100 to 500	30
501 to 3 200	50
> 3 200	80

For batches of fewer than 100 pre-packages, the non-destructive test, within the meaning of Annex II to Directive 76/211/EEC, where carried out, shall be 100 %.

9. In the case of pre-packaged poultrymeat the following tolerable negative errors are permitted:

Nominal weight	Tolerable negative error (grams)	
	carcasses	cuts
less than 1 100	25	25
1 100 to < 2 400	50	50
2 400 and more	100	

10. For the checking of the actual content of each pre-package in the sample, the minimum acceptable content shall be calculated by subtracting the tolerable negative error for the contents concerned from the nominal weight of the pre-package.

The pre-packages in the sample whose actual contents are less than the minimum acceptable content shall be considered defective.

The batch of pre-packages checked shall be considered acceptable or rejected, if the number of defective units found in the sample is less than or equal to the acceptance criterion or equal to or greater than the criterion for rejection shown below:

Sample size	Number of defective units	
	Acceptance criterion	Rejection criterion
30	2	3
50	3	4
80	5	6

11. For the checking of the average actual contents, a batch of pre-packages shall be considered acceptable if the average actual content of the pre-packages forming the sample is greater than the acceptance criterion shown below:

Sample size	Acceptance criterion for average actual content
30	$\bar{x} \geq Qn - 0,503 s$
50	$\bar{x} \geq Qn - 0,379 s$
80	$\bar{x} \geq Qn - 0,295 s$

$\bar{x}$ = average actual content of pre-packages

Qn = nominal weight of the pre-package

s = standard deviation of the actual contents of the pre-packages in the batch

The standard deviation shall be estimated as set out under point 2.3.2.2. of Annex II to Directive 76/211/EEC.

12. For so long as Council Directive 80/181/EEC ⁽¹⁾ authorises the use of supplementary indications, the indication of the nominal weight of pre-packages to which this Article applies may be accompanied by a supplementary indication.

13. In respect of poultrymeat entering the United Kingdom from other Member States, checks shall be carried out on a random basis and shall not be made at the border.

Article 10

An indication of the use of one of the methods of chilling defined hereafter and the corresponding terms in the other Community languages listed in Annex III may appear on the labelling within the meaning of Article 1(3)(a) of Directive 2000/13/EC:

- air chilling: chilling of poultry carcasses in cold air,
- air-spray chilling: chilling of poultry carcasses in cold air interspersed with waterhaze or fine water spray,
- immersion chilling: chilling of poultry carcasses in tanks of water or of ice and water, in accordance with the counterflow process.

Article 11

1. In order to indicate types of farming with the exception of organic or biological farming, no other terms except those set out hereunder and the corresponding terms in the other Community languages listed in Annex IV may appear on the labelling within the meaning of Article 1(3)(a) of Directive 2000/13/EC, and in any case they may appear only if the relevant conditions specified in Annex V to this Regulation are fulfilled:

- (a) 'Fed with ... % ...';
- (b) 'Extensive indoor' ('Barn-reared');
- (c) 'Free range';
- (d) 'Traditional free range';
- (e) 'Free range — total freedom'.

These terms may be supplemented by indications referring to the particular characteristics of the respective types of farming.

⁽¹⁾ OJ L 39, 15.2.1980, p. 40.

When free-range production (points (c), (d) and (e)) is indicated on the label for meat from ducks and geese kept for the production of foie gras, the term 'from foie gras production' shall also be indicated.

2. Mention of the age at slaughter or length of fattening period shall be permitted only when use is made of one of the terms referred to in paragraph 1 and for an age of not less than that indicated in Annex V(b), (c) or (d). However, this provision does not apply to animals covered by the fourth indent of point 1(a) of Article 1.

3. Paragraphs 1 and 2 shall apply without prejudice to national technical measures going beyond the minimum requirements given in Annex V, which are applicable only to producers of the Member State concerned, provided that they are compatible with Community law and are in conformity with the common marketing standards for poultrymeat.

4. The national measures referred to in paragraph 3 shall be communicated to the Commission.

5. At any time, and at the request of the Commission, Member States shall provide all the information necessary for assessing the compatibility of the measures referred to in this Article with Community law and their conformity with the common marketing standards for poultrymeat.

Article 12

1. Slaughterhouses authorised to use the terms referred to in Article 11 shall be subject to special registration. They shall keep a separate record, by type of farming of:

- (a) the names and addresses of the producers of such birds, who shall be registered following an inspection by the competent authority of the Member State;
- (b) at the request of this authority, the number of birds kept by each producer per turnround;
- (c) the number and total live or carcase weight of such birds delivered and processed;
- (d) details of sales, including names and addresses of purchasers, for a minimum of six months following dispatch.

2. The producers referred to in paragraph 1 shall subsequently be inspected regularly. They shall keep up-to-date records, for a minimum of six months following dispatch, of the number of birds by type of farming showing also the number of birds sold, the name and addresses of the purchasers, and quantities and source of feed supply.

In addition producers using free-range systems shall also keep records of the date when birds were first given access to range.

3. Feed manufacturers and suppliers shall keep records for at least six months after dispatch showing that the composition of the feed supplied to the producers for the type of farming referred to in Article 11(1)(a) complies with the indications given in respect of feeding.

4. Hatcheries shall keep records of birds of the strains recognised as slow growing supplied to the producers for the types of farming referred to in Article 11(1)(d) and (e) for at least six months after dispatch.

5. Regular inspections regarding compliance with Article 11 and paragraphs 1 to 4 of this Article shall be carried out at:

- (a) the farm: at least once per turnround;
- (b) the feed manufacturer and supplier: at least once a year;
- (c) the slaughterhouse: at least four times per year;
- (d) the hatchery: at least once per year for the types of farming referred to in Article 11(1)(d) and (e).

6. Each Member State shall provide the other Member States and the Commission with a list of the approved slaughterhouses registered according to paragraph 1, showing their name and address and the number allotted to each of them. Any alteration of that list shall be communicated at the beginning of each quarter of the calendar year to the other Member States and the Commission.

Article 13

In the case of supervision of the indication of the type of farming used as referred to in Article 121(e)(v) of Regulation (EC) No 1234/2007, bodies designated by the Member States shall comply with the criteria set out in European Norm No EN/45011 of 26 June 1989, and as such shall be licensed and supervised by the competent authorities of the Member State concerned.

Article 14

Poultrymeat imported from third countries may bear one or more of the optional indications provided for in Articles 10 and 11 if it is accompanied by a certificate issued by the competent authority of the country of origin attesting to the compliance of the products in question with the relevant provisions of this Regulation.

On receipt of a request from a third country, the Commission shall establish a list of such authorities.

Article 15

1. Without prejudice to Article 16(5) and Article 17(3), frozen and quick-frozen chickens may be marketed by way of business or trade within the Community only if the water content does not exceed the technically unavoidable values determined by the method of analysis described in Annex VI (drip method) or that in Annex VII (chemical method).

2. The competent authorities designated by each Member State shall ensure that the slaughterhouses adopt all measures necessary to comply with the provisions of paragraph 1 and in particular that:

- samples for monitoring water absorption during chilling and water content of frozen and quick-frozen chickens are taken,
- results of the checks are recorded and kept for a period of one year,
- each batch is marked in such a way that its date of production can be identified; this batch mark must appear on the production record.

Article 16

1. Regular checks in accordance with Annex IX on the water absorbed or checks in accordance with Annex VI shall be carried out in the slaughterhouses at least once each working period of eight hours.

Where these checks reveal that the amount of water absorbed is greater than the total water content permitted under the terms of this Regulation, account being taken of the water absorbed by the carcasses during the stages of processing which are not subject to checking, and where, in any case, the amount of water absorbed is greater than the levels referred to in point 10 of Annex IX, or in point 7 of Annex VI, the necessary technical adjustments shall be made immediately by the slaughterhouse to the process.

2. In all cases referred to in the second subparagraph of paragraph 1 and in any case at least once every two months, checks on water content referred to in Article 15(1) shall be carried out, by sampling, on frozen and quick-frozen chickens from each slaughterhouse in accordance with Annex VI or VII, to be chosen by the competent authority of the Member State. These checks shall not be conducted for carcasses in respect of which proof is provided to the satisfaction of the competent authority that they are intended exclusively for export.

3. The checks referred to in paragraphs 1 and 2 shall be carried out by or under the responsibility of the competent

authorities. The competent authorities may, in specific cases, apply the provisions of paragraph 1, and in particular of points 1 and 10 of Annex IX, and of paragraph 2 more stringently in respect of a given slaughterhouse, where this proves necessary to ensure compliance with the total water content permitted under this Regulation.

They shall, in all cases where a batch of frozen or quick-frozen chickens was deemed not to comply with this Regulation, resume testing at the minimum frequency of checks referred to in paragraph 2 only after three successive checks according to Annex VI or VII, to be carried out by sampling from three different days of production within a maximum of four weeks, have shown negative results. The costs of these checks shall be paid by the slaughterhouse concerned.

4. Where, in the case of air chilling, the results of checks referred to in paragraphs 1 and 2 show compliance with the criteria laid down in Annexes VI to IX during a period of six months, the frequency of the checks referred to in paragraph 1 may be reduced to once every month. Any failure to comply with the criteria laid down in these Annexes shall result in reinstatement of checks as referred to in paragraph 1.

5. If the result of the checks referred to in paragraph 2 is in excess of the admissible limits, the batch concerned shall be deemed not to comply with this Regulation. In that event, however, the slaughterhouse concerned may request that a counter-analysis be carried out in the reference laboratory of the Member State, using a method to be chosen by the competent authority of the Member State. The costs of this counter-analysis shall be borne by the holder of the batch.

6. Where the batch in question is deemed after such counter-analysis not to comply with this Regulation, the competent authority shall take the appropriate measures aimed at allowing it to be marketed as such within the Community only on condition that both individual and bulk packaging of the carcasses concerned shall be marked by the slaughterhouse under the supervision of the competent authority with a tape or label bearing, in red capital letters, at least one of the indications set out in Annex X.

The batch referred to in the first subparagraph shall remain under the supervision of the competent authority until it is dealt with in accordance with this paragraph or otherwise disposed of. If it is certified to the competent authority that the batch referred to in the first subparagraph is to be exported, the competent authority shall take all necessary measures to prevent the batch in question from being marketed within the Community.

The indications provided for in the first subparagraph shall be marked in a conspicuous place so as to be easily visible, clearly legible and indelible. They shall not in any way be hidden, obscured or interrupted by other written or pictorial matter. The letters shall be at least 1 cm high on the individual packaging and 2 cm on bulk packaging.

Article 17

1. The Member State of destination may, where there are serious grounds for suspecting irregularities, carry out non-discriminatory random checks of frozen or quick-frozen chickens in order to verify that a consignment meets the requirements of Articles 15 and 16.

2. The checks referred to in paragraph 1 shall be carried out at the place of destination of the goods or at another suitable place, provided that in the latter case the choice of the places is not at the border and interferes as little as possible with the routing of the goods and that the goods may proceed normally to their destination once the appropriate sample has been taken. However, the products concerned shall not be sold to the final consumer until the result of the check is available.

Such checks shall be carried out as quickly as possible so as not unduly to delay their placing on the market, or cause delays which might impair their quality.

Results of these checks and any subsequent decisions and the grounds for taking them shall be notified at the latest two working days after sampling to the consignor, the consignee or their representative. Decisions taken by the competent authority of the Member State of destination and the reasons for such decisions shall be notified to the competent authority of the Member State of dispatch.

If the consignor or his representative so requests, the said decisions and reasons shall be forwarded to him in writing with details of the rights of appeal which are available to him under the law in force in the Member State of destination and of the procedure and time limits applicable.

3. If the result of the checks referred to in paragraph 1 is in excess of the admissible limits, the holder of the batch concerned may request that a counter-analysis be carried out in one of the reference laboratories listed in Annex XI, using the same method as for the initial test. The expenses occasioned by this counter-analysis shall be borne by the holder of the batch. The tasks and competencies of reference laboratories are set out in Annex XII.

4. If, after a check carried out in accordance with paragraphs 1 and 2 and, if requested, after a counter-analysis, it is found that the frozen or quick-frozen chickens do not comply with Articles 15 and 16, the competent authority of the Member

State of destination shall apply the procedures provided for in Article 16(6).

5. In the cases provided for in paragraphs 3 and 4, the competent authority of the Member State of destination shall contact the competent authorities of the Member State of dispatch without delay. The latter authorities shall take all necessary measures and notify the competent authority of the first Member State of the nature of the checks carried out, the decisions taken and the reasons for such decisions.

Where the checks referred to in paragraphs 1 and 3 show repeated irregularities, or where such checks, in the view of the Member State of dispatch, are being carried out without sufficient justification, the competent authorities of the Member States concerned shall inform the Commission.

To the extent necessary to ensure uniform application of this Regulation or at the request of the competent authority of the Member State of destination, and taking into account the nature of the infringements, the Commission may:

- send a mission of experts to the establishment concerned and, in conjunction with the competent national authorities, carry out on-the-spot inspections, or
- request the competent authority of the Member State of dispatch to intensify its sampling of the products of the establishment concerned and if necessary to apply sanctions in accordance with Article 194 of Regulation (EC) No 1234/2007.

The Commission shall inform the Member States of its findings. Member States in whose territory an inspection is carried out shall give the experts all the assistance necessary for the performance of their tasks.

Pending the Commission's findings, the Member State of dispatch must, at the request of the Member State of destination, intensify checks on products coming from the establishment in question.

Where these measures are taken to deal with repeated irregularities on the part of an establishment, the Commission shall charge any expenses occasioned by the application of the provisions of the indents of the third subparagraph to the establishment involved.

Article 18

1. The competent authorities of the Member States shall inform the respective national reference laboratory without delay about the results of the checks referred to in Articles 15, 16 and 17, carried out by them or under their responsibility.

The national reference laboratories shall forward these data to the board of experts referred to in Article 19 for further evaluation and discussion with national reference laboratories before 1 July each year. The findings shall be presented to the Management Committee for consideration in accordance with Article 195 of Regulation (EC) No 1234/2007.

2. The Member States shall adopt the practical measures for the checks provided for in Articles 15, 16 and 17 at all stages of marketing, including checks on imports from third countries at the time of customs clearance in accordance with Annexes VI and VII. They shall inform the other Member States and the Commission of these measures. Any changes to the measures shall be communicated immediately to the other Member States and to the Commission.

Article 19

A board of experts in monitoring water content in poultrymeat shall act as a coordinating body for the testing activities of the national reference laboratories. It shall consist of representatives of the Commission and national reference laboratories. The tasks of the board and of national reference laboratories, as well as the organisational structure of the board, are set out in Annex XII.

Financial assistance shall be paid to the reference laboratory under the terms of a contract concluded between the Commission, on behalf of the Community, and that laboratory.

The Director-General for Agriculture and Rural Development is authorised to sign the contract on behalf of the Commission.

Article 20

1. The following fresh, frozen and quick-frozen poultry cuts may be marketed by way of business or trade within the Community only if the water content does not exceed the technically unavoidable values determined by the method of analysis described in Annex VIII (chemical method):

- (a) chicken breast fillet, with or without wishbone, without skin;
- (b) chicken breast, with skin;
- (c) chicken thighs, drumsticks, legs, legs with a portion of the back, leg quarters, with skin;
- (d) turkey breast fillet, without skin;

- (e) turkey breast, with skin;
- (f) turkey thighs, drumsticks, legs, with skin;
- (g) deboned turkey leg meat, without skin.

2. The competent authorities designated by each Member State shall ensure that the slaughterhouses and cutting plants, whether or not attached to slaughterhouses, adopt all measures necessary to comply with the provisions of paragraph 1 and in particular that:

- (a) regular checks on water absorbed are carried out in the slaughterhouses in accordance with Article 16(1) also for chicken and turkey carcasses intended for the production of the fresh, frozen and quick-frozen cuts listed in paragraph 1 of this Article. These checks shall be carried out at least once each working period of eight hours. However, in the case of air chilling of turkey carcasses, regular checks on water absorbed need not be carried out. The limit values fixed in point 10 of Annex IX shall also apply for turkey carcasses;
- (b) results of the checks are recorded and kept for a period of one year;
- (c) each batch is marked in such a way that its date of production can be identified; this batch mark must appear on the production record.

Where, in the case of air chilling of chickens, the results of checks referred to in point (a) and in paragraph 3 show compliance with the criteria laid down in Annexes VI to IX during a period of six months, the frequency of the checks referred to in point (a) may be reduced to once every month. Any failure to comply with the criteria laid down in Annexes VI to IX shall result in reinstatement of checks as referred to in point (a).

3. At least once every three months, checks on the water content referred to in paragraph 1 shall be carried out, by sampling, on frozen and quick-frozen poultry cuts from each cutting plant producing such cuts, in accordance with Annex VIII. These checks do not have to be conducted for poultry cuts in respect of which proof is provided to the satisfaction of the competent authority that they are intended exclusively for export.

After one year of compliance with the criteria laid down in Annex VIII in a particular cutting plant, the frequency of tests shall be reduced to once every six months. Any failure to comply with these criteria shall result in reinstatement of checks as referred to in the first subparagraph.

4. Article 16(3) to (6) and Articles 17 and 18 shall apply, *mutatis mutandis*, for poultry cuts referred to in paragraph 1 of this Article.

Article 21

Regulation (EEC) No 1538/91 is hereby repealed as from 1 July 2008.

References to the repealed Regulation and to Regulation (EEC) No 1906/90 shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex XIII.

Article 22

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

It shall apply from 1 July 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Article 1(1) — Names of poultry carcasses

	bg	es	cs	da	de	et	el	en	fr	it	lv
1.	Пиле, бройлер	Pollo (de carne)	Kuře, brojler	Kylling, slagte- kylling	Hähnchen Masthuhn	Tibud, broiler	Κοτόπουλο Πτεννοί και κότες (κρεατο- παραγωγής)	Chicken, broiler	Poulet (de chair)	Pollo, 'Broiler'	Cālis, broilers
2.	Петел, кокошка	Gallo, gallina	Kohout, slepice, drůbež na pečení, nebo vaření	Hane, høne, suppehøne	Suppenhuhn	Kuked, kanad, hautamiseks või keetmiseks mõeldud kodu- linnud	Πτεννοί και κότες (για βράσιμο)	Cock, hen, casserole, or boiling fowl	Coq, poule (à bouillir)	Gallo, gallina Pollame da brodo	Gailis, vista, sautēta vai vārīta mājputnu gaļa
3.	Петел (угоен, скопен)	Capón	Kapoun	Kapun	Kapaun	Kohikukuk	Καπόνια	Capon	Chapon	Cappone	Kapauns
4.	Ярка, петле	Polluelo	Kuřátko, kohoutek	Poussin, Coquelet	Stubenkuken	Kana- ja kukepojlad	Νεοσσός, πετεννάρι	Poussin, Coquelet	Poussin, coquelet	Galletto	Cālis
5.	Млад петел	Gallo joven	Mladý kohout	Ungthane	Junger Hahn	Noor kukk	Πτεννάρι	Young cock	Jeune coq	Giovane gallo	Jauns gailis
1.	(Млада) пуйка	Pavo (joven)	(Mladá) krůta	(Mini) kalkun	(Junge) Pute, (junger) Truthahn	(Noor) kalkun	(Νεαροί) γάλοι και γαλοπούλες	(Young) turkey	Dindonneau, (jeune) dinde	(Giovane) taccchino	(Jauns) tīrs
2.	Пуйка	Pavo	Krůta	Avskalkun	Pute, Truthahn	Kalkun	Γάλοι και γαλο- πούλες	Turkey	Dinde (à bouillir)	Tacchino/a	Tīrs
1.	(Млада) патица, пате (млада) мускусна патица, (млад) молар	Pato (joven o anadino), pato de Barbaria (joven), pato cruzado (joven)	(Mladá) kachna, kachně, (mladá) Přizmová kachna, (mladá) kachna Mulard	(Ung) and (Ung) berberian (Ung) mulardand	Frühmastente, Jungente, (Junge) Barbar- ieente (Junge Mulardente)	(Noor) part, pardipoeg, (noor) musk- uspart, (noor) mullard	(Νεαρές) πάτες ή πατάκια, (νεαρές) πάτες Βαρβαρίας, (νεαρές) πάτες mulard	(Young) duck, duckling, (Young) Muscovy duck (Young) Mulard duck	(Jeune) canard, caneton, (jeune) canard de Barbarie, (jeune) canard mulard	(Giovane) anatra (Giovane) Anatra muta (Giovane) Anatra 'mulard'	(Jauna) pīle, pilēns, (jauna) muskuspīle, (jauna) Mulard pīle
2.	Патица, мускусна патица, молар	Pato, pato de Barbaria, pato cruzado	Kachna, Přizmová kachna, kachna Mulard	Avlsand Avlsberriand Avlsmulardand	Ente, Barbar- ieente Mulardente	Part, musk- uspart, mullard	Πάτες, πάτες Βαρβαρίας πάτες mulard	Duck, Muscovy duck, Mulard duck	Canard, canard de Barbarie (à bouillir), canard mulard (à bouillir)	Anatra Anatra muta Anatra 'mulard'	Pīle, muskuspīle, Mulard pīle
1.	(Млада) гъска, гъсе	Oca (joven), ansarón	Mladá husa, house	(Ung) gås	Frühmastigans, (Junge) Gans, Jungmastigans	(Noor) hani, hanepoeg	(Νεαρές) χήνες ή χηνάκια	(Young) goose, gosling	(Jeune) oie ou oisin	(Giovane) oca	(Jauna) zoss, zoslēns
2.	Гъска	Oca	Husa	Avlsгås	Gans	Hani	Χήνες	Goose	Oie	Oca	Zoss
1.	(Млада) токачка	Pintada (joven)	Mladá perlička	(Ung) perlehone	(Junges) Perlhuhn	(Noor) pärlkana	(Νεαρές) φραγκόκοτες	(Young) guinea fowl	(Jeune) pintade Pintadeau	(Giovane) faraona	(Jauna) pērļu vistīņa
2.	Токачка	Pintada	Perlička	Avlsperlehone	Perlhuhn	Pärlkana	Φραγκόκοτες	Guinea fowl	Pintade	Faraona	Pērļu vistīņa

	lt	hu	mt	nl	pl	pt	ro	sk	sl	fi	sv
1.	Viščiukas broileris	Brojler csirke, pecsenyecsirke	Fellus, brojler	Kuiken, braad- kuiken	Kurczę, broiler	Frango	Pui de carne, broiler	Kurča, brojler	Pitovni piščanec – brojler	Broileri	Kyckling, slakt- kyckling (broiler)
2.	Gaidys, višta, skirti troškinti arba virti	Kakas és tyúk (főznievaló baromfi)	Serduk, tigiega (tal-brodu)	Haan, hen soep- of stoofkip	Kura rosółowa	Galo, galinha	Cocoş, găină sau carne de pasăre pentru fiert	Kohút, slepka	Petelin, kokoš, perutina za pečenje ali kuhanje	Kukko, kana	Tupp, höna, gryt-, eller kokhöna
3.	Kaplūnas	Kappan	Hasi	Kapoen	Kaplon	Capão	Clapon	Kapún	Kopun	Chapon (syöt- tökukko)	Kapun
4.	Viščiukas	Minicsirke	Ghattuqa, coquet	Piepkuiken	Kurczątko	Franguitos	Pui tineri	Kurčiatko	Mlad piščanec, mlad petelin (kokelet)	Kananpoika, kukonpoika	Poussin, Coquet
5.	Gaidžiukas	Fiatl kakas	Serduk žghir fl- eta	Jonge haan	Młody kogut	Galo jovem	Cocoş tânăr	Mladý kohút	Mlad petelin	Nuori kukko	Ung tupp
1.	Kalakučikas	Pecsenyepulyka, gigantpulyka, nővendék pulyka	Dundjan (žghir fl-eta)	(Jonge) kalkoen	(Młody) indyk	Peru	Curcan (tânăr)	Mladá morka	(Mlada) pura	(Nuori) kalkkuna	(Ung) kalkon
2.	Kalakutas	Pulyka	Dundjan	Kalkoen	Indyk	Peru adulto	Curcan	Morka	Pura	Kalkkuna	Kalkon
1.	Ančiukai, muskunės anties ančiukai, mulardinės anties ančiukai	Pecsenyekacsa, Pecsenye pézs- makacsa, Pecsenye mulard-kacsa	Papra (žghira fl-eta), papra žghira (fellus ta' papra) muskovy (žghira fl-eta), papra mulard	(Jonge) eend, (Jonge) Barba- rijse eend (Jonge) „Mu- lard“-eend	(Młoda) kaczk tuczona, (Młoda) kaczk piżmowa, (Młoda) kaczk mulard	Pato, Pato Barbary, Pato Mulard	Raţă (tânără), raţă (tânără) din specia Cairina moschata, raţă (tânără) Mulard	(Mladá kačica), káča, (Mladá) pižmová kačica, (Mladý) mulard	(Mlada) raca, račka, (mlada) muškarna raca, (mlada) mulard raca	(Nuori) ankka, (Nuori) myskiankka	(Ung) anka, ankunge (ung) mulardand (ung) myskand
2.	Antis, muskunė antis, mulardinė antis	Kacsa, Pézsma kacsa, Mulard kacsa	Papra, papra muscov, papra mulard	Eend Barbarijse eend „Mulard“- eend	Kaczka, Kaczka piżmowa, Kaczka mulard	Pato adulto, pato adulto Barbary, pato adulto Mulard	Raţă, raţă din specia Cairina moschata, raţă Mulard	Kačica, Pyžmová kačica, Mulard	Raca, muškarna raca, mulard raca	Ankka, myskiankka	Anka, mulardand, myskand
1.	Žašukas	Fiatl liba, pecsenye liba	Wizza (žghira fl-eta), fellusa ta' wizza	(Jonge) gans	Młoda gęś	Ganso	Gâscă (tânără)	(Mladá) hus, húsa	(Mlada) gos, goska	(Nuori) hanhi	(Ung) gås, gåsunge
2.	Žašis	Liba	Wizza	Gans	Gęś	Ganso adulto	Gâscă	Hus	Gos	Hanhi	Gås
1.	Perlinių vištų viščiukai	Pecsenye- gyöngyös	Farghuna (žghira fl-eta)	(Jonge) parelhoen	(Młoda) perliczka	Pintada	Biblică adultă	(Mladá) perlička	(Mlada) pegatka	(Nuori) helmikana	(Ung) pärlhöna
2.	Perlinės vištos	Gyöngytyúk	Farghuna	Parelhoen	Perlica	Pintada adulta	Biblică	Perlička	Pegatka	Helmikana	Pärlhöna

Article 1(2) — Names of poultry cuts

	bg	es	cs	da	de	et	el	en	fr	it	lv
(a)	Половинка	Medio	Půlka	Halvt	Hälfte oder Halbes	Pool	Μισό	Half	Demi ou moitié	Metà	Puse
(b)	Четвъртинка	Charro	Čtvrťka	Kvart	(Vorder-, Hinter-)Viertel	Veerand	Τεταρτημόριο	Quarter	Quart	Quarto	Ceturdaļa
(c)	Неразделени четвъртинки с бутчетата	Cuartos traseros unidos	Neoddělená zadní čtvrtka	Sammenhængende låstykke	Hinterviertel am Stück	Lahtilõikamata koivad	Αδιαχώριστα τεταρτημόρια ποδιών	Unseparated leg quarters	Quarts postérieurs non séparés	Cosciotto	Nesadalītas kāju ceturdaļas
(d)	Гърди, бяло месо или филе с кост	Pechuga	Prsa	Bryst	Brust, halbe Brust, halbierte Brust	Rind	Στήθος	Breast	Poitrine, blanc ou filet sur os	Petto con osso	Krūtiņa
(e)	Бутче	Muslo y contramuslo	Stehno	Helt lær	Schenkel, Keule	Koib	Πόδι	Leg	Cuisse	Coscia	Kāja
(f)	Бутче с част от гърба, прикрепен към него	Charro trasero de pollo	Stehno kuřete s částí zad	Kyllingelår med en del af ryggen	Hähnchenschenkel mit Rückensteinstück, Hühnerkeule mit Rückenstück	Koib koos seajaosaga	Πόδι από κοτόπουλο με ένα κομμάτι της ράχης	Chicken leg with a portion of the back	Cuisse de poulet avec une portion du dos	Coscetta	Cāļa kāja ar muguras daļu
(g)	Бедро	Contramuslo	Horní stehno	Overlår	Oberschenkel, Oberkeule	Reis	Μηρός (μούρι)	Thigh	Haut de cuisse	Sovraccoscia	Šķipķis
(h)	Подберица	Muslo	Dolní stehno (palcíka)	Underlår	Unterschenkel, Unterkeule	Sääretükk	Κνήμη	Drumstick	Pilon	Fuso	Stilbs
(i)	Крыло	Ala	Křídlo	Vinge	Flügel	Tiib	Φτερούγα	Wing	Aile	Ala	Spārns
(j)	Неразделени крила	Alas unidas	Neoddělená křídla	Sammenhængende vinger	Beide Flügel, ungetrennt	Lahtilõikamata tiivad	Αδιαχώριστες φτερούγες	Unseparated wings	Ailes non séparées	Ali non separate	Nesadalīti spārni
(k)	Филе от гърдите, бяло месо	Filete de pechuga	Prsní řízek	Brystfilet	Brustfilet, Filet aus der Brust, Filet	Rinnafilee	Φιλέτο στήθους	Breast fillet	Filet de poitrine, blanc, filet, noix	Filetto, fesa (tacchino)	Krūtiņas fileja
(l)	Филе от гърдите с „яглица“	Filete de pechuga con clavícula	Filety z prsou (klíčnī kost s chrupavkou prsní kosti včetně svaloviny v přirozené souvislosti, klíč. kost a chrupavka max. 3 % z cel. hmotnosti)	Brystfilet med ønskeben	Brustfilet mit Schlüsselbein	Rinnafilee koos harkluga	Φιλέτο στήθους με κλαδοκόκαλο	Breast fillet with wishbone	Filet de poitrine avec clavicle	Petto (con forcilla), fesa (con forcilla)	Krūtiņas fileja ar krūšukaulu

	bg	es	cs	da	de	et	el	en	fr	it	lv
(m)	Негълъсто филе	Magret, maigret	Magret, maigret (filety z prsou kachen a hus s kůží a podkožním tukem pokrývajícím prsní sval, bez hlubokého svalu prsního)	Magret, maigret	Magret, Maigret	Rinnaliha („magret“ või „maigret“)	Maigret, magret	Magret, maigret	Magret, maigret	Magret, maigret	Pīles krūtīņa
(n)	Обезжирен пюешки бут	Carne de muslo y contramuslo de pavo deshuesada	U vykostěných krůtích stehen	Udbenet kød af hele kalkunlår	Entbeintes Fleisch von Putenschenkeln	Kalkuni konditustatud koivaliha	Κρέας ποδιού γαλοπούλας χωρίς κοκκίλο	Deboned turkey leg meat	Cuisse désossée de dinde	Carne di coscia di tacchino dissossata	Atkaulotai tītara kāju gājai

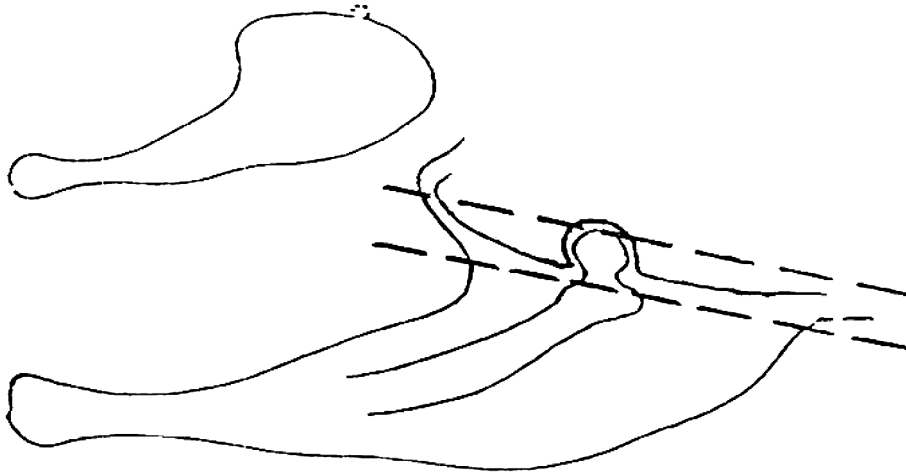
	lt	hu	mt	nl	pl	pt	ro	sk	sl	fi	sv
(a)	Pusė	Fél baromfi	Nofs	Helft	Półówka	Metade	Jumătăți	Polená hydina	Polovica	Puolikas	Halva
(b)	Ketvirtis	Negyed baromfi	Kwart	Kwart	Ćwiartka	Quarto	Sferturi	Štvrťka hydiny	Četrt	Neljannes	Kvart
(c)	Neatskirti koių ketvirčiai	Összefügő (egész) comb-negyedek	Il-kwarti ta' wara tas-saqajn, mhux separati	Niet-gescheiden achterkwarten	Ćwiartka tylna w całości	Quartos da coxa não separados	Sferturi separate	Neoddelené hydínové stehná	Neločene četrti nog	Takaneljannes	Bakdelspart
(d)	Krūtinėlė	Mell	Sidra	Borst	Pierś, półówka piersi	Peito	Piept	Prsia	Prsi	Rinta	Bröst
(e)	Koja	Comb	Koxxa	Hele poot, hele dij	Noga	Perna inteira	Pulpă	Hydinové stehno	Bedro	Koipireisi	Klubba
(f)	Viščiuko koja su neatskirta nugaros dalimi	Csirkecomb a hát egy részével	Koxxa tat-tigieġa b'porzjon tad-dahar	Poot/dij met rugdeel (bout)	Noga kurczęca z częścią grzbietu	Perna inteira de frango com uma porção do dorso	Pulpă de pui cu o porțiune din spate atașată	Kuracie stehno s panvou	Piščanja bedra z delom hrbta	Koipireisi, jossa selkäosa	Kycklingklubba med del av ryggen
(g)	Šlaunelė	Felsőcomb	Il-biċċa ta' fuq tal-koxxa	Bovenpoot, bovendij	Udo	Coxa	Pulpă superioară	Horné hydínové stehno	Stegno	Reisi	Lår
(h)	Blauzdelė	Alsócomb	Il-biċċa t'isfel tal-koxxa (drumstick)	Onderpoot, onderdij (Drumstick)	Podudzie	Perna	Pulpă inferioară	Dolné hydínové stehno	Krača	Koipi	Ben
(i)	Sparnas	Szárnny	Ġewnaħ	Vleugel	Skrzydło	Asa	Aripi	Hydinové křídélko	Peruti	Siipi	Vinge

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(j)	Neatskirti sparnai	Összefüggő (egész) szárnyak	Ġwienah mhux separati	Niet-gescheiden vleugels	Skrzydła w całości	Asas não separadas	Aripi nese-parate	Neoddelené hydínové kridla	Neločene peruti	Siivet kiinni toisissaan	Sammanhängande vingar
(k)	Krūtinėlės filė	Mellfilé	Flett tas-sidra	Borstfilet	Filet z piersi	Carne de peito	Piept dezosat	Hydinový rezeň	Prsni file	Rintafilee	Bröstfilé
(l)	Krūtinėlės filė su raktikauliu ir krūtinkauliu	Mellfilé szegycsonttal	Flett tas-sidra bil-wishbone	Borstfilet met vorkbeen	Filet z piersi z obójczykiem	Carne de peito com fúrcula	Piept dezosat cu osul iadeș	Hydinový rezeň s kostou	Prsni file s prsno kostjo	Rintafilee solitueen	Bröstfilé med nyckelben
(m)	Krūtinėlės filė be kilojo raumens (magret)	Bőrös libamellfilé, (maigret)	Magret, maigret	Magret	Magret	Magret, maigret	Tacâm de pasăre, spinări de pasăre	Magret	Magret	Magret, maigret	Magret, maigret
(n)	Kalakuto kojų mėsa be kaulų	Kicsontozott pulykacomb	Laham tas-saqajn tad-dundjan dissussat	Vlees van hele poten/hele poten/hele dijnen van kalkoenen, zonder been	Pozbawione kości mięso z nogi indyka	Carne desossada da perna inteira de peru	Pulpă dezosată de curcan	Vykostené morčacie stehno	Puranje bedro brez kosti	Kalkkunan luuton koipi-reisihiha	Urbenat kalk-onkótt av klubba

ANNEX II

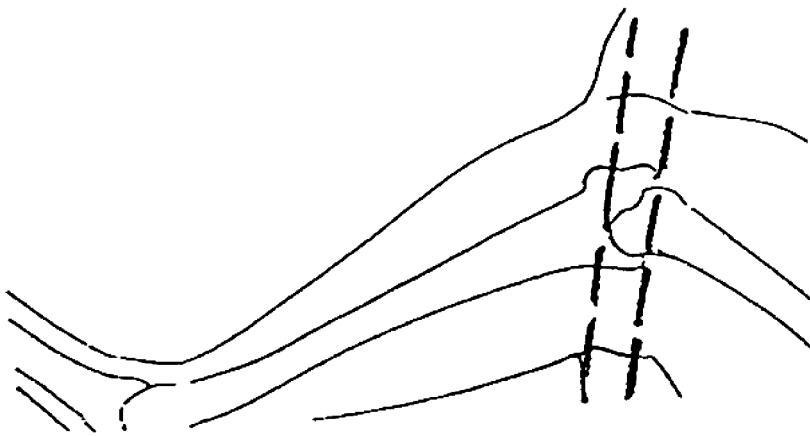
Cut separating thigh/leg and back

— delineation of hip joint



Cut separating thigh and drumstick

— delineation of knee joint



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ANNEX III

Article 10 — Chilling methods

	bg	es	cs	da	de	et	el	en	fr	it	lv
1.	Въздушно охлаждане	Refrigeración por aire	Vzduchem (Chlazení vzduchem)	Luftkøling	Luftkühlung	Õhkijahutus	Ψύξη με αέρα	Air chilling	Refroidissement à l'air	Raffreddamento ad aria	Dzesšana ar gaisu
2.	Въздушно-духово охлаждане	Refrigeración por aspersión ventilada	Výchlazeným proudem vzduchu s postřikem	Luftspraykøling	Luft-Sprüh-kühlung	Õhkiserdus-jahutus	Ψύξη με ψεκασμό	Air spray chilling	Refroidissement par asperion ventilée	Raffreddamento per asperione e ventilazione	Dzesšana ar izsmidzinātu gaisu
3.	Охлаждане чрез потопяване	Refrigeración por inmersión	Ve vodní lázni ponořením	Neddypningskøling	Gegenstrom-Tauchkühlung	Sukejahutus	Ψύξη με βύθιση	Immersion chilling	Refroidissement par immersion	Raffreddamento per immersione	Dzesšana iegremdējot

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1.	Atšaldymas ore	Levegős hűtés	Tkessih bl-arja	Luchtkoeling	Owiewowa	Refrigeração por ventilação	Refrigerare în aer	Chladené vzduchom	Zračno hlajenje	Ilmajaähdytys	Lufkylning
2.	Atšaldymas pučiant orą	Permetezéses hűtés	Tkessih b'air spray	Lucht-sproei-koeling	Owiewowo-natryskowa	Refrigeração por aspersão e ventilação	Refrigerare prin dușare cu aer	Chladené sprejovaním	Hlajenje s pršenjem	Ilmaspray-jäähdytys	Evaporativ kylning
3.	Atšaldymas panardinant	Bemerítéses hűtés	Tkessih b'immersjoni	Dompelkoeling	Zanurzeniowa	Refrigeração por imersão	Refrigerare prin imersiune	Chladené vo vode	Hlajenje s potapljanjem	Vesijäähdytys	Vattenkylning

ANNEX IV

Article 11(1) — Types of farming

	bg	es	cs	da	de	et	el	en	fr	it	lv
a)	Хранена с ... % ... гьска, хранена с овес	Alimentado con ... % de ... Osa engordada con avena	Krmena (čím) ... % (čeho) ... Husa krmená ovsem	Fodret med ... % ... Havrefodret gås	Mast mit ... % ... Hafermastgans	Södretud ..., mis sisaldab ... % ... Kaeraga toidretud hani	Έχει τροφοί με ... % ... Χήνα που παράγεται με βρώμη	Fed with ... % of ... Oats fed goose	Alimenté avec ... % de ... Oie nourrie à l'avoine	Alimentato con il ... % di ... Oca ingrassata con avena	Barība ar ... % ... ar auzām barotas zosis
b)	Εκτενζιβνο закрито (отпледан на закрито)	Sistema extensivo en gallinero	Extenzivní v hale	Ekstensivt stal- dopdræt (skrabe ...)	Extensive Bodenhaltung	Ekstensiivne seespidamine (lindlas pidamine)	Εκτατική εκτροφής	Extensive indoor (barnreared)	Élevé à l'intérieur: système extensif	Estensivo al coperto	Turēšana galve- nokārt telpās ("Audzēti kūti")
c)	Свободен начин на отпледане	Gallinero con salida libre	Volný výběh	Fritgående	Freilandhaltung	Vabapidamine	Ελευθέρης βοσκής	Free range	Sortant à l'extérieur	All'aperto	Brīvā turēšana
d)	Традиционен свободен начин на отпледане	Granja al aire libre	Tradiční volný výběh	Frilands ...	Bäuerliche Frei- landhaltung	Traditsiooniline vabapidamine	Πτηνοτροφείο παραδοσιακά ελευθέρης βοσκής	Traditional free range	Fermier-élevé en plein air	Rurale all'aperto	Tradicionālā brīvā turēšana
e)	Свободен начин на отпледане — пълна свобода	Granja de cría en libertad	Volný výběh – úplná volnost	Frilands ... opdrættet i fuld frihed	Bäuerliche Frei- landhaltung Unbegrenzter Auslauf	Täieliku liku- misvabadusega traditsiooniline vabapidamine	Πτηνοτροφείο απεριόριστης τροφής	Free-range — total freedom	Fermier-élevé en liberté	Rurale in libertà	Pilnīgā brīvība

	lt	hu	mt	nl	pl	pt	ro	sk	sl	fi	sv
a)	Lesinta ... % ... Avižomis penėtos žąsys	...%-ban ...-val etetett Zabбал etetett liba	Mitmugha b'... % ta' ... Wizża mitmugha bil- hafur	Gevoed met ... % ... Met haver vetgemeste gans	Żywione z udziałem ... % ... tucz owsiany (gęsi)	Alimentado com ... % de ... Ganso engordado com aveia	Furajate cu un % de ... Gâște furajate cu ovăz	Krímené ... % ... Husi krmené ovsom	Krmljeno z ... % ... gos krmljena z ovsom	Ruokittu rehulla, joka sisältää% Kauralla ruokittu hanhi	Utfodrad med ... % ... Havreutfodrad gås
b)	Patalpose laisvai auginti paukščiai (Auginti tvartuose)	Istállóban külterjesen tartott	Mrobbija għewwa: sistema estensiva	Scharrel ... binnen- gehouden	Ekstensywny chów ściółkowy	Produção extensiva em interior	Creștere în interior sistem extensiv	Chované na hlbokej podstielke (chov v hale)	Ekstenzivna zaprta reja	Laajaperäinen sisäkasvatus	Extensivt uppfödd inomhus
c)	Laisvai laikomi paukščiai	Szabadtartás	Barra (free range)	Scharrel ... met uitloop	Chów wybiegowy	Produção em semiliberdade	Creștere liberă	Výbehový chov (chov v exteriéri)	Prosta reja	Vapaa laidun – perinteinen kasvatustapa	Tillgång till utomhusvistelse
d)	Tradiciskai laisvai laikomi paukščiai	Hagyományos szabadtartás	Barra (free range) tradizz- jonali	Boerenscharrel ... met uitloop Hoeve ... met uitloop	Tradycyjny chów wybiegowy	Produção ao ar livre	Creștere liberă tradițională	Chované navol'no	Tradicionalna prosta reja	Ulkoiluvapaus	Traditionell utomhusvistelse
e)	Visiškoje laisvėje laikomi paukščiai	Teljes szabad- tartás	Barra (free range) – liberta totali	Boerenscharrel ... met vrije uitloop Hoeve ... met vrije uitloop	Chów wybiegowy bez ograniczeń	Produção em liberdade	Creștere liberă – libertate totală –	Úplne vol'ný chov	Prosta reja – neomejen izpust	Vapaa laidun – täydellinen liik- kumavapaus	Uppfödd i full frihet

ANNEX V

The conditions referred to in Article 11 are as follows:

(a) *Fed with ...% of ...*

Reference to the following particular feed ingredients may only be made where:

- in the case of cereals, they account for at least 65 % by weight of the feed formula given during the greater part of the fattening period, which may not include more than 15 % of cereal by-products; however, where reference is made to one specific cereal, it shall account for at least 35 % of the feed formula used, and for at least 50 % in the case of maize,
- in the case of pulses or green vegetables they account for at least 5 % by weight of the feed formula given during most of the fattening period,
- in the case of dairy products, they account for at least 5 % by weight of the feed formula given during the finishing stage.

The term 'Oats-fed goose' may however be used where the geese are fed during the finishing stage of three weeks not less than 500 g of oats per day.

(b) *Extensive indoor (barn-reared)*

This term may only be used where:

(i) the stocking rate per m² floor space does not exceed, in the case of:

- chickens, young cocks, capons: 15 birds but not more than 25 kg liveweight,
- ducks, guinea fowl, turkeys: 25 kg liveweight,
- geese: 15 kg liveweight,

(ii) the birds are slaughtered, in the case of:

- chickens at 56 days or later,
- turkeys at 70 days or later,
- geese at 112 days or later,
- Peking ducks: 49 days or later,
- Muscovy ducks: 70 days or later for females, 84 days or later for males,
- female Mulard ducks: 65 days or later,
- guinea fowl: 82 days or later,
- young geese (goslings): 60 days or later,
- young cocks: 90 days or later,
- capons: 140 days or later.

(c) *Free range*

This term may only be used where:

- (i) the stocking rate in the house and the age of slaughter are in accordance with the limits fixed under (b), except for chickens, for which the stocking rate may be increased to 13, but not more than 27,5 kg liveweight per m² and for capons, for which the stocking rate shall not exceed 7,5 m², and not more than 27,5 kg liveweight per m²,
- (ii) the birds have had during at least half their lifetime continuous daytime access to open-air runs comprising an area mainly covered by vegetation of not less than:
 - 1 m² per chicken or guinea fowl,
 - 2 m² per duck or per capon,
 - 4 m² per turkey or goose.

In the case of guinea fowls, open-air runs may be replaced by a perchery having a floor surface of at least that of the house and a height of at least 2 m. Perches of at least 10 cm length are available per bird in total (house and perchery),

- (iii) the feed formula used in the fattening stage contains at least 70 % of cereals,
- (iv) the poultryhouse is provided with popholes of a combined length at least equal to 4 m per 100 m² surface of the house.

(d) *Traditional free range*

This term may only be used where:

- (i) the indoor stocking rate per m² does not exceed in the case of:
 - chickens: 12 but not more than 25 kg liveweight; however, in the case of mobile houses not exceeding 150 m² floor space and which remain open at night, the stocking rate may be increased to 20, but not more than 40 kg liveweight per m²,
 - capons: 6,25 (up to 91 days of age: 12) but not more than 35 kg liveweight,
 - Muscovy and Peking ducks: 8 males but not more than 35 kg liveweight, 10 females but not more than 25 kg liveweight,
 - Mulard ducks: 8 but not more than 35 kg liveweight,
 - guinea fowl: 13 but not more than 25 kg liveweight,
 - turkeys: 6,25 (up to seven weeks of age: 10) but not more than 35 kg liveweight,
 - geese: 5 (up to six weeks of age: 10), 3 during last three weeks of fattening if kept in claustration, but not more than 30 kg liveweight,
- (ii) the total usable area of poultryhouses at any single production site does not exceed 1 600 m²,
- (iii) each poultryhouse does not contain more than:
 - 4 800 chickens,
 - 5 200 guinea fowl,

- 4 000 female Muscovy or Peking ducks or 3 200 male Muscovy or Peking ducks or 3 200 Mulard ducks,
 - 2 500 capons, geese and turkeys,
- (iv) the poultryhouse is provided with popholes of a combined length at least equal to 4 m per 100 m² surface of the house,
- (v) there is continuous daytime access to open-air runs at least as from the age of:
- six weeks in the case of chickens, and capons,
 - eight weeks in the case of ducks, geese, guinea fowl and turkeys,
- (vi) open-air runs comprise an area mainly covered by vegetation amounting to at least:
- 2 m² per chicken or Muscovy or Peking duck or guinea fowl,
 - 3 m² per Mulard duck,
 - 4 m² per capon, as from 92 days (2 m² up to 91st day),
 - 6 m² per turkey,
 - 10 m² per goose.
- In the case of guinea fowls, open-air runs may be replaced by a perchery having a floor surface of at least double that of the house and a height of at least 2 m. Perches of at least 10 cm length are available per bird in total (house and perchery),
- (vii) the birds fattened are of a strain recognised as being slow growing,
- (viii) the feed formula used in the fattening stage contains at least 70 % of cereals,
- (ix) the minimum age at slaughter is:
- 81 days for chickens,
 - 150 days for capons,
 - 49 days for Peking ducks,
 - 70 days for female Muscovy ducks,
 - 84 days for male Muscovy ducks,
 - 92 days for Mulard ducks,
 - 94 days for guinea fowl,
 - 140 days for turkeys and geese marketed whole for roasting,
 - 98 days for female turkeys intended for cutting up,
 - 126 days for male turkeys intended for cutting up,

— 95 days for geese intended for the production of foie gras and magret,

— 60 days for young geese (goslings),

(x) finition in claustration does not exceed:

— for chickens after 90 days of age: 15 days,

— for capons: four weeks,

— for geese and Mulard ducks intended for the production of foie gras and magret, after 70 days of age: 4 weeks.

(e) *Free range — total freedom*

The use of this term shall require conformity with the criteria set out under (d), except that the birds shall have continuous daytime access to open-air runs of unlimited area.

In the event of restrictions, including veterinary restrictions adopted under Community law to protect public and animal health, having the effect of restricting the access of poultry to open-air runs, poultry reared in accordance with the production methods described in points (c), (d) and (e) of the first subparagraph, with the exception of guinea fowls reared in percheries, may continue to be marketed with a special reference to the method of rearing for the duration of the restriction but under no circumstances for more than 12 weeks.

ANNEX VI

DETERMINATION OF THAW LOSS

(Drip test)

1. *Object and scope*

This method shall be used to determine the amount of water lost from frozen or quick-frozen chickens during thawing. If this drip loss, expressed as a percentage by weight of the carcase (including all the edible offal contained in the pack) exceeds the limit value laid down in point 7, it is considered that excess water has been absorbed during processing.

2. *Definition*

Drip loss determined by this method shall be expressed as a percentage of the total weight of the frozen or quick-frozen carcase, including edible offal.

3. *Principle*

The frozen or quick-frozen carcase, including edible offal present, is allowed to thaw under controlled conditions which allow the weight of water lost to be calculated.

4. *Apparatus*

- 4.1. Scales capable of weighing up to 5 kg and accurate to at least 1 g.
- 4.2. Plastic bags large enough to hold the carcase and having a secure means of fixing the bag.
- 4.3. Thermostatically controlled water-bath with equipment capable of holding the carcasses as described in points 5.5 and 5.6. The water-bath shall contain a volume of water not less than eight times that of the poultry to be checked and shall be capable of maintaining the water at a temperature of 42 ± 2 °C.
- 4.4. Filter paper or other absorbent paper towels.

5. *Method*

- 5.1. Twenty carcasses are removed at random from the quantity of poultry to be checked. Until each can be tested as described in points 5.2 to 5.11, they are kept at a temperature no higher than -18 °C.
- 5.2. The outside of the pack is wiped to remove superficial ice and water. The pack and its content are weighed to the nearest gram: this weight is M_0 .
- 5.3. The carcase, together with any edible offal sold with it, is removed from the outer wrap, which is dried and weighed to the nearest gram: this weight is M_1 .
- 5.4. The weight of frozen carcase plus offal is calculated by subtracting M_1 from M_0 .
- 5.5. The carcase, including the edible offal, is placed in a strong, waterproof plastic bag with the abdominal cavity facing towards the bottom, closed end of the bag. The bag must be of sufficient length so as to ensure that it can be fixed securely when in the water-bath but not so wide as to allow the carcase to move from the vertical position.
- 5.6. The part of the bag containing the carcase and edible offal is completely immersed in a water-bath and remains open, enabling as much air as possible to escape. It is held vertically, if necessary by guide bars or by extra weights put in the bag, so that water from the bath cannot enter it. The individual bags must not touch each other.

- 5.7. The bag is left in the water-bath, maintained at $42 \pm 2^\circ\text{C}$ throughout, with continuous movement of the bag or continuous agitation of the water, until the thermal centre of the carcass (the deepest part of the breast muscle close to the breast bone, in chickens without giblets, or the middle of the giblets in chickens with giblets) reaches at least 4°C , measured in two randomly chosen carcasses. The carcasses should not remain in the water bath for longer than is necessary to reach 4°C . The required period of immersion, for carcasses stored at -18°C is of the order of:

Weight class (g)	Weight of carcass + offal (g)	Indicative immersion time in minutes	
		Chickens without offal	Chickens with offal
< 800	< 825	77	92
850	825 — 874	82	97
900	875 — 924	85	100
950	925 — 974	88	103
1 000	975 — 1 024	92	107
1 050	1 025 — 1 074	95	110
1 100	1 075 — 1 149	98	113
1 200	1 150 — 1 249	105	120
1 300	1 250 — 1 349	111	126
1 400	1 350 — 1 449	118	133

For carcasses over 1 400 g, an increase of seven minutes for each additional 100 g is required. If the suggested period of immersion is passed without reaching $+4^\circ\text{C}$, in the two carcasses which are checked, the thawing process is continued until they do reach $+4^\circ\text{C}$ in the thermal centre.

- 5.8. The bag and its content are removed from the water-bath; the bottom of the bag is pierced to allow any water produced on thawing to drain. The bag and its content are allowed to drip for one hour at an ambient temperature of between $+18^\circ\text{C}$ and $+25^\circ\text{C}$.
- 5.9. The thawed carcass is removed from the bag and the pack containing offal (if present) is removed from the abdominal cavity. The carcass is dried inside and out with filter paper or paper towels. The bag containing the offal is pierced and, once any water has drained away, the bag and thawed offal are dried as carefully as possible.
- 5.10. The total weight of thawed carcass, offal and pack is determined to the nearest gram and expressed as M_2 .
- 5.11. The weight of the pack which contained the offal is determined to the nearest gram and expressed as M_3 .

6. Calculation of result

The amount of water lost through thawing as a percentage by weight of the frozen or quick-frozen carcass (including offal) is given by:

$$((M_0 - M_1 - M_2)/(M_0 - M_1 - M_3)) \times 100$$

7. Evaluation of result

If the average water loss on thawing for the 20 carcasses in the sample exceeds the percentages given below, it is considered that the amount of water absorbed during processing exceeds the limit figure.

The percentages are, in the case of:

- air chilling: 1,5 %,
- air spray chilling: 3,3 %,
- immersion chilling: 5,1 %.

ANNEX VII

DETERMINATION OF THE TOTAL WATER CONTENT OF CHICKENS

(Chemical test)

1. *Object and scope*

This method is used to determine the total water content of frozen and quick-frozen chickens. The method involves determination of the water and protein contents of samples from homogenised poultry carcasses. The total water content as determined is compared with the limit value given by the formulae indicated in point 6.4, to determine whether or not excess water has been taken up during processing. If the analyst suspects the presence of any substance which may interfere with the assessment, it is for him or her to take the necessary appropriate precautions.

2. *Definitions*

'Carcase': the poultry carcase with bones, cartilage and any additional offal.

'Offal': liver, heart, gizzard and neck.

3. *Principle*

Water and protein contents are determined in accordance with recognised ISO (International Organisation for Standardisation) methods or other methods of analysis approved by the Council.

The maximum total water content of the carcase is determined from the protein content of the carcase, which can be related to the physiological water content.

4. *Apparatus and reagents*

4.1. Scales for weighing the carcase and wrappings, accurate to at least 1 g.

4.2. Meat-axe or saw for cutting carcasses into pieces of appropriate size for the mincer.

4.3. Heavy-duty mincing machine and blender capable of homogenising complete frozen or quick-frozen poultry pieces.

NB:

No special mincer is recommended. It should have sufficient power to mince frozen or quick-frozen meat and bones to produce a homogeneous mixture corresponding to that obtained from a mincer fitted with a 4-mm hole disc.

4.4. Apparatus as specified in ISO 1442, for the determination of water content.

4.5. Apparatus as specified in ISO 937, for the determination of protein content.

5. *Method*

5.1. Seven carcasses are taken at random from the quantity of poultry to be checked and in each case kept frozen until analysis in accordance with points 5.2 to 5.6 begins.

The analysis may concern either each of the seven carcasses separately or a composite sample of the seven carcasses.

5.2. The preparation is commenced within the hour following the removal of the carcasses from the freezer.

- 5.3. (a) The outside of the pack is wiped to remove superficial ice and water. Each carcase is weighed and removed from any wrapping material. After cutting up of the carcase into smaller pieces, any wrapping material around the edible offal is removed. The total weight of the carcase, including the edible offal and ice adhering to the carcase, is determined to the nearest gram after deduction of the weight of any wrapping material removed, to give 'P₁'.
- (b) In the case of a composite sample analysis, the total weight of the seven carcasses, prepared in accordance with point 5.3(a), is determined to give 'P₇'.
- 5.4. (a) The whole carcase of which the weight is P₁ is minced in a mincer as specified under point 4.3 (and, if necessary, mixed with the use of a blender as well) to obtain a homogeneous material from which a sample representative of each carcase may then be taken.
- (b) In the case of a composite sample analysis, all seven carcasses of which the weight is P₇ is minced in a mincer as specified under point 4.3 (and, if necessary, mixed with the use of a blender as well) to obtain a homogeneous material from which two samples representative of the seven carcasses may then be taken. The two samples are analysed as described in points 5.5 and 5.6.
- 5.5. A sample of the homogenised material is taken and used immediately to determine the water content in accordance with ISO 1442 to give the water content 'a %'.
- 5.6. A sample of the homogenised material is also taken and used immediately to determine the nitrogen content in accordance with ISO 937. This nitrogen content is converted to crude protein content 'b %' by multiplying it by the factor 6,25.

6. *Calculation of results*

- 6.1. (a) The weight of water (W) in each carcase is given by $aP_1/100$ and the weight of protein (RP) by $bP_1/100$, both of which are expressed in grams. The sums of the weights of water (W₇) and the weights of protein (RP₇) in the seven carcasses analysed are determined.
- (b) In the case of a composite sample analysis, the average content of water and protein from the two samples analysed is determined to give a % and b %, respectively. The weight of the water (W₇) in the seven carcasses is given by $aP_7/100$, and the weight of protein (RP₇) by $bP_7/100$, both of which are expressed in grams.
- 6.2. The average weight of water (W_A) and protein (RP_A) is calculated by dividing W₇ and RP₇, respectively, by seven.
- 6.3. The theoretical physiological water content in grams as determined by this method may be calculated by the following formula:

— chickens: $3,53 \times RP_A + 23$.

6.4. (a) Air chilling

Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 2 % ⁽¹⁾, the highest permissible limit for the total water content (W_G) in grams as determined by this method is given by the following formula (including confidence interval):

— chickens: $W_G = 3,65 \times RP_A + 42$.

⁽¹⁾ Calculated on the basis of the carcase, exclusive of absorbed extraneous water.

(b) Air-spray chilling

Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 4,5 % ⁽¹⁾, the highest permissible limit for the total water content (W_G) in grams as determined by this method is given by the following formula (including confidence interval):

$$\text{— chickens: } W_G = 3,79 \times RP_A + 42.$$

(c) Immersion chilling

Assuming a technically unavoidable water absorption during preparation of 7 % ⁽²⁾, the highest permissible limit for the total water content (W_G) in grams as determined by this method is given by the following formula (including confidence interval):

$$\text{— chickens: } W_G = 3,93 \times RP_A + 42.$$

- 6.5. If the average water content (W_A) of the seven carcasses as calculated under point 6.2 does not exceed the value given in point 6.4 (W_G), the quantity of poultry subjected to the check shall be considered up to standard.

⁽¹⁾ Calculated on the basis of the carcass, exclusive of absorbed extraneous water.

⁽²⁾ Calculated on the basis of the carcass, exclusive of absorbed extraneous water.

ANNEX VIII

DETERMINATION OF THE TOTAL WATER CONTENT OF POULTRY CUTS

(Chemical test)

1. *Object and scope*

This method is used to determine the total water content of certain poultry cuts. The method shall involve determination of the water and protein contents of samples from the homogenised poultry cuts. The total water content as determined is compared with the limit value given by the formulae indicated in point 6.4, to determine whether or not excess water has been taken up during processing. If the analyst suspects the presence of any substance which may interfere with the assessment, it is for him or her to take the necessary appropriate precautions.

2. *Definitions and sampling procedures*

The definitions given in point (2) of Article 1 are applicable to the poultry cuts referred to in Article 20. The sample sizes should be at least as follows:

- chicken breast: half of the breast,
- chicken breast fillet: half of the boned breast without skin,
- turkey breast, turkey breast fillet and boned leg meat: portions of about 100 g,
- other cuts: as defined in point (2) of Article 1.

In the case of frozen or quick-frozen bulk products (cuts not individually packed) the large packs from which samples are to be taken may be kept at 0 °C until individual cuts can be removed.

3. *Principle*

Water and protein contents are determined in accordance with recognised ISO (International Organisation for Standardisation) methods or other methods of analysis approved by the Council.

The highest permissible total water content of the poultry cuts is determined from the protein content of the cuts, which can be related to the physiological water content.

4. *Apparatus and reagents*

- 4.1. Scales for weighing the cuts and wrappings, accurate to at least 1 g.
- 4.2. Meat-axe or saw for cutting cuts into pieces of appropriate size for the mincer.
- 4.3. Heavy-duty mincing machine and blender capable of homogenising poultry cuts or parts thereof.

NB:

No special mincer is recommended. It should have sufficient power to mince frozen or quick-frozen meat and bones to produce a homogeneous mixture corresponding to that obtained from a mincer fitted with a 4-mm hole disc.

- 4.4. Apparatus as specified in ISO 1442, for the determination of water content.

- 4.5. Apparatus as specified in ISO 937, for the determination of protein content.

5. *Method*

- 5.1. Five cuts are taken at random from the quantity of poultry cuts to be checked and kept frozen or refrigerated as the case may be until analysis in accordance with points 5.2 to 5.6 begins.

Samples from frozen or quick-frozen bulk products referred to under point 2 may be kept at 0 °C until analysis begins.

The analysis may concern each of the five cuts separately or a composite sample of the five cuts.

5.2. The preparation is commenced within the hour following the removal of the cuts from the freezer or refrigerator.

5.3. (a) The outside of the pack is wiped to remove superficial ice and water. Each cut is weighed and removed from any wrapping material. After cutting up the cuts into smaller pieces, the weight of the poultry cut is determined to the nearest gram after deduction of the weight of any wrapping material removed, to give 'P₁'.

(b) In the case of a composite sample analysis, the total weight of the five cuts, prepared in accordance with point 5.3(a), is determined to give 'P₅'.

5.4. (a) The whole cut of which the weight is P₁, is minced in a mincer as specified under point 4.3 (and, if necessary, mixed with the use of a blender as well) to obtain a homogeneous material from which a sample representative of each cut may then be taken.

(b) In the case of a composite sample analysis, all five cuts of which the weight is P₅ are minced in a mincer as specified under point 4.3 (and, if necessary, mixed with the use of a blender as well) to obtain a homogeneous material from which two samples representative of the five cuts may then be taken.

The two samples are analysed as described in points 5.5 and 5.6.

5.5. A sample of the homogenised material is taken and used immediately to determine the water content in accordance with ISO 1442 to give the water content 'a %'.

5.6. A sample of the homogenised material is also taken and used immediately to determine the nitrogen content in accordance with ISO 937. This nitrogen content is converted to crude protein content 'b %' by multiplying it by the factor 6,25.

6. Calculation of results

6.1. (a) The weight of water (W) in each cut is given by $aP_1/100$ and the weight of protein (RP) by $bP_1/100$, both of which are expressed in grams.

The sums of the weights of water (W₅) and the weights of protein (RP₅) in the five cuts analysed are determined.

(b) In the case of a composite sample analysis, the average content of water and protein from the two samples analysed is determined to give a % and b %, respectively. The weight of the water (W₅) in the five cuts is given by $aP_5/100$, and the weight of protein (RP₅) by $bP_5/100$, both of which are expressed in grams.

6.2. The average weight of water (W_A) and protein (RP_A) is calculated by dividing W₅ and RP₅ respectively, by five.

6.3. The mean physiological W/RP ratio as determined by this method is as follows:

— chicken breast fillet: $3,19 \pm 0,12$,

— chicken legs and leg quarters: $3,78 \pm 0,19$,

— turkey breast fillet: $3,05 \pm 0,15$,

— turkey legs: $3,58 \pm 0,15$,

— deboned turkey leg meat: $3,65 \pm 0,17$.

- 6.4. Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 2 %, 4 % or 6 % ⁽¹⁾ depending on the type of products and chilling methods applied, the highest permissible W/RP ratios as determined by this method are as follows:

	Air chilled	Air-spray chilled	Immersion chilled
Chicken breast fillet; without skin	3,40	3,40	3,40
Chicken breast; with skin	3,40	3,50	3,60
Chicken thighs, drumsticks, legs, legs with a portion of the back, leg quarters, with skin	4,05	4,15	4,30
Turkey breast fillet; without skin	3,40	3,40	3,40
Turkey breast, with skin	3,40	3,50	3,60
Turkey thighs, drumsticks, legs, with skin	3,80	3,90	4,05
Deboned turkey leg meat, without skin	3,95	3,95	3,95

If the average W_A/RP_A ratio of the five cuts as calculated from the values under point 6.2 does not exceed the ratio given in point 6.4, the quantity of poultry cuts subjected to the check is considered up to standard.

—

⁽¹⁾ Calculated on the basis of the cut, exclusive of absorbed extraneous water. For (skinless) fillet and deboned turkey leg meat, the percentage is 2 % for each of the chilling methods.

ANNEX IX

CHECK ON ABSORPTION OF WATER IN THE PRODUCTION ESTABLISHMENT**(Slaughterhouse test)**

1. At least once each working period of eight hours:

select at random 25 carcasses from the evisceration line immediately after evisceration and the removal of the offal and fat and before the first subsequent washing.
 2. If necessary, remove the neck by cutting, leaving the neck skin attached to the carcass.
 3. Identify each carcass individually. Weigh each carcass and record its weight to the nearest gram.
 4. Re-hang the test carcasses on the evisceration line to continue through the normal processes of washing, chilling, dripping, etc.
 5. Remove identified carcasses at the end of the drip line without allowing them any longer time to drip than that allowed normally for poultry from the lot from which the sample was taken.
 6. The sample consists of the first 20 carcasses recovered. They are re-weighed. Their weight to the nearest gram is recorded against the weight recorded on first weighing. The test is declared void if less than 20 identified carcasses are recovered.
 7. Remove identification from sample carcasses and allow the carcasses to proceed through normal packing operations.
 8. Determine percentage moisture absorption by subtracting the total weight of these same carcasses after washing, chilling and dripping, dividing the difference by the initial weight and multiplying by 100.
 9. Instead of manual weighing as described under points 1 to 8, automatic weighing lines may be used for the determination of the percentage moisture absorption for the same number of carcasses and according to the same principles, provided that the automatic weighing line is approved in advance for this purpose by the competent authority.
 10. The result must not exceed the following percentages of the initial weight of the carcass or any other figure allowing compliance with the maximum total extraneous water content:

— air chilling: 0 %,

— air-spray chilling: 2,0 %,

— immersion chilling: 4,5 %,
-

ANNEX X

INDICATIONS REFERRED TO IN ARTICLE 16(6)

- in *Bulgarian*: Съдържанието на вода превишава нормите на ЕО
- in *Spanish*: Contenido en agua superior al límite CE
- in *Czech*: Obsah vody překračuje limit ES
- in *Danish*: Vandindhold overstiger EF-Normen
- in *German*: Wassergehalt über dem EG-Höchstwert
- in *Estonian*: Veesisaldus ületab EÜ normi
- in *Greek*: Περιεκτικότητα σε νερό ανώτερη του ορίου ΕΚ
- in *English*: Water content exceeds EC limit
- in *French*: Teneur en eau supérieure à la limite CE
- in *Italian*: Tenore d'acqua superiore al limite CE
- in *Latvian*: Ūdens saturs pārsniedz EK noteikto normu
- in *Lithuanian*: Vandens kiekis viršija EB nustatytą ribą
- in *Hungarian*: Víztartalom meghaladja az EK által előírt határértéket
- in *Maltese*: Il-kontenut ta' l-ilma superjuri għal-limitu KE
- in *Dutch*: Watergehalte hoger dan het EG-maximum
- in *Polish*: Zawartość wody przekracza normę WE
- in *Portuguese*: Teor de água superior ao limite CE
- in *Romanian*: Conținutul de apă depășește limita CE
- in *Slovak*: Obsah vody presahuje limit ES
- in *Slovenian*: Vsebnost vode presega ES omejitve
- in *Finnish*: Vesipitoisuus ylittää EY-normin
- in *Swedish*: Vattenhalten överstiger den halt som är tillåten inom EG.

ANNEX XI

LIST OF NATIONAL REFERENCE LABORATORIES

Belgium

Instituut voor Landbouw- en Visserijonderzoek (ILVO)
Eenheid Technologie en Voeding
Productkwaliteit en voedselveiligheid
Brusselsesteenweg 370
B-9090 Melle

Bulgaria

Национален диагностичен научно-изследователски
ветеринарно-медицински институт
(National Diagnostic Research Veterinary Medicine
Institute)
бул. „Пенчо Славейков“ 15
(15, Pencho Slaveikov str.)
София-1606
(Sofia-1606)

Czech Republic

Státní veterinární ústav Jihlava
Národní referenční laboratoř pro mikrobiologické,
chemické a senzorické analýzy masa a masných výrobků
Rantířovská 93
CZ-586 05 Jihlava

Denmark

Fødevarestyrelsen
Fødevareregion Øst
Afdeling for Fødevarekemi
Søndervang 4
DK-4100 Ringsted

Germany

Bundesforschungsanstalt für Ernährung und Lebensmittel
Standort Kulmbach
E.C.-Baumann-Straße 20
D-95326 Kulmbach

Estonia

Veterinaar- ja Toidulaboratoorium
Kreutzwaldi 30
EE-51006 Tartu

Ireland

National Food Centre
Teagasc
Dunsinea
Castleknock
IE-Dublin 15

Greece

Ministry of Rural Development & Food
Veterinary Laboratory of Larisa
7th km Larisa-Trikalon st.
GR-411 10 Larisa

Spain

Laboratorio Arbitral Agroalimentario
Carretera de La Coruña, km 10,700
E-28023 Madrid

France

SCL Laboratoire de Lyon
10, avenue des Saules
BP 74
F-69922 Oullins

Italy

Ministero Politiche Agricole e Forestali
Ispettorato centrale per il controllo della qualità dei
prodotti agroalimentari
Laboratorio di Modena
Via Jacopo Cavedone n. 29
I-41100 Modena

Cyprus

Agricultural Laboratory
Department of Agriculture
Loukis Akritas Ave; 14
CY-Lefcosia (Nicosia)

Latvia

Pārtikas un veterinārā dienesta
Nacionālais diagnostikas centrs
Lejupes iela 3,
Rīga, LV-1076

Lithuania

Nacionalinė veterinarijos laboratorija
J. Kairiūkščio g. 10
LT-2021 Vilnius

Luxembourg

Laboratoire National de Santé
Rue du Laboratoire, 42
L-1911 Luxembourg

Hungary

Országos Élelmiszervizsgáló Intézet
Budapest 94. Pf. 1740
Mester u. 81.
HU-1465

Malta

Malta National Laboratory
UB14, San Gwann Industrial Estate
San Gwann, SGN 09
Malta

Netherlands

RIKILT — Instituut voor Voedselveiligheid
Bornsesteeg 45, gebouw 123
6708 AE Wageningen
Nederland

Austria

Österreichische Agentur für Gesundheit und Ernährungs-
sicherheit GmbH
Institut für Lebensmitteluntersuchung Wien
Abteilung 6 — Fleisch und Fleischwaren
Spargelfeldstraße 191
A-1226 Wien

Poland

Centralne Laboratorium Głównego Inspektoratu Jakości
Handlowej Artykułów Rolno-Spożywczych
ul. Reymonta 11/13
60-791 Poznań
Polska

Portugal

Autoridade de Segurança Alimentar e Económica —
ASAE
Laboratório Central da Qualidade Alimentar — LCQA
Av. Conde Valbom, 98
P-1050-070 Lisboa

Romania

Institutul de Igienă și Sănătate Publică Veterinară
Str. Câmpul Moșilor, nr. 5, Sector 2
București

Slovenia

Univerza v Ljubljani
Veterinarska fakulteta
Nacionalni veterinarski inštitut
Gerbičeva 60
SI-1115 Ljubljana

Slovakia

Štátny veterinárny a potravinový ústav
Botanická 15
842 52 Bratislava
Slovenská republika

Finland

Elintarviketurvallisuusvirasto Evira
Mustialankatu 3
FI-00710 Helsinki

Sweden

Livsmedelsverket
Box 622
S-75126 Uppsala

United Kingdom

Laboratory of the Government Chemist
Queens Road
Teddington
TW11 0LY
United Kingdom

ANNEX XII

Tasks and organisational structure of the board of experts in monitoring water content in poultrymeat

The board of experts referred to in Article 19 is responsible for the following tasks:

- (a) supplying information on analytical methods and comparative testing regarding the water content of poultrymeat to the national reference laboratories;
- (b) coordinating the application by the national reference laboratories of the methods referred to in (a), by organising comparative testing, and proficiency testing in particular;
- (c) supporting the national reference laboratories in proficiency testing by providing scientific support for statistical data evaluation and reporting;
- (d) coordinating the development of new analytical methods and informing the national reference laboratories of progress made in this area;
- (e) providing scientific and technical assistance to the Commission, especially in cases where the results of analyses are contested between Member States.

The board of experts referred to in Article 19 shall be organised as follows:

The board of experts in monitoring water content in poultrymeat shall consist of representatives of the Directorate-General Joint Research Centre (JRC) — Institute for Reference Materials and Measurements (IRMM), of the Directorate-General for Agriculture and Rural Development and of three national reference laboratories. The representative of IRMM shall act as the chairperson of the board and shall appoint the national reference laboratories on a rotational basis. The Member State authority responsible for the national reference laboratory selected shall subsequently appoint individual experts in monitoring water content in food to serve on the board. Through annual rotation, one participating national reference laboratory shall be replaced at a time, so as to ensure a degree of continuity on the board. Expenses incurred by the Member States' experts and/or the national reference laboratories in the exercise of their functions under this Section of this Annex shall be borne by the respective Member States.

Tasks of national reference laboratories

The national reference laboratories listed in Annex XI are responsible for the following tasks:

- (a) coordinating the activities of the national laboratories responsible for analyses of water content in poultrymeat;
 - (b) assisting the competent authority in the Member State in organising the system for monitoring water content in poultrymeat;
 - (c) participating in comparative testing (proficiency testing) between the various national laboratories referred to in (a);
 - (d) ensuring that the information supplied by the board of experts is disseminated to the competent authority in the relevant Member State and to the national laboratories referred to in (a);
 - (e) collaborating with the board of experts and, if appointed to join the board of experts, preparing the necessary test samples, including homogeneity testing, and arranging appropriate shipping.
-

ANNEX XIII

Correlation table

Regulation (EEC) No 1906/90	Regulation (EEC) No 1538/91	This Regulation
	Article 1	Article 1
	Article 1a, introductory phrase	Article 2, introductory phrase
Article 2(2), (3) and (4)		Article 2(a), (b) and (c)
Article 2(8)		Article 2(d)
	Article 1a, first and second indents	Article 2(e) and (f)
	Article 2	Article 3(1) to (4)
Article 4		Article 3(5)
	Article 3	Article 4
	Article 4	Article 5(1)
Article 5(1) to (4)		Article 5(2) to (5)
Article 6		Article 5(6)
	Article 5	Article 6
	Article 6(1), introductory phrase	Article 7(1), introductory phrase
	Article 6(1), first to sixth indents	Article 7(1), points (a) to (f)
	Article 6(2), introductory phrase	Article 7(2), introductory phrase
	Article 6(2), first to fourth indents	Article 7(2), points (a) to (d)
	Article 7(1)	Article 8(1)
	Article 7(3)	Article 8(2)
	Article 7(4)	Article 8(3)
	Article 7(5)	Article 8(4)
	Article 7(6)	Article 8(5)
	Article 8(1)	Article 9(1)
	Article 8(2)	Article 9(2)
	Article 8(3), introductory phrase	Article 9(3), introductory phrase
	Article 8(3), first indent	Article 9(3), point (a)
	Article 8(3), second indent	Article 9(3), point (b)
	Article 8(4), first subparagraph, introductory phrase	Article 9(4), first subparagraph, introductory phrase

Regulation (EEC) No 1906/90	Regulation (EEC) No 1538/91	This Regulation
	Article 8(4), first subparagraph, first to third indents	Article 9(4), first subparagraph, points (a) to (c)
	Article 8(4), second subparagraph	Article 9(4), second subparagraph
	Article 8(5) to (12)	Article 9(5) to (12)
	Article 8(13), first subparagraph	—
	Article 8(13), second subparagraph	Article 9(13)
	Article 9	Article 10
	Article 10	Article 11
	Article 11(1), introductory phrase	Article 12(1), introductory phrase
	Article 11(1), first to fourth indents	Article 12(1), points (a) to (d)
	Article 11(2)	Article 12(2)
	Article 11(2a)	Article 12(3)
	Article 11(2b)	Article 12(4)
	Article 11(3), introductory phrase	Article 12(5), introductory phrase
	Article 11(3), first to fourth indents	Article 12(5), points (a) to (d)
	Article 11(4)	Article 12(6)
	Article 12	Article 13
	Article 13	Article 14
	Article 14a(1) and (2)	Article 15
	Article 14a(3) to (5)	Article 16(1) to (3)
	Article 14a(5a)	Article 16(4)
	Article 14a(6)	Article 16(5)
	Article 14a(7), first subparagraph, introductory phrase	Article 16(6), first subparagraph
	Article 14a(7), first subparagraph, indents	Annex X
	Article 14a(7), second and third subparagraphs	Article 16(6), second and third subparagraphs
	Article 14a(8) to (12)	Article 17(1) to (5)
	Article 14a(12a)	Article 18(1)
	Article 14a(13)	Article 18(2)
	Article 14a(14)	Article 19
	Article 14b(1)	Article 20(1)

Regulation (EEC) No 1906/90	Regulation (EEC) No 1538/91	This Regulation
	Article 14b(2), first subparagraph, introductory phrase	Article 20(2), first subparagraph, introductory phrase
	Article 14b(2), first subparagraph, first to third indents	Article 20(2), first subparagraph, points (a) to (c)
	Article 14b(2), second subparagraph	Article 20(2), second subparagraph
	Article 14b(3) and (4)	Article 20(3) and 4)
	Article 15	—
	—	Article 21
	—	Article 22
	Annex I	Annex I
	Annex Ia	Annex II
	Annex II	Annex III
	Annex III	Annex IV
	Annex IV	Annex V
	Annex V	Annex VI
	Annex VI	Annex VII
	Annex VIa	Annex VIII
	Annex VII	Annex IX
	Annex VIII	Annex XI
	Annex IX	Annex XII
	—	Annex XIII

COMMISSION REGULATION (EC) No 544/2008**of 13 June 2008****establishing a prohibition of fishing for Greenland halibut in EC waters of IIa and IV; EC and international waters of VI by vessels flying the flag of Spain**

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 40/2008 of 16 January 2008 fixing for 2008 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 2008.
- (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 2008.

- (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 2008 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, 13 June 2008.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as last 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 19, 23.1.2008, p. 1.

ANNEX

No	11/T&Q
Member State	Spain
Stock	GHL/2A-C46
Species	Greenland halibut (<i>Reinhardtius hippoglossoides</i>)
Area	EC waters of IIa and IV; EC and international waters of VI
Date	12.5.2008

COMMISSION REGULATION (EC) No 545/2008**of 16 June 2008****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1109/2007 for the 2007/08 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular of the Article 36,

Whereas:

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

for the 2007/08 marketing year are fixed by Commission Regulation (EC) No 1109/2007 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 526/2008 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 1109/2007 for the 2007/08 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 June 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

⁽²⁾ OJ L 178, 1.7.2006, p. 24. Regulation as last amended by Regulation (EC) No 1568/2007 (OJ L 340, 22.12.2007, p. 62).

⁽³⁾ OJ L 253, 28.9.2007, p. 5.

⁽⁴⁾ OJ L 155, 13.6.2008, p. 3.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 95 applicable from 17 June 2008

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	19,90	6,35
1701 11 90 ⁽¹⁾	19,90	12,02
1701 12 10 ⁽¹⁾	19,90	6,16
1701 12 90 ⁽¹⁾	19,90	11,50
1701 91 00 ⁽²⁾	23,80	13,75
1701 99 10 ⁽²⁾	23,80	8,81
1701 99 90 ⁽²⁾	23,80	8,81
1702 90 95 ⁽³⁾	0,24	0,40

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

⁽²⁾ Fixed for the standard quality defined in Annex I.II to Regulation (EC) No 318/2006.

⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 546/2008**of 16 June 2008****on the issuing of import licences for applications lodged during the first seven days of June 2008 under the tariff quota opened by Regulation (EC) No 1399/2007 for meat products originating in Switzerland**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1399/2007 of 28 November 2007 opening and providing for the administration of a tariff quota for sausages and certain meat products originating in Switzerland ⁽²⁾ and in particular Article 5(5) thereof,

Whereas:

- (1) Regulation (EC) No 1399/2007 has opened tariff quotas for the import of certain meat products.
- (2) The applications for import licences lodged during the first seven days of June 2008 for the subperiod 1 July to

30 September 2008 do not cover the total quantity available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications under the quota bearing the serial number 09.4180 have not been lodged pursuant to Regulation (EC) No 1399/2007, to be added to the subperiod 1 October to 31 December 2008, shall be 1 390 000 kg.

Article 2

This Regulation shall enter into force on 17 June 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2). Regulation (EEC) No 2759/75 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽²⁾ OJ L 311, 29.11.2007, p. 7.

COMMISSION REGULATION (EC) No 547/2008**of 16 June 2008****on the issuing of import licences for applications lodged during the first seven days of June 2008
under the tariff quota opened by Regulation (EC) No 1382/2007 for pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1382/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 concerning the import arrangements for pigmeat ⁽²⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 1382/2007 has opened tariff quotas for the import of pigmeat products.
- (2) The applications for import licences lodged during the first seven days of June 2008 for the subperiod

1 July to 30 September 2008 do not cover the total quantity available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications covered by the quota bearing the serial number 09.4046 have not been lodged under Regulation (EC) No 1382/2007, to be added to the subperiod from 1 October to 31 December 2008, shall be 5 250 000 kg.

Article 2

This Regulation shall enter into force on 17 June 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2). Regulation (EEC) No 2759/75 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽²⁾ OJ L 309, 27.11.2007, p. 28.

COMMISSION REGULATION (EC) No 548/2008**of 16 June 2008****on the issuing of import licences for applications lodged during the first seven days of June 2008
under the tariff quota opened by Regulation (EC) No 812/2007 for pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾,

Having regard to Commission Regulation (EC) No 812/2007 of 11 July 2007 opening and providing for the administration of a tariff quota for pigmeat allocated to the United States of America ⁽²⁾, in particular Article 5(5) thereof,

Whereas:

- (1) Regulation (EC) No 812/2007 opened tariff quotas for imports of pigmeat products.

- (2) The applications for import licences lodged during the first seven days of June 2008 for the subperiod 1 July to 30 September 2008 do not cover the total quantity available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications covered by the quota with serial number 09.4170 have not been lodged under Regulation (EC) No 812/2007, to be added to the subperiod 1 October to 31 December 2008, are 600 500 kg.

Article 2

This Regulation shall enter into force on 17 June 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2). Regulation (EEC) No 2759/75 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽²⁾ OJ L 182, 12.7.2007, p. 7.

COMMISSION REGULATION (EC) No 549/2008**of 16 June 2008****on the issuing of import licences for applications lodged during the first seven days of June 2008
under the tariff quota opened by Regulation (EC) No 979/2007 for pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾,

Having regard to Commission Regulation (EC) No 979/2007 of 21 August 2007 opening and providing for the administration of an import tariff quota for pigmeat originating in Canada ⁽²⁾, and in particular Article 5(5) thereof,

Whereas:

- (1) Regulation (EC) No 979/2007 opened import tariff quotas for pigmeat products.
- (2) The applications for import licences lodged during the first seven days of June 2008 for the subperiod

1 July to 30 September 2008 do not cover the total quantity available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications under quota 09.4204 have not been lodged under Regulation (EC) No 979/2007, to be added to the subperiod 1 October to 31 December 2008, are 1 156 000 kg.

Article 2

This Regulation shall enter into force on 17 June 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2). Regulation (EEC) No 2759/75 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽²⁾ OJ L 217, 22.8.2007, p. 12. Regulation as amended by Commission Regulation (EC) No 1564/2007 (OJ L 340, 22.12.2007, p. 36).

COMMISSION REGULATION (EC) No 550/2008**of 16 June 2008****on the issuing of import licences for applications lodged during the first seven days of June 2008
under tariff quotas opened by Regulation (EC) No 806/2007 for pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾,

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

Having regard to Commission Regulation (EC) No 806/2007 of 10 July 2007 opening and providing for the administration of tariff quotas for pigmeat ⁽³⁾, in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 806/2007 opened tariff quotas for imports of pigmeat products.
- (2) The applications for import licences lodged during the first seven days of June 2008 for the sub-period 1 July to 30 September 2008 relate, for some quotas, to quantities exceeding those available. The extent to which licences

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

- (3) The applications for import licences lodged during the first seven days of June 2008 for the sub-period 1 July to 30 September 2008 do not, for some quotas, cover the total quantity available. The quantities for which applications have not been lodged should therefore be determined, and these should be added to the quantity fixed for the following quota sub-period,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities for which import licence applications have been lodged under Regulation (EC) No 806/2007 for the sub-period 1 July to 30 September 2008 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

2. The quantities for which import licence applications covered by the quota have not been lodged under Regulation (EC) No 806/2007, to be added to sub-period 1 October to 31 December 2008, are fixed in the Annex.

Article 2

This Regulation shall enter into force on 17 June 2008.

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

Done at Brussels, 16 June 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2). Regulation (EEC) No 2759/75 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽²⁾ OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

⁽³⁾ OJ L 181, 11.7.2007, p. 3.

ANNEX

Group No	Serial No	Allocation coefficient for import licence applications lodged for the subperiod 1.7.2008-30.9.2008 (%)	Quantities not applied for to be added to the subperiod 1.10.2008-31.12.2008 (kg)
G2	09.4038	85,853052	—
G3	09.4039	(²)	738 000
G4	09.4071	(¹)	750 500
G5	09.4072	(¹)	1 540 250
G6	09.4073	(¹)	3 766 750
G7	09.4074	(²)	1 119 750

(¹) Not applicable: no licence application has been sent to the Commission.

(²) Not applicable: the applications do not cover the total quantity available.

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 23 May 2008

concerning national provisions notified by Denmark on the addition of nitrite to certain meat products

(notified under document number C(2008) 2168)

(Only the Danish text is authentic)

(2008/448/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 95(6) thereof,

Whereas:

I. FACTS AND PROCEDURE

- (1) By letter of 21 November 2007, which reached the Commission on 23 November 2007, the Permanent Representation of the Kingdom of Denmark to the European Union, notified to the Commission its national provisions concerning the addition of nitrites to certain meat products, pursuant to Article 95(4) of the Treaty establishing the European Community. The Kingdom of Denmark considers it necessary to maintain these provisions in spite of the adoption of Directive 2006/52/EC of the European Parliament and of the Council of 5 July 2006 amending Directive 95/2/EC on food additives other than colours and sweeteners and Directive 94/35/EC on sweeteners for use in foodstuffs ⁽¹⁾ and intends not to transpose Directive 2006/52/EC into national law insofar as it concerns the addition of nitrite to meat products.

1. COMMUNITY LEGISLATION

1.1. ARTICLE 95(4) AND (6) OF THE EC TREATY

- (2) Article 95(4) of the EC Treaty provides that 'If, after the adoption by the Council or by the Commission of a harmonisation measure, a Member State deems it necessary to maintain national provisions on grounds of major needs referred to in Article 30, or relating to the protection of the environment or the working environment, it shall notify the Commission of these provisions as well as the grounds for maintaining them.'
- (3) According to Article 95(6) of the EC Treaty, the Commission shall, within six months of the notification, approve or reject the national provisions involved after having verified whether or not they are a means of arbitrary discrimination or a disguised restriction on trade between Member States and whether or not they shall constitute an obstacle to the functioning of the internal market.

⁽¹⁾ OJ L 204, 26.7.2006, p. 10.

1.2. DIRECTIVE 2006/52/EC

- (4) Under the general principles of Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption ⁽¹⁾, the approval of a food additive is subject to a reasonable technological need, its acceptability from a health point of view and its use not being misleading for the consumer.
- (5) Nitrites have been used in meat and meat products for many decades, inter alia, to secure, in conjunction with other factors, the preservation and microbiological safety of meat products, in particular cured meat products, inhibiting, amongst other things, the multiplication of *Clostridium botulinum*, the bacteria responsible for life-threatening botulism. At the same time, it is recognised that the presence of nitrites in meat products can give rise to the formation of nitrosamines, which have been found to be carcinogenic. Legislation in this field must, therefore, strike a balance between the risk of the formation of nitrosamines through the presence of nitrites in meat products, on the one hand, and the protective effects of nitrites against the multiplication of bacteria, in particular those responsible for botulism.
- (6) Directive 95/2/EC of the European Parliament and of the Council of 20 February 1995 on food additives other than colours and sweeteners ⁽²⁾, as it was adopted originally, laid down maximum residual levels of nitrites and nitrates for various meat products as well as 'indicative ingoing amounts'. Annex I(3)(c) to Directive 2006/52/EC amends Annex III Part C to Directive 95/2/EC in relation to E249 (potassium nitrite) and E250 (sodium nitrite).
- (7) By contrast, as a general rule, Directive 2006/52/EC contains maximum amounts for E249 *potassium nitrite* and E250 *sodium nitrite* that may be added during manufacture. The maximum added amount is 150 mg/kg for meat products in general and 100 mg/kg for sterilised meat products. For a few specified cured meat products made traditionally in specific Member States the maximum amount is 180 mg/kg.
- (8) This approach follows opinions from the Scientific Committee for Food (hereinafter SCF) of 1990 ⁽³⁾ and 1995 ⁽⁴⁾ as well as from the European Food Safety Authority (hereinafter EFSA) of 26 November 2003 ⁽⁵⁾, which established that the ingoing amount of nitrite, rather than the residual amount, contributes to the inhibitory effect against *C. botulinum* and recommended to replace 'indicative ingoing amounts' with 'maximum ingoing amounts'. It also takes account of the Court's ruling in Case C-3/00 *Denmark/Commission* relating to a previous Danish request under Article 95(4) of the EC Treaty and in which the Court held that, when rejecting the Danish request in relation to the use of nitrites in meat products, the Commission did not take sufficient account of the SCF's opinions of 1990 and 1995, which cast doubt on the appropriateness of the amounts of nitrite authorised by Directive 95/2/EC ⁽⁶⁾.
- (9) By way of exception to the general rule, Directive 2006/52/EC contains maximum residual levels for certain specified traditional cured meat products, which are produced through traditional manufacturing methods. There are maximum residual levels of 50 mg/kg, 100 mg/kg and 175 mg/kg applying to different groups of such products, e.g. 175 mg/kg for *Wiltshire bacon*, *dry-cured bacon* and similar products, and 100 mg/kg for *Wiltshire ham* and similar products. In relation to these products maximum residual values have been established since it is not possible to control the ingoing amount of curing salts absorbed by the meat due to the nature of the manufacturing process associated with these products. The production process of these specific products is described in the Directive to enable identification of 'similar products' and to make clear what products are covered by the different maximum levels. The table below contains the maximum levels established by Directive 2006/52/EC ⁽⁷⁾.

⁽¹⁾ OJ L 40, 11.2.1989, p. 27. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 61, 18.3.1995, p. 1. The Directive was last amended by Directive 2006/52/EC (OJ L 204, 26.7.2006, p. 10).

⁽³⁾ Opinion on nitrates and nitrites expressed on 19 October 1990, European Commission — Reports of the Scientific Committee for Food (26th series), p. 21.

⁽⁴⁾ Opinion on nitrates and nitrite expressed on 22 September 1995, European Commission — Reports of the Scientific Committee for Food (38th series), p. 1.

⁽⁵⁾ Opinion of the Scientific Panel on Biological Hazards on a request from the Commission related to the effects of Nitrites/Nitrates on the Microbiological Safety of Meat Products, The EFSA Journal (2003) 14, 1-34.

⁽⁶⁾ Judgment of 20 March 2003, in particular points 109-115.

⁽⁷⁾ Directive 2006/52/EC as corrected by Corrigendum (OJ L 78, 17.3.2007, p. 32).

E No	Name	Foodstuff	Maximum amount that may be added during manufacture (expressed as NaNO ₂)	Maximum residual level (expressed as NaNO ₂)
E249	Potassium nitrite (⁸)	Meat products	150 mg/kg	
E250	Sodium nitrite (⁸)	Sterilised meat products (Fo > 3,00) (⁹)	100 mg/kg	
		Traditional immersion cured meat products (1):		
		Wiltshire bacon (1.1); <i>Entrecosto, entrecosto, chispe, orelheira e cabeça (salgados)</i> Toucinho fumado (1.2); and similar products		175 mg/kg
		Wiltshire ham (1.1); and similar products		100 mg/kg
		Rohschinken, nassgepökelt (1.6); and similar products		50 mg/kg
		Cured tongue (1.3)		50 mg/kg
		Traditional dry-cured meat products (2):		
		Dry-cured bacon (2.1); and similar products		175 mg/kg
		Dry-cured ham (2.1); <i>Jamón curado, paleta curada, lomo embuchado y cecina</i> (2.2); <i>Presunto, presunto da pá and paio do lombo</i> (2.3); and similar products		100 mg/kg
		Rohschinken, trocken-/nassgepökelt (2.5); and similar products		50 mg/kg
		Other traditionally cured meat products (3):		
		Vysočina Selský salám Turistický trvanlivý salám Poličan Herkules Lovecký salám Dunajská klobása Paprikáš (3.5); and similar products	180 mg/kg	
		Rohschinken, trocken-/nassgepökelt (3.1); and similar products <i>Jellied veal and brisket</i> (3.2)		50 mg/kg

- (10) As recommended in the relevant opinions of the SCF and EFSA, Directive 2006/52/EC is based on the establishment of maximum added amounts and reflects the ranges referred to in these scientific opinions by specifying that up to 100 mg/kg of nitrite are permitted in sterilised meat products and 150 mg/kg in other meat products. Given the vast variety of (cured) meat products and manufacturing methods within the Community, the Community legislator held that it was, for the moment, not possible to specify the appropriate level of nitrite for each product.
- (11) The exceptions to the rule of applying maximum added amounts have a limited character. They apply to specific products which are traditionally manufactured in certain Member States and for which it is not possible to control the ingoing amount of curing salts absorbed by the meat due to the nature of the manufacturing process associated with these products. The traditional products to which they apply are defined, in particular, through a description of the production method.
- (12) Directive 2006/52/EC was due to be transposed by the Member States by 15 February 2008 in order to permit trade in and the use of products complying within this Directive by 15 February 2008 and prohibit trade in and use of products which are not in compliance by 15 August 2008.

2. NATIONAL PROVISIONS NOTIFIED

- (13) The national provisions notified by Denmark are Order No 22 of 11 January 2005 on food additives (*Bekendtgørelse nr 22 af 11.1.2005 om tilsætningsstoffer til fødevarer*) and the Danish positive list of permitted food additives (*Liste over tilladte tilsætningsstoffer til fødevarer, 'Positivlisten'*).
- (14) Order No 22 contains the principle that only additives contained in a positive list may be used for the foodstuffs under specified conditions, and with the specified objectives and restrictions⁽¹⁾. It further provides that, unless otherwise specified, the maximum values set out in the positive list refer to the maximum amounts of the additive which may be present in a foodstuff in the form in which it is sold⁽²⁾. As a consequence, only foodstuffs which are in compliance with the requirements of Order No 22 and the positive list may be sold on the Danish market. The positive list established by the Danish Veterinary and Food Administration on the basis of Order No 22 states which additives may be used for the individual foodstuffs, and in what amounts. The version notified applies with effect from 29 January 2005.

⁽¹⁾ See paragraph 13 of Order No 22 'Use of additives'.

⁽²⁾ See paragraph 20 of Order No 22.

- (15) With regard to the use of nitrites E249 and E250 in meat and meat products the Danish positive list sets out exclusively added amounts and contains the following maximum level:

Foodstuff	Amount of nitrites added (mg/kg)
8.2.1. Non-heat-treated meat-based products derived from whole pieces of meat, including slices of products (in general)	60
Bacon of the Wiltshire type and related cuts, including salt cured ham	150
8.2.2. Heat-treated meat-based products derived from whole pieces of meat, including slices of products (in general)	60
<i>Rullepølse</i> (rolled-meat sausage)	100
Entirely preserved or semi-preserved products, bacon of the Wiltshire type and cuts thereof, including salt cured ham	150
8.3.1. Non-heat-treated meat-based products derived from minced meat, including slices of products (in general)	60
Fermented salamis	100
Entirely preserved or semi-preserved non-heat-treated meat-based products derived from minced meat	150
8.3.2. Heat-treated meat-based products derived from minced meat	60
Meatballs and liver paté (<i>kødboller</i> and <i>leverpostej</i>)	0
Entirely preserved or semi-preserved heat-treated meat-based products derived from minced meat	150

- (16) It appears, therefore, that the limit of 60 mg/kg⁽³⁾ applies to many types of meat products, whereas the corresponding maximum limits of Directive 2006/52/EC are 100 or 150 mg/kg. For certain sausages the accepted maximum in Denmark is 100 mg/kg. For specific entirely or semi-preserved meat products, including 'bacon of the Wiltshire type and related cuts', the maximum is 150 mg/kg.

⁽³⁾ For *kødboller* and *leverpostej* the use of nitrite is banned in accordance with Decision 292/97/EC.

3. PROCEDURE

- (17) On 17 August 2007 the Commission received a first communication from the Kingdom of Denmark, dated 14 August 2007, in which Denmark criticised different aspects of Directive 2006/52/EC and informed the Commission that it does not intend to transpose Directive 2006/52/EC in relation to nitrites in meat products. However, Denmark did not notify the national provisions which it wishes to maintain. By letter of 13 November 2007 the Commission pointed this out to the Danish Government. By letter of 21 November 2007, which reached the Commission on 23 November 2007, the Permanent Representation of the Kingdom of Denmark to the European Union, notified to the Commission the relevant national provisions. In an additional correspondence of 22 November 2007, which was received by the Commission on 27 November 2007 and which contains a report of the National Food Institute of 30 October 2007, Denmark substantiated its application.
- (18) By letter of 21 December 2007 the Commission confirmed that it had received the notification and that the six-month period for its examination under Article 95(6) started on 24 November 2007, the day following the day on which the notification was received.
- (19) By letter of 31 March 2008 Denmark provided data on the consumption of meat products in Denmark.
- (20) By letter of 31 January 2008 the Commission informed the other Member States and the EFTA States on the notification and gave them the opportunity to submit comments thereon within 30 days. The Commission also published a notice regarding the notification in the *Official Journal of the European Union* ⁽¹⁾ in order to inform other interested parties of Denmark's national provisions, as well as the grounds invoked to support the request. The Commission received comments from Estonia, France, Hungary and Norway ⁽²⁾.

— Estonia emphasises that, given the restrictive effect of the Danish legislation on trade, it is essential that the restrictions are scientifically justified,

— France stresses that nitrites are a powerful inhibitor against the proliferation of certain bacteria, including *Clostridium botulinum* and, therefore, significant in the prevention of food poisoning and that there is no

alternative in relation to meat products. In its view, Directive 2006/52/EC is based on the EFSA opinion of 26 November 2003 and limits as much as possible the concentration of nitrosamines while securing the microbiological safety. As recommended by EFSA, it regulates added amounts. It refers to maximum residual values only as an exception and only where it was not possible to lay down maximum added amounts. A new analysis should be undertaken only once the results of studies in the Member States on the consumption of additives on the basis of the new rules are available.

— Hungary, while supporting the decrease in the exposure to nitrites and nitrosamines with all possibly available means, emphasises the need to regulate appropriate nitrite levels for the whole EU, including for traditional cured meat products, which may differ from the Danish meat products and where the addition of higher nitrite levels may be justified. It questions Denmark's claim that the transposition of Directive 2006/2052 could lead to a 2,3 to 2,4-fold increase in nitrite in Denmark, having regard to the fact that manufacturers are obliged to apply less than the maximum permitted amount if they can guarantee the required microbiological safety. European culture would grow poorer if traditional cured meat products had to disappear from the market.

— Norway considers that the Danish measure is justified on grounds of major needs referred to in Article 30. In its view, the measure is intended to ensure a high level of human health protection based on scientific advice and is not an arbitrary discrimination or a disguised restriction on trade. It contends that the obstacle to the functioning of the internal market created by it is necessary and proportionate. Norway agrees with Denmark that, in relation to nitrites in meat products, Directive 2006/52/EC does not fully reflect scientific advice in that it does not ensure that the lowest level of nitrites necessary to achieve the desired effect is applied and the application of residual levels in relation to a number of meat products.

4. REQUEST TO EFSA

- (21) By letter of 10 March 2008 the Directorate-General for Health and Consumer Protection requested EFSA to provide a scientific opinion on whether the previous opinions of the SCF of 1990 and 1995 and EFSA of 2003 are still valid in light of the information submitted by Denmark. In its reply of 28 March 2008 EFSA concluded that the previous opinions of the SCF and EFSA are still valid in light of the information provided by Denmark.

⁽¹⁾ OJ C 30, 2.2.2008, p. 5.

⁽²⁾ In addition, the Commission received comments from Ireland on 1 May 2008, i.e. outside the time limit fixed by the Commission.

(22) With regard to the effects of nitrites/nitrates on the microbiological safety of meat products EFSA refers to the opinion of its Scientific Panel on Biological Hazards of 26 November 2003. In this opinion it was stated that several factors contribute to the safety of meat products (cooking process, salt/concentration, water activity etc. and that the ingoing amount of nitrites is important for microbiological safety, which is why ingoing amounts should be controlled (rather than the residual amount). EFSA also refers to the fact that its Scientific Panel on Biological Hazards agreed with the view of the Scientific Committee for Food (SCF) that 50-100 mg added nitrite per kg of meat products may suffice for many products and in other products, especially those with a low salt content and having a prolonged shelf life, addition of between 50-150 mg/kg nitrite is necessary to inhibit growth of *C. botulinum*.

II. ASSESSMENT

1. ADMISSIBILITY

(23) Under Article 95(4) and (6) of the EC Treaty a Member State may, after the adoption of a harmonisation measure, maintain national provisions on grounds of major needs referred to in Article 30, or relating to the protection of the environment or the working environment, if it notifies these national provisions to the Commission and if the Commission approves the application.

(24) The Danish notification relates to national provisions derogating from those of Annex I(3)(c) to Directive 2006/52/EC amending Annex III Part C to Directive 95/2/EC in relation to E249 and E250. The current Danish provisions already existed at the time of the adoption of Directive 2006/52/EC.

(25) Order No 22 and the Danish positive list contain more stringent provisions in relation to the use of nitrites in meat and meat products than Directive 2006/52/EC in that they lay down lower maximum added amounts than Directive 2006/52/EC for several types of products (in many cases 60 mg/kg) and insofar as they do not, unlike Directive 2006/52/EC, allow the placing on the market of certain traditional meat products on the basis of maximum residual values.

(26) In accordance with Article 95(4), the notification was supplemented by a description of the grounds relating to one or more of the major needs referred to in Article 30 or to the protection of the environment or the working environment, in this case the protection of health and life of humans. The Danish position is explained in more detail in a report of the Danish Food Institute of 30 October 2007, which was submitted on 27 November 2007, as well as in the other documents referred to in points 17 and 19 above.

(27) In light of the foregoing, the Commission considers that the application submitted by Denmark with a view to obtaining authorisation to maintain its national provisions on the use of nitrites in meat and meat products is admissible under Article 95(4) of the EC Treaty.

2. ASSESSMENT OF MERITS

(28) In accordance with Article 95(4) and (6), first subparagraph, of the EC Treaty, the Commission must ascertain that all the conditions enabling a Member State to maintain its national provisions derogating from a Community harmonisation measure provided for in that Article are fulfilled.

(29) In particular, the Commission has to assess whether or not the national provisions are justified by the major needs referred to in Article 30 of the EC Treaty or relating to the protection of the environment or the working environment and do not exceed what is necessary to attain the legitimate objective pursued. In addition, when the Commission considers that the national provisions fulfill the above conditions, it must verify, pursuant to Article 95(6), whether or not the national provisions are a means of arbitrary discrimination or a disguised restriction on trade between Member States and whether or not they constitute an obstacle to the functioning of the internal market.

(30) It has to be noted that, in the light of the time frame established by Article 95(6) of the EC Treaty, the Commission, when examining whether the national measures notified under Article 95(4) of the EC Treaty are justified, has to take as a basis 'the grounds' put forward by the notifying Member State. This means that, according to the provisions of the Treaty, the responsibility of proving that the national measures are justified lies with the requesting Member State which seeks to maintain them. Given the procedural framework established by Article 95 paragraphs 4 and 6 of the EC Treaty, including in particular a strict deadline for a decision to be adopted, the Commission normally has to limit itself to examining the relevance of the elements which are submitted by the requesting Member State, without having to seek itself possible reasons of justifications.

(31) However, where the Commission is in the possession of information in the light of which the Community harmonisation measure from which the notified national provisions derogate may need to be reviewed, it can take such information into consideration in the assessment of the notified national provisions.

2.1. THE POSITION OF DENMARK

- (32) The Kingdom of Denmark claims that its legislation ensures a higher level of protection of health and life of human in that it down lower maximum added amounts of E249 (potassium nitrite) and E250 (sodium nitrite) than the ones provided for in Directive 2006/52/EC, and does not allow the placing on the market of traditional meat products for which no ingoing amounts can be established. Denmark considers that the Danish provisions are fully consistent with the recommendations which the Scientific Committee on Food (SCF) made in 1990 and 1995, as well as with the opinion of the European Food Safety Authority (EFSA) of 26 November 2003, since they contain no exceptions to the principle of establishing maximum 'added amounts' as opposed to residual levels and lay down more differentiated maximum levels related to particular groups of meat products.
- (33) Denmark acknowledges that in certain respects Directive 2006/52/EC complies with the scientific recommendations from the SCF and EFSA, in particular where, unlike the original version of Directive 95/2/EC it provides for 'maximum added amounts', as opposed to residual amounts and 'indicative added amounts'. It criticises, however, that there are exceptions to this principle, with the consequence that various traditionally produced meat products are still regulated from the point of view of residual amounts and considers that this can be a hazard to human health. It stresses that the concentration of residual nitrite is a very uncertain marker of added nitrite and refers to studies which have shown that residual values may even mask extremely high additions of nitrites, leading to an unpredictably high formation of N-nitroso compounds.
- (34) Denmark also emphasises that nitrosamines, whose formation depends on the presence of nitrite in meat products, are genotoxic and carcinogenic, which is why the use of nitrites should be allowed only in the amounts that are absolutely necessary. Denmark considers that the maximum added amounts set out in Directive 2006/52/EC are too high from a health point of view and that a technological need for these values has not been documented. It contends that, in light of the advice given by the Community scientific bodies, the inhibition of growth of *Clostridium botulinum* could be achieved by keeping the limits within the range of 50-150 mg/kg nitrite and specifying the limits for categories of meat products depending on the scientifically based needs.
- (35) Given that approximately 90 % of the intake of cured meat products in Denmark consists of products to which a maximum amount of 60 mg/kg of added nitrite currently applies in Denmark, Denmark points out that the transposition of the Directive and the introduction of a general limit of 150 mg/kg for all cured meat products could lead to the intake of nitrites in Denmark rising by a factor of 2,3-2,4, which may imply a corresponding rise in the intake of preformed nitrosamines.
- (36) Denmark stresses that, despite the fact that its rules providing for lower levels of nitrites which may be added have been in place for many years, they have proved adequate to prevent botulism. The Danish Government points out that these rules have never given rise to problems with the preservation of the products concerned and that Denmark has a very low rate of food poisoning cases caused by sausages compared with other Member States. It states that there are fewer cases of botulism than in most other Member States. According to the European Communicable Disease Bulletin, Eurosurveillance, of January 1999, which is a special issue on botulism in Europe, botulism is very rare in Denmark. The Danish health surveillance institution, the *Statens Serum Institute*, states on its website that after 1980 there have only occurred five cases of botulism amongst the Danish population, none of these being caused by the consumption of meat products.
- (37) Moreover, Denmark maintains that its provisions on nitrite do not act as an obstacle to trade, referring to figures showing that imports of meat products from other Member States have been taking place and have even been increasing in recent years.
- (38) In sum, Denmark considers it legitimate to reduce the risk to human health stemming from the exposure to nitrosamines beyond the requirements of Directive 2006/52/EC through the continued application of its legislation.

2.2. EVALUATION OF THE DANISH POSITION

2.2.1. *Justification on grounds of major needs referred to in Article 30*

- (39) The Danish legislation aims to achieve a higher level of protection of health and life of humans with regard to exposure to nitrites and the possible formation of nitrosamines in meat products, by specifying lower maximum added amounts of nitrite in relation to many meat products and not allowing the placing on the market of products for which only maximum residual levels can be established.

(40) When assessing whether the Danish legislation is actually adequate and necessary for achieving this objective a number of factors need to be taken into account. In particular, two health risks need to be balanced, the one related to the presence of nitrosamines in meat products, on the one hand, and the microbiological safety of meat products, on the other hand. The latter aspect is more than a mere technological need, but a highly relevant health concern in its own right. While it is recognised that the levels of nitrites in meat products need to be limited, lower levels of nitrite in meat will not automatically lead to a higher protection of human health. The most appropriate level of nitrite depends on a number of factors acknowledged in the relevant opinions of the SCF and EFSA, e.g. the addition of salt, moisture, pH, shelf life of the product, hygiene, temperature control, etc.

(41) In the light of the preceding considerations and those under points (9) and (10) before, the Commission considers that, in principle, Directive 2006/52/EC constitutes an adequate response to the challenge of reconciling two conflicting health risks in light of the diversity of meat products across the Community.

(42) On the other hand, the Commission has to evaluate the specific choices made by the Danish regulator and the experience made with these rules, which have been in force for a considerable period of time. Through the figures it provided on the occurrence of food poisoning and, in particular, botulism, Denmark has demonstrated that it has so far achieved satisfactory results with its legislation. These data show that the maximum levels specified in the Danish legislation appear to have been sufficient to ensure the microbiological safety of the meat products currently made in Denmark and the production methods currently used in Denmark.

(43) The Commission notes that the Danish legislation is compatible with the relevant scientific opinions of the Community's scientific bodies. It is based on a regulation of maximum added values and respects the ranges of added amounts of nitrite referred to in these opinions, i.e. 50-150 mg/kg. At the same time, Denmark has established more specific maximum added amounts for particular groups of meat products, compared with the Directive, in light of the types of meat products and manufacturing methods prevailing in Denmark.

(44) In addition, it must be considered that, according to information provided by Denmark, the bulk of the meat products consumed by the Danish population, approximately 90 %, relates to meat products for which there is currently a limit of 60 mg/kg and which would have to be replaced with a limit of 100 or 150 mg/kg.

Since Danish manufacturers, like manufacturers in other Member States, would not be obliged to raise the amounts of nitrites currently added to their products to the maximum levels referred to in Directive 2006/52/EC, it is unlikely that the actual exposure of the Danish population to nitrites in meat products would increase to the extent suggested in the Danish submission, i.e. by a factor of 2,3-2,4. However, an increase of the actual exposure of the Danish population to nitrites cannot be excluded.

(45) On the basis of the information available at the moment, the Commission considers that the request to maintain more stringent measures than those contained in Directive 2006/52/EC can be temporarily accepted on grounds of protection of public health in Denmark.

2.2.2. Absence of any arbitrary discrimination, any disguised restriction of trade between Member States or any obstacle to the functioning of the internal market

2.2.2.1. Absence of arbitrary discrimination

(46) Article 95(6) obliges the Commission to verify that the envisaged measures are not a means of arbitrary discrimination. According to the jurisprudence of the Court of Justice, in order for there to be no discrimination, similar situations must not be treated in different ways and different situations must not be treated in the same way.

(47) The Danish national rules apply to both domestic products and products made in other Member States. In the absence of any evidence of the contrary, it can be concluded that the national provisions are not a means of arbitrary discrimination.

2.2.2.2. Absence of a disguised restriction on trade

(48) National measures which restrict the use of products to a greater extent than a Community Directive would normally constitute a barrier to trade, insofar as products that are legally placed on the market and used in the rest of the Community are not expected, as a result of the prohibition on use, to be placed on the market in the Member State concerned. The pre-conditions laid down in Article 95(6) of the EC Treaty are intended to prevent restrictions based on the criteria set out in paragraphs 4 and 5 thereof from being applied for inappropriate reasons, and constituting in effect economic measures to impede the importation of products from other Member States, that is to say, a means of indirectly protecting national production.

(49) Given that the Danish rules impose stricter standards on the addition of nitrites to meat products also on operators based in other Member States in an otherwise harmonised area, they are liable to constitute a disguised restriction of trade or an obstacle to the functioning of the internal market. It is recognised, however, that Article 95(6) of the EC Treaty must be read in the sense that only national measures constituting a *disproportionate* obstacle to the internal market may not be approved. In this connection, Denmark has submitted figures which indicate that imports of meat products from other Member States have been taking place in spite of its legislation and have even been increasing in recent years.

(50) In the absence of any evidence suggesting that the national provisions constitute, in effect, a measure intended to protect national production, it can be concluded that they are not a disguised restriction to trade between Member States.

2.2.2.3. Absence of obstacles to the functioning of the internal market

(51) This condition cannot be interpreted in such a way that it precludes the approval of any national measure likely to affect the establishment of the internal market. Indeed, any national measure derogating from a harmonisation measure aiming at the establishment and operation of the internal market constitutes in substance a measure likely to affect the internal market. Consequently, in order to preserve the useful character of the procedure laid down in Article 95 of the EC Treaty, the concept of obstacle to the functioning of the internal market must, in the context of Article 95(6) of the EC Treaty, be understood as a disproportionate effect in relation to the pursued objective.

(52) Given the health benefits invoked by the Danish government in relation to the reduction of exposure to nitrites in meat products and the fact that, on the basis of currently available figures, trade does appear not to be affected at all or only to a very limited extent, the Commission considers that the notified Danish rules may be temporarily maintained on grounds relating to the protection of health and life of humans having regard to the fact that they are not disproportionate and do, therefore, not constitute an obstacle to the functioning of the internal market in the sense of Article 95(6) of the EC Treaty.

(53) In the light of this analysis, the Commission considers that the condition relating to the absence of obstacles to the functioning of the internal market is fulfilled.

2.2.3. Limitation in time

(54) The above conclusions are based on the currently available information and, in particular, on figures indi-

cating that Denmark has been able to control botulism despite lower maximum levels of nitrite added to particular types of meat products, while not disrupting trade in a disproportionate fashion.

(55) Another important factor is the rate of consumption in Denmark of meat products in relation to which the application of Directive 2006/52/EC could lead to an increase of the exposure of the Danish population to nitrites and thereby nitrosamines.

(56) Since it cannot be predicted with a sufficient degree of certainty that these factors will not change significantly in the course of time, the Commission considers it appropriate to re-examine the situation at the latest in two years' time on the basis of updated information.

(57) The two-year period will permit the Danish Government to introduce a renewed application, in due time, and to supply further relevant data concerning the fact that the application of the levels laid down in Directive 2006/52/EC does not achieve the required level of protection and would lead to an unacceptable risk to human health.

(58) In order to be able to submit such data Denmark will have to monitor the situation in particular with regard to the control of botulism, the share of meat products covered by the 60 mg/kg limit in the overall consumption of meat products in Denmark, including any other risk factor of typical dietary habits as relevant, as well as imports of meat products from other Member States.

(59) In its renewed application Denmark would also have to provide a full justification for the continued maintenance of its legislation.

(60) At the same time, the two-year period will allow the Commission to check and analyse the transposition of Directive 2006/52/EC in the Member States, and to re-examine Directive 2006/52/EC under the terms of Article 95(7) of the EC Treaty, including further consultations of the Member States and EFSA.

(61) Against this background, the Commission considers that the national provisions, to the extent specified above, can be approved for a limited period. The approval should extend to the time needed to gather and to carefully evaluate the necessary information. The Commission considers that a period of two years from the date of the present decision is necessary to that effect. The decision will expire on that date.

- (62) Denmark remains obliged to transpose the other provisions of Directive 2006/52/EC into its national law,

III. CONCLUSION

In the light of the above considerations, and taking account of comments provided by Member States on the notification submitted by the Danish authorities, the Commission is of the opinion that the request by Denmark, submitted on 23 November 2007, for maintaining its national provisions on the addition of nitrites, which are more stringent than those of Directive 2006/52/EC, can be approved for a period of two years from the date of adoption of the present decision, pending the demonstration by the Danish authorities that the levels laid down in Directive 2006/52/EC would lead to an unacceptable risk,

HAS ADOPTED THIS DECISION:

Article 1

The national provisions on the addition of nitrites to meat and meat products contained in Order No 22 of 11 January 2005

on food additives (*Bekendtgørelse nr 22 af 11.1.2005 om tilsætningsstoffer til fødevarer*) and the Danish positive list of permitted food additives (*Liste over tilladte tilsætningsstoffer til fødevarer, 'Positivlisten'*), which the Kingdom of Denmark notified to the Commission by letter of 21 November 2007, pursuant to Article 95(4) of the EC Treaty, are approved.

Article 2

This Decision shall expire on 23 May 2010.

Article 3

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 23 May 2008.

For the Commission

Androulla VASSILIOU
Member of the Commission

COMMISSION DECISION

of 10 June 2008

amending Decision 2008/155/EC as regards certain embryo collection and production teams in Australia, Canada and the United States

(notified under document number C(2008) 2466)

(Text with EEA relevance)

(2008/449/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species ⁽¹⁾, and in particular Article 8(1) thereof,

Whereas:

(1) Commission Decision 2008/155/EC of 14 February 2008 establishing a list of embryo collection and production teams in third countries approved for imports of bovine embryos into the Community ⁽²⁾ provides that Member States are to import embryos from third countries only if they have been collected, processed and stored by embryo collection and production teams listed in the Annex to that Decision.

(2) Australia has requested to delete one embryo collection team from the list as regards entries for that country.

(3) Canada and the United States have requested that amendments be made to the entries for those countries on that list as regards certain embryo collection teams.

(4) Canada and the United States have provided guarantees regarding compliance with the appropriate rules set out in Directive 89/556/EEC and the embryo collection teams concerned have been officially approved for exports to the Community by the veterinary services of those countries.

(5) Decision 2008/155/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2008/155/EC is amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 June 2008.

For the Commission

Androulla VASSILIOU

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1989, p. 1. Directive as last amended by Commission Decision 2006/60/EC (OJ L 31, 3.2.2006, p. 24).

⁽²⁾ OJ L 50, 23.2.2008, p. 51.

ANNEX

The Annex to Decision 2008/155/EC is amended as follows:

- (1) the row for Australia embryo collection team ETV0006 is deleted.
- (2) the row for Canada embryo collection team No E 1159 is replaced by the following:

'CA		E 1159 E 1719		Clinique vétérinaire de Saint-Georges 555, rue 130ième Est Saint-Georges de Beauce, Québec G5Y 2T4	Dr Michel Donnelly Dr Clermont Roy'
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- (3) the following rows for Canada are inserted:

'CA		E 1596		Optimum Genetics Ltd 4246 Albert Street, suite 407 Regina, Saskatchewan S4S 3R9	Dr Stan Bychawski
CA		E 1020		Progressive Dairy Techniques International Inc 1223 Cedar Creek Road, R.R. 4 Cambridge, Ontario N1R 5S5	Dr John C. Draper
CA		E 1732		Aylmer Veterinary Clinic 421 Talbot St. West Aylmer, Ontario N5H 1K8	Dr James Raddatz
CA		E 1680		Oxford Bovine Veterinary Services 276311 27 th Line, R.R. 3 Lakeside, Ontario, N0M 2G0	Dr Frank Jongert'

- (4) the row for the United States embryo collection team No 99TX104 E874 is replaced by the following:

'US		99TX104 E1376		Ultimate Genetics/Camp Cooley Rt 3 Box 745 Franklin, TX 77856	Dr Dan Miller'
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- (5) the row for the United States embryo collection team No 96TX088 E928 is replaced by the following:

'US		96TX088 E1376		Advanced Genetic Services 41402 OSR Normangee, TX 77871	Dr Dan Miller'
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- (6) the following rows for the United States are inserted:

'US		08TX138 E1376		Santa Elena Ranch 720 HWY 75 S Madisonville, TX 77864	Dr Dan Miller
US		08GA139 E795		Troy Yoder 5979 HWY 26 Montezuma, GA 31063	Dr Mitchell Parks'

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2008/450/CFSP

of 16 June 2008

regarding a further contribution of the European Union to the conflict settlement process in Georgia/South Ossetia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 14 thereof,

Whereas:

(1) On 27 June 2006, the Council adopted Joint Action 2006/439/CFSP regarding a further contribution of the European Union to the conflict settlement process in Georgia/South Ossetia ⁽¹⁾, which was extended by Joint Action 2007/484/CFSP ⁽²⁾ until 31 December 2007.

(2) The EU's assistance under Joint Action 2006/439/CFSP has reinforced the effectiveness of its role, as well as that of the OSCE, in the settlement of the conflict in Georgia/South Ossetia. In particular, the EU's contribution to the OSCE mission to Georgia has been effective in ensuring the functioning of permanent secretariats for the Georgian and the South Ossetian representatives, under the aegis of the OSCE, and in facilitating meetings within the framework of the Joint Control Commission (hereinafter referred to as 'JCC') which is the main forum of the conflict settlement process.

(3) The OSCE has appealed for follow-up assistance from the EU, and the EU has agreed to offer further financial assistance to the conflict settlement process. This financial assistance should focus on support for JCC meetings, for Steering Committee meetings on an economic rehabilitation programme and a related newsletter, for a confidence-building workshop and for a meeting of representatives of the law enforcement bodies.

(4) The assistance to be provided by the EU under this Joint Action is complementary to the work of the European Union Special Representative (hereinafter referred to as 'EUSR') for the South Caucasus appointed by Joint Action 2008/132/CFSP ⁽³⁾, whose mandate is, *inter alia*, to contribute to the prevention of conflicts, to assist in conflict resolution and to intensify the European Union's dialogue with the main interested actors concerning the region,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. The European Union shall contribute to strengthening the conflict settlement process in South Ossetia.

2. For this purpose, the European Union shall provide a contribution to the OSCE to finance meetings of the JCC and other mechanisms within the JCC framework.

3. The European Union shall provide a contribution to the OSCE to finance Steering Committee meetings on an economic rehabilitation programme, the Economic Rehabilitation Programme Newsletter, a confidence-building workshop and a meeting of the representatives of the law enforcement bodies.

4. As part of the EU's support for a series of confidence-building measures in Georgia, the European Union shall also provide a contribution to host an informal JCC meeting in Brussels or in the capital city of the Member State exercising the Council Presidency.

⁽¹⁾ OJ L 174, 28.6.2006, p. 9.

⁽²⁾ OJ L 181, 11.7.2007, p. 14.

⁽³⁾ OJ L 43, 19.2.2008, p. 30.

Article 2

The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP, shall be responsible for the implementation of this Joint Action, with a view to the fulfilment of its objectives as set out in Article 1.

Article 3

1. Disbursement of financial aid provided under this Joint Action shall be conditional upon the holding of regular meetings of the JCC and the other mechanisms in the JCC framework, as well as the holding of Steering Committee meetings on an economic rehabilitation programme and the issuing of a newsletter on the programme, a confidence-building workshop, a meeting of the representatives of the law enforcement bodies, as well as an informal JCC meeting in Brussels or in the capital city of the Member State exercising the Council Presidency, within 12 months of the starting date of the financing agreement to be concluded between the Commission and the OSCE mission to Georgia. Both the Georgian and South Ossetian sides should make demonstrable efforts to achieve real political progress towards a lasting and peaceful settlement of their differences.

2. The Commission shall be entrusted with the task of controlling and evaluating the implementation of the EU's financial contribution, in particular with regard to the conditions set out in paragraph 1. To that end, the Commission shall conclude a financing agreement with the OSCE mission to Georgia on the use of the EU contribution, which shall take the form of a grant. The Commission shall also ensure the correct use of the grant for the purposes set out in Article 1(2), (3) and (4).

3. The OSCE mission to Georgia shall be responsible for reimbursing mission expenses, for the organisation of conferences under the aegis of the JCC, and for the correct purchase and handing over of equipment. The financing agreement shall stipulate that the OSCE mission to Georgia shall ensure visibility of the EU contribution to the project and that it shall provide the Commission with quarterly reports on its implementation.

4. The Commission, in close cooperation with the EUSR for South Caucasus, shall liaise closely with the OSCE mission to Georgia in order to monitor and evaluate the impact of the EU contribution.

5. The Commission shall report in writing on the implementation of this Joint Action to the Council, under the responsibility of the Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP. This report shall in particular be based on quarterly reports to be provided by the OSCE mission to Georgia, as stipulated in paragraph 3.

Article 4

1. The total financial reference amount for the EU contribution referred to in Article 1(2), (3) and (4) shall be EUR 223 000.

2. The management of the expenditure financed by the amount specified in paragraph 1 shall be subject to the European Community procedures and rules applicable to the general budget of the European Union.

Article 5

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

It shall apply until 16 June 2009.

2. This Joint Action shall be reviewed 10 months after its entry into force. To that end, the EUSR for the South Caucasus, in association with the Commission, shall assess the need for further support to the settlement process in Georgia/South Ossetia and make recommendations to the Council, as appropriate.

Article 6

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

Done at Luxembourg, 16 June 2008.

For the Council

The President

D. RUPEL