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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COUNCIL REGULATION (EC) No 1222/2008

of 1 December 2008

amending Regulation (EC) No 40/2008, as regards management measures adopted in the Indian Ocean Tuna Commission

THE COUNCIL OF THE EUROPEAN UNION,

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 20 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EC) No 40/2008 ⁽²⁾ fixes 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.
- (2) At its annual meetings in 2006 and 2007, the Indian Ocean Tuna Commission (IOTC) adopted a number of management and control measures, concerning the limitation of fishing capacity of vessels fishing for tropical tunas and those fishing for swordfish and albacore; these measures which have been implemented in Community law by Regulation (EC) No 40/2008.
- (3) To ensure a sustainable exploitation of the highly migratory species in the Indian Ocean and taking into account the historical fishing patterns and the active presence of the EC fleet fishing for highly migratory species in the IOTC area during the reference years 2006 and 2007, it is appropriate to establish the number of Community vessels of 24 m in overall

length or more and those of less than 24 m operating outside the exclusive economic zone fishing for tropical tuna, and the number of Community vessels fishing for swordfish and albacore, as well as the corresponding capacity in gross tonnage and the allocation among the Member States concerned.

- (4) Regulation (EC) No 40/2008 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 40/2008

Articles 72 and 73 of Regulation (EC) No 40/2008 shall be replaced by the following:

Article 72

Limitation of fishing capacity of vessels fishing for tropical tunas

1. The maximum number of Community vessels fishing for tropical tunas in the IOTC area, and the corresponding capacity in gross tonnage (GT), shall be as follows:

Member State	Maximum number of vessels	Capacity (GT)
Spain	22	61 400
France	21	31 467
Italy	1	2 137

2. Notwithstanding paragraph 1, Member States may change the number of vessels, by gear type, provided that they can demonstrate to the Commission that this change does not lead to an increase of fishing effort on the fish stocks involved.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 19, 23.1.2008, p. 1.

3. Member States shall ensure that, where there is a proposed transfer of capacity to their fleet, vessels to be transferred are entered on the IOTC record of vessels or on the record of vessels of other Tuna Regional Fisheries Management Organisations. No vessels on an IUU vessels list of any Regional Fisheries Management Organisation may be transferred.

4. The Community vessels referred to in paragraph 1 shall also be authorised to fish for swordfish and albacore in the IOTC area.

5. In order to take into account the implementation of the development plans submitted to the IOTC, the limitations of fishing capacity, as mentioned in this Article, may be increased within the limits set out in those development plans.

Article 73

Limitation of fishing capacity of vessels fishing for swordfish or albacore

1. The maximum number of Community vessels fishing for swordfish and albacore in the IOTC area, and the corresponding capacity in GT, shall be as follows:

Member State	Maximum number of vessels	Capacity (GT)
Spain	27	11 600
France	25	1 940
Portugal	26	10 100
United Kingdom	4	1 400

2. Notwithstanding paragraph 1, Member States may change the number of vessels, by gear type, provided that they can demonstrate to the Commission that this change does not lead to an increase of fishing effort on the fish stocks involved.

3. Member States shall ensure that, where there is a proposed transfer of capacity to their fleet, vessels to be transferred are on the IOTC record of vessels or on the record of vessels of other Tuna Regional Fisheries Organisations. No vessels on an IUU vessels list of any Regional Fisheries Management Organisation may be transferred.

4. The Community vessels referred to in paragraph 1 shall also be authorised to fish for tropical tuna in the IOTC area.

5. In order to take into account the implementation of the development plans submitted to the IOTC, the limitations of fishing capacity, as mentioned in this Article, may be increased within the limits set out in those development plans.’

Article 2

Entry into force

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

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

Done at Brussels, 1 December 2008.

For the Council
The President
H. NOVELLI

COMMISSION REGULATION (EC) No 1223/2008**of 9 December 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 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⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

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 Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 December 2008.

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

Done at Brussels, 9 December 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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	80,4
	TR	79,9
	ZZ	80,2
0707 00 05	JO	167,2
	MA	56,2
	TR	88,0
	ZZ	103,8
0709 90 70	MA	127,5
	TR	117,8
	ZZ	122,7
0805 10 20	BR	44,6
	EG	30,5
	MA	76,3
	TR	53,5
	UY	34,6
	ZA	50,1
	ZW	43,9
	ZZ	47,6
0805 20 10	MA	67,3
	TR	73,0
	ZZ	70,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	AR	62,9
	CN	52,4
	HR	19,9
	IL	85,9
	TR	56,6
	ZZ	55,5
0805 50 10	MA	64,0
	TR	61,1
	ZZ	62,6
0808 10 80	CA	89,2
	CL	43,7
	CN	94,8
	MK	34,8
	US	97,9
	ZA	123,2
	ZZ	80,6
0808 20 50	AR	73,4
	CL	48,4
	CN	73,6
	TR	97,0
	US	128,8
	ZZ	84,2

⁽¹⁾ Nomenclature of countries laid down 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 1224/2008**of 9 December 2008****determining the extent to which the import licence applications submitted in November 2008 for certain milk products under certain tariff quotas opened by Regulation (EC) No 2535/2001 can be accepted**

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⁾,

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,

Whereas:

Import licence applications lodged from 20 November to 30 November 2008 for certain tariff quotas referred to in Annex I to Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation No 1255/1999 as regards the import

arrangements for milk and milk products and opening tariff quotas ⁽³⁾ relate to quantities greater than those available. The extent to which licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

For import licence applications lodged from 20 November to 30 November 2008 for the tariff quotas referred to in parts I.A, I.D, I.F, I.H, I.I, and I.J of Annex I to Regulation (EC) No 2535/2001, licences shall be issued for the quantities requested, multiplied by the allocation coefficient(s) set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 10 December 2008.

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

Done at Brussels, 9 December 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 341, 22.12.2001, p. 29.

ANNEX

I.A

Tariff quota number	Allocation coefficient
09.4590	100 %
09.4599	—
09.4591	100 %
09.4592	—
09.4593	—
09.4594	—
09.4595	2,040816 %
09.4596	100 %

‘—’: No application for a licence has been sent to the Commission.

I.D

Products originating in Turkey

Tariff quota number	Allocation coefficient
09.4101	—

‘—’: No application for a licence has been sent to the Commission.

I.F

Products originating in Switzerland

Tariff quota number	Allocation coefficient
09.4155	99,009900 %

I.H

Products originating in Norway

Tariff quota number	Allocation coefficient
09.4179	100 %

I.I

Products originating in Iceland

Tariff quota number	Allocation coefficient
09.4205	100 %
09.4206	100 %

LJ

Products originating in the Republic of Moldova

Tariff quota number	Allocation coefficient
09.4210	—

‘—’: No application for a licence has been sent to the Commission.

COMMISSION REGULATION (EC) No 1225/2008**of 9 December 2008****amending Regulation (EC) No 1186/2008 fixing the import duties in the cereals sector applicable from 1 December 2008**

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⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector applicable from 1 December 2008 were fixed by Commission Regulation (EC) No 1186/2008 ⁽³⁾.

- (2) As the average of the import duties calculated differs by more than EUR 5/tonne from that fixed, a corresponding adjustment must be made to the import duties fixed by Regulation (EC) No 1186/2008.

- (3) Regulation (EC) No 1186/2008 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1186/2008 are hereby replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 10 December 2008.

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

Done at Brussels, 9 December 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 161, 29.6.1996, p. 125.

⁽³⁾ OJ L 319, 29.11.2008, p. 56.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 10 December 2008

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	40,45
1005 10 90	Maize seed other than hybrid	32,93
1005 90 00	Maize, other than seed ⁽²⁾	32,93
1007 00 90	Grain sorghum other than hybrids for sowing	40,45

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

28.11.2008-8.12.2008

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	190,56	105,00	—	—	—	—
Fob price USA	—	—	241,10	231,10	211,10	109,13
Gulf of Mexico premium	—	9,64	—	—	—	—
Great Lakes premium	27,27	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).⁽²⁾ Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).⁽³⁾ Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight costs: Gulf of Mexico–Rotterdam: 10,90 EUR/t

Freight costs: Great Lakes–Rotterdam: 8,87 EUR/t

COMMISSION REGULATION (EC) No 1226/2008**of 8 December 2008****amending Council Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Regulation (EC) No 314/2004 should, therefore, be amended accordingly.

Having regard to the Treaty establishing the European Community,

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

Having regard to Council Regulation (EC) No 314/2004 of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe ⁽¹⁾, and in particular Article 11(b) thereof,

HAS ADOPTED THIS REGULATION:

Whereas:

Article 1

- (1) Annex III to Regulation (EC) No 314/2004 lists the persons covered by the freezing of funds and economic resources under that Regulation.

Annex III to Regulation (EC) No 314/2004 is hereby amended as set out in the Annex to this Regulation.

Article 2

- (2) Council Decision 2008/922/CFSP ⁽²⁾ amends the Annex to Common Position 2004/161/CFSP ⁽³⁾ by adding 11 individuals and removing one individual. Annex III to

This Regulation shall enter into force on the day 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, 8 December 2008.

For the Commission

Eneko LANDÁBURU

Director-General for External Relations

⁽¹⁾ OJ L 55, 24.2.2004, p. 1.

⁽²⁾ See page 22 of this Official Journal.

⁽³⁾ OJ L 50, 20.2.2004, p. 66.

ANNEX

Annex III to Regulation (EC) No 314/2004 is amended as follows:

(1) The following natural persons are added after number 168 of the list:

NAME	FUNCTION / REASONS FOR LISTING
173. Newton Kachepa	Member of Parliament for Mudzi North, directly involved in the campaign of terror waged before and after the elections
174. Major Kairo Mhandu	Zimbabwe National Army (ZNA), directly involved in the campaign of terror waged before and after the elections
175. Brigadier General Sibusio Bussie Moyo	Zimbabwe National Army (ZNA), directly involved in the campaign of terror waged before and after the elections
176. Brigadier General Richard Ruwodo	Promoted on 12 August 2008 to the rank of Major General (retired); former Acting Permanent Under Secretary (PUS) for Ministry of Defence, directly involved in the campaign of terror waged before and after the elections
177. Misheck Nyawani	Directly involved in the campaign of terror waged before and after the elections
178. Columbus Mudonhi	Assistant Inspector Zimbabwe Republic Police (ZRP), directly involved in the campaign of terror waged before and after the elections
179. Isaac Mumba	Superintendent, directly involved in the campaign of terror waged before and after the elections
180. Martin Kwainona	Assistant Commissioner, directly involved in the campaign of terror waged before and after the elections
181. Paul Mudzvova	Sergeant (SGT), directly involved in the campaign of terror waged before and after the elections
182. Martin Dinha	Provincial Governor for Mashonaland Central
183. Faber Chidarikire	Provincial Governor for Mashonaland West

(2) The following natural person is deleted from the list:

45. Makoni , Simbarashe	ZANU (PF) Politburo Deputy Secretary General for Economic Affairs (former Minister of Finance), born 22.3.1950; member of the Politburo and as such with strong ties to the Government and its policy.
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COMMISSION REGULATION (EC) No 1227/2008**of 9 December 2008****prohibiting fishing for black scabbardfish in Community waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII and XII 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 the common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2015/2006 of 19 December 2006 fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks ⁽³⁾ lays down quotas for 2007 and 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 for 2008 to the Member State referred to in the Annex to this Regulation for the stock referred to therein shall be deemed to be exhausted from the date stated 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 stated in that Annex. After that date it shall also be prohibited to retain on board, tranship or land such stock caught by those vessels.

*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, 9 December 2008.

For the Commission

Fokion FOTIADIS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1.

⁽³⁾ OJ L 384, 29.12.2006, p. 28.

ANNEX

No	11/DSS
Member State	ESP
Stock	BSF/56712-
Species	Black scabbardfish (<i>Aphanopus carbo</i>)
Area	Community waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII and XII
Date	24.8.2008

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 4 December 2008

approving certain amended programmes for the eradication and monitoring of animal diseases and zoonoses for the year 2008 and amending Decision 2007/782/EC as regards the reallocation of the Community's financial contribution to certain Member States for programmes approved by that Decision

(notified under document number C(2008) 7572)

(2008/920/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, and in particular Article 24(5) and (6) thereof,

Whereas:

(1) Decision 90/424/EEC lays down the procedures governing the Community's financial contribution for programmes for the eradication, control and monitoring of animal diseases and zoonoses.

(2) Commission Decision 2007/782/EC of 30 November 2007 approving annual and multi-annual national programmes and the financial contribution from the Community for the eradication, control and monitoring of certain animal diseases and zoonoses, presented by the Member States for 2008 and the following years ⁽²⁾ approves certain national programmes and sets out the rate and maximum amount of the Community's financial contribution for each programme submitted by the Member States.

(3) The Commission has assessed the reports submitted by the Member States on the expenditures incurred for those programmes. The results of that assessment show that certain Member States will not utilise their full allocation for 2008 while others will spend in excess of the allocated amount.

(4) The Community's financial contribution for a number of those national programmes therefore needs to be adjusted. It is appropriate to reallocate funding from national programmes which will not use their full allocation to those that will exceed it. The reallocation should be based on the most recent information on expenditure actually incurred by the concerned Member States.

(5) In addition, Belgium, Denmark and Finland have submitted amended programmes for the monitoring of transmissible spongiform encephalopathies (TSEs), Hungary has submitted an amended programme for the eradication of rabies and Romania has submitted an amended programme for the eradication of classical swine fever.

(6) The Commission has assessed those amended programmes from both the veterinary and the financial point of view. Those programmes were found to comply with relevant Community veterinary legislation, and in particular with the criteria set out in Decision 90/638/EEC ⁽³⁾. The amended programmes for those five Member States should therefore be approved.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 314, 1.12.2007, p. 29.

⁽³⁾ OJ L 347, 12.12.1990, p. 27.

- (7) Decision 2007/782/EC should therefore be amended accordingly.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The amended programme for the monitoring of transmissible spongiform encephalopathies (TSEs) submitted by Belgium on 23 May 2008 is hereby approved for the period from 1 January 2008 to 31 December 2008.

Article 2

The amended programme for the monitoring of transmissible spongiform encephalopathies (TSEs) submitted by Denmark on 18 June 2008 is hereby approved for the period from 1 January 2008 to 31 December 2008.

Article 3

The amended programme for the monitoring of TSEs submitted by Finland on 9 April 2008 is hereby approved for the period from 1 January 2008 to 31 December 2008.

Article 4

The amended programme for the eradication of rabies submitted by Hungary on 4 September 2008 is hereby approved for the period from 1 January 2008 to 31 December 2008.

Article 5

The amended programme for the eradication of classical swine fever submitted by Romania on 30 June 2008 is hereby approved for the period from 1 January 2008 to 31 December 2008.

Article 6

Decision 2007/782/EC is amended as follows:

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

‘2. The financial contribution by the Community shall be at the rate of 50 % of the costs to be incurred by each Member State referred to in paragraph 1 for the cost of carrying out laboratory tests, the compensation to owners for the value of their animals slaughtered subject to those programmes and the purchase of vaccine doses, and shall not exceed:

- (a) EUR 1 550 000 for Ireland;
- (b) EUR 3 000 000 for Spain;
- (c) EUR 4 100 000 for Italy;
- (d) EUR 15 000 for Cyprus;
- (e) EUR 1 460 000 for Portugal;
- (f) EUR 4 400 000 for the United Kingdom.’

2. In Article 2, paragraph 2 is amended as follows:

- (a) In point (b), ‘EUR 6 100 000’ is replaced by ‘EUR 7 700 000’;
- (b) In point (d), ‘EUR 1 100 000’ is replaced by ‘EUR 1 500 000’.

3. In Article 3(2), points (a) and (b) are replaced by the following:

- ‘(a) EUR 4 400 000 for Spain;
- (b) EUR 3 500 000 for Italy;’

4. In Article 4, paragraph 2 is amended as follows:

- (a) In point (a), ‘EUR 377 000’ is replaced by ‘EUR 630 000’;
- (b) In point (c), ‘EUR 3 100 000’ is replaced by ‘EUR 1 200 000’;
- (c) In point (e), ‘EUR 4 100 000’ is replaced by ‘EUR 5 800 000’;
- (d) In point (f), ‘EUR 351 000’ is replaced by ‘EUR 3 100 000’;
- (e) In point (i), ‘EUR 527 000’ is replaced by ‘EUR 125 000’;
- (f) In point (k), ‘EUR 1 004 000’ is replaced by ‘EUR 610 000’;
- (g) In point (l), ‘EUR 43 000’ is replaced by ‘EUR 100 000’.

5. In Article 5, paragraph 2 is amended as follows:

- (a) In point (a), ‘EUR 550 000’ is replaced by ‘EUR 700 000’;
- (b) In point (c), ‘EUR 200 000’ is replaced by ‘EUR 500 000’;
- (c) In point (e), ‘EUR 600 000’ is replaced by ‘EUR 50 000’;
- (d) In point (i), ‘EUR 500 000’ is replaced by ‘EUR 400 000’;

- (e) In point (j), 'EUR 470 000' is replaced by 'EUR 120 000';
- (f) In point (m), 'EUR 400 000' is replaced by 'EUR 750 000';
- (g) In point (n), 'EUR 1 300 000' is replaced by 'EUR 1 000 000';
- (h) In point (p), 'EUR 2 000 000' is replaced by 'EUR 2 400 000';
- (i) In point (r), 'EUR 400 000' is replaced by 'EUR 10 000'.
6. In Article 6, paragraph 2 is amended as follows:
- (a) In point (a), 'EUR 750 000' is replaced by 'EUR 500 000';
- (b) In point (d), 'EUR 2 000 000' is replaced by 'EUR 250 000';
- (c) In point (g), 'EUR 3 500 000' is replaced by 'EUR 2 450 000';
- (d) In point (i), 'EUR 1 000 000' is replaced by 'EUR 200 000';
- (e) In point (k), 'EUR 300 000' is replaced by 'EUR 80 000';
- (f) In point (m), 'EUR 2 000 000' is replaced by 'EUR 3 400 000';
- (g) Points (o) to (s) are replaced by the following:
- (o) EUR 700 000 for Austria;
- (p) EUR 3 500 000 for Poland;
- (q) EUR 50 000 for Portugal;
- (r) EUR 20 000 for Romania;
- (s) EUR 500 000 for Slovakia;.
7. In Article 7, paragraph 2 is amended as follows:
- (a) In point (f), 'EUR 2 500 000' is replaced by 'EUR 2 000 000';
- (b) In point (h), 'EUR 525 000' is replaced by 'EUR 375 000'.
8. In Article 9, paragraph 2, is amended as follows:
- (a) In point (c), 'EUR 65 000' is replaced by 'EUR 25 000';
- (b) In point (e), 'EUR 580 000' is replaced by 'EUR 280 000';
- (c) In point (k), 'EUR 380 000' is replaced by 'EUR 600 000';
- (d) In point (u), 'EUR 465 000' is replaced by 'EUR 300 000'.
9. In Article 10, paragraph 2 is amended as follows:
- (a) In point (f), 'EUR 250 000' is replaced by 'EUR 280 000';
- (b) In point (g), 'EUR 5 000 000' is replaced by 'EUR 6 200 000';
- (c) In point (i), 'EUR 4 700 000' is replaced by 'EUR 5 500 000';
- (d) In point (k), 'EUR 3 050 000' is replaced by 'EUR 5 800 000';
- (e) In point (l), 'EUR 250 000' is replaced by 'EUR 450 000';
- (f) In point (m), 'EUR 300 000' is replaced by 'EUR 350 000';
- (g) In point (r), 'EUR 3 150 000' is replaced by 'EUR 2 950 000';
- (h) In point (s), 'EUR 1 250 000' is replaced by 'EUR 1 400 000';
- (i) In point (t), 'EUR 3 250 000' is replaced by 'EUR 1 350 000';
- (j) In point (u), 'EUR 1 250 000' is replaced by 'EUR 2 700 000';
- (k) In point (v), 'EUR 7 500' is replaced by 'EUR 1 000 000';
- (l) In point (x), 'EUR 750 000' is replaced by 'EUR 550 000';
- (m) In point (y), 'EUR 650 000' is replaced by 'EUR 550 000';
- (n) In point (z), 'EUR 1 150 000' is replaced by 'EUR 1 500 000'.
10. In Article 11, paragraph 2 is amended as follows:
- (a) In point (g), 'EUR 430 000' is replaced by 'EUR 130 000';
- (b) In point (i), 'EUR 500 000' is replaced by 'EUR 200 000';
- (c) In point (o), 'EUR 100 000' is replaced by 'EUR 300 000';
- (d) In point (p), 'EUR 232 000' is replaced by 'EUR 130 000'.

11. In Article 12, paragraph 2 is amended as follows:

- (a) In point (d), 'EUR 204 000' is replaced by 'EUR 110 000';
- (b) In point (e), 'EUR 1 000 000' is replaced by 'EUR 100 000';
- (c) In point (g), 'EUR 550 000' is replaced by 'EUR 250 000';
- (d) In point (i), 'EUR 3 800 000' is replaced by 'EUR 3 700 000';
- (e) In point (j), 'EUR 3 000 000' is replaced by 'EUR 2 450 000';
- (f) In point (l), 'EUR 1 100 000' is replaced by 'EUR 1 200 000';
- (g) In point (q), 'EUR 258 000' is replaced by 'EUR 150 000';
- (h) In point (s), 'EUR 35 000' is replaced by 'EUR 100 000';
- (i) In point (t), 'EUR 881 000' is replaced by 'EUR 100 000';
- (j) In point (v), 'EUR 302 000' is replaced by 'EUR 100 000';
- (k) In point (w), 'EUR 201 000' is replaced by 'EUR 50 000';
- (l) In point (x), 'EUR 4 000 000' is replaced by 'EUR 1 800 000'.

12. In Article 13, paragraph 2 is amended as follows:

- (a) In point (a), 'EUR 700 000' is replaced by 'EUR 0';
- (b) Points (c) to (g) are replaced by the following:
 - '(c) EUR 1 000 000 for Hungary;
 - (d) EUR 330 000 for Austria;

(e) EUR 4 200 000 for Poland;

(f) EUR 0 for Romania;

(g) EUR 425 000 for Slovakia;.

13. In Article 14(2), point (c) is replaced by the following:

'(c) EUR 3 000 000 for Poland'.

14. In Article 15(2), point (c), is replaced by the following:

'(c) EUR 4 650 000 for Poland'.

15. Article 16(5), points (b) to (e) are replaced by the following:

'(b) EUR 225 000 for Germany;

(c) EUR 860 000 for Estonia;

(d) EUR 700 000 for Latvia;

(e) EUR 380 000 for Slovenia;.

16. In Article 18, paragraph 5 is amended as follows:

(a) In point (a) 'EUR 400 000' is replaced by 'EUR 650 000';

(b) In point (c) 'EUR 300 000' is replaced by 'EUR 350 000'.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 4 December 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

COMMISSION DECISION
of 9 December 2008
amending Decision 2008/798/EC
(notified under document number C(2008) 8197)
(Text with EEA relevance)
(2008/921/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾, and in particular Article 53(1), (b) thereof,

Whereas:

(1) Article 53 of Regulation (EC) No 178/2002 provides for the possibility to adopt appropriate Community emergency measures for food and feed imported from a third country in order to protect human health, animal health or the environment, where the risk cannot be contained satisfactorily by means of measures taken by the Member States individually.

(2) High levels of melamine were found in infant milk and other milk products in China. Melamine is a chemical intermediate used in the manufacture of amino resins and plastics and is used as a monomer and as an additive for plastics. High levels of melamine in food can result in very severe health effects.

(3) To counter the risk for health that may result from exposure to the melamine content of feed and food products, Commission Decision 2008/798/EC imposing special conditions governing the import of products containing milk or milk products originating in or consigned from China, and repealing Commission Decision 2008/757/EC, provides for a prohibition to import into the Community products containing milk or milk products, intended for the particular nutritional use of infants and young children, and requires Member States to perform systematic checks at import on other feed and food containing milk or milk products. That Decision also requires Member States to withdraw from the market any such product found to contain melamine in excess of 2,5 mg/kg product.

(4) According to information made available by the Member States through the Rapid Alert System for Feed and Food, high level of melamine have been found recently also in products containing soya or soya products imported from China. Melamine has also been found in ammonium bicarbonate, used in food industry as raising agent. It is therefore appropriate to extend the measures laid down in Commission Decision 2008/798/EC also to those products.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 2008/798/EC is amended as follows:

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

‘Member States shall prohibit the import into the Community of products containing milk, milk products, soya or soya products intended for the particular nutritional use of infants and young children within the meaning of Council Directive 89/398/EEC on foods for particular nutritional uses, originating or consigned from China. Member States shall also ensure that any such product found after the entry into force of this Decision on the market shall be immediately withdrawn and destroyed.’

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

‘Member States shall carry out documentary, identity and physical checks, including laboratory analysis, on all consignments originating in or consigned from China of ammonium bicarbonate intended for food and feed and of feed and food containing milk, milk products, soya or soya products.’

Member States may carry out random checks prior to importing other feed and food products with a high protein content originating from China.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

Such checks shall in particular aim at ascertaining that the level of melamine, if any, does not exceed 2,5 mg/kg product. Consignments shall be detained pending the availability of the results of the laboratory analysis.'

Article 2

This Decision is addressed to the Member States.

3. Article 3 is replaced by the following:

Done at Brussels, 9 December 2008.

'Feed and food business operators or their representatives shall give prior notification to the point of control referred to in Article 2(3) of the estimated date and time of arrival of all consignments originating in or consigned from China of feed and food containing milk, milk products, soya or soya products.'

For the Commission
Androulla VASSILIOU
Member of the Commission

AGREEMENTS

COMMISSION

Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters

According to Article 3(2) of the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters ⁽¹⁾, concluded by Council Decision 2006/326/EC ⁽²⁾ (hereafter 'the Agreement'), whenever amendments to Council Regulation (EC) No 1348/2000 ⁽³⁾ are adopted, Denmark shall notify to the Commission of its decision whether or not to implement the content of such amendments.

Regulation (EC) No 1393/2007 of the European Parliament and of the Council ⁽⁴⁾ on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000 was adopted on 13 November 2007.

In accordance with Article 3(2) of the Agreement, Denmark has by letter of 20 November 2007 notified the Commission of its decision to implement the contents of Regulation (EC) No 1393/2007. In accordance with Article 3(6) of the Agreement, the Danish notification creates mutual obligations between Denmark and the Community. Thus, Regulation (EC) No 1393/2007 constitutes amendment to the Agreement and is considered annexed thereto.

In accordance with Article 3(4) of the Agreement, the necessary administrative measures will take effect on the date of entry into force of Regulation (EC) No 1393/2007.

⁽¹⁾ OJ L 300, 17.11.2005, p. 55.

⁽²⁾ OJ L 120, 5.5.2006, p. 23.

⁽³⁾ OJ L 160, 30.6.2000, p. 37.

⁽⁴⁾ OJ L 324, 10.12.2007, p. 79.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL DECISION 2008/922/CFSP

of 8 December 2008

implementing Common Position 2004/161/CFSP renewing restrictive measures against Zimbabwe

THE COUNCIL OF THE EUROPEAN UNION,

persons listed in the Annex to Common Position 2004/161/CFSP, by the adoption on 31 July 2008 of Common Position 2008/632/CFSP ⁽³⁾.

Having regard to Council Common Position 2004/161/CFSP ⁽¹⁾, and in particular Article 6 thereof, in conjunction with Article 23(2) of the Treaty on European Union,

Whereas:

(4) Given the violence organised and committed by the Zimbabwean authorities and the continuing blocking of the implementation of the political agreement signed on 15 September 2008, certain persons should be added to the list set out in the Annex to Common Position 2004/161/CFSP.

(1) By Common Position 2004/161/CFSP, the Council adopted measures, *inter alia*, to prevent the entry into or transit through the territories of Member States and to freeze the funds and economic resources of members of the Government of Zimbabwe and of natural or legal persons, entities or bodies associated with them, and of any other natural or legal persons whose activities seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe, a list of whom is set out in the Annex to the said Common Position.

(5) However, there is no longer any reason to keep one person on the list set out in the Annex to Common Position 2004/161/CFSP.

(6) The Annex to Common Position 2004/161/CFSP should be revised accordingly,

(2) Following the violence organised and committed by the Zimbabwean authorities during the presidential election campaign in 2008, the Council decided to add certain other persons and entities to the list set out in the Annex to Common Position 2004/161/CFSP, by the adoption on 22 July 2008 of Decision 2008/605/CFSP ⁽²⁾.

HAS DECIDED AS FOLLOWS:

Article 1

1. The persons appearing in Annex I to this Decision shall be added to the list in the Annex to Common Position 2004/161/CFSP.

(3) The Council also decided to reinforce the restrictive measures on preventing the entry into or transit through the territories of Member States of the natural

2. The person appearing in Annex II to this Decision shall be withdrawn from the list in the Annex to Common Position 2004/161/CFSP.

⁽¹⁾ OJ L 50, 20.2.2004, p. 66.

⁽²⁾ OJ L 194, 23.7.2008, p. 34.

⁽³⁾ OJ L 205, 1.8.2008, p. 53.

Article 2

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

Article 3

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

Done at Brussels, 8 December 2008.

For the Council

The President

B. KOUCHNER

ANNEX I

Persons referred to in Article 1(1)

173. Newton Kachepa	Member of Parliament elect for Mudzi North, directly involved in the campaign of terror waged before and after the elections
174. Major Kairo (alias Cairo) Mhandu	ZNA, directly involved in the campaign of terror waged before and after the elections
175. Brigadier General Sibusio Bussie Moyo	ZNA, directly involved in the campaign of terror waged before and after the elections
176. Brigadier General Richard Ruwodo	Promoted on 12 August to the rank of Major General (retired); former Acting PUS for Ministry of Defence, directly involved in the campaign of terror waged before and after the elections
177. Misheck Nyawani	Superintendent (retired), directly involved in the campaign of terror waged before and after the elections
178. Columbus Mudonhi	Assistant Inspector ZRP, directly involved in the campaign of terror waged before and after the elections
179. Isaac Mumba	Superintendent, directly involved in the campaign of terror waged before and after the elections
180. Martin Kwainona	Assistant Commissioner, directly involved in the campaign of terror waged before and after the elections
181. Paul Mudzvova	SGT, directly involved in the campaign of terror waged before and after the elections
182. Martin Dinha	Provincial Governor for Mashonaland Central
183. Faber Chidarikire	Provincial Governor for Mashonaland West

ANNEX II

The person referred to in Article 1(2)

45. Makoni, Simbarashe	ZANU (PF) Politburo Deputy Secretary General for Economic Affairs (former Minister of Finance), born 22.3.1950 Member of the Politburo and as such with strong ties to the Government and its policy.
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NOTE TO THE READER

The institutions have decided no longer to quote in their texts the last amendment to cited acts.

Unless otherwise indicated, references to acts in the texts published here are to the version of those acts currently in force.