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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 46/2010

of 19 January 2010

derogating from Regulation (EEC) No 3149/92 as regards the implementation period in Romania of the annual plan for the distribution of food for the benefit of the most deprived persons in the Union for the year 2009

THE EUROPEAN COMMISSION,

Having regard to Treaty on the Functioning of the European Union,

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 43(g) in conjunction with Article 4 thereof,

Whereas:

- (1) Under Article 3(1) of Commission Regulation (EEC) No 3149/92 of 29 October 1992 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community ⁽²⁾, the implementation period for the annual plan for the distribution of food begins on 1 October and finishes on 31 December of the following year. Since the difficulties which arose when withdrawing sugar stocks in Slovakia assigned to Romania under the 2009 annual plan adopted by Commission Regulation (EC) No 983/2008 ⁽³⁾ made it physically impossible for Romania to implement its annual plan within the time limit set by Regulation (EEC) No 3149/92, an exemption

should be granted and the deadline extended in that specific case.

- (2) Implementation of the 2009 plan ends on 31 December 2009 and the derogation must apply from that date at the latest.
- (3) 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

Article 3(1) of Regulation (EEC) No 3149/92 notwithstanding and as regards the sugar stocks awarded to Romania under the 2009 annual plan, the implementation period of the said plan is extended until 31 January 2010.

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 31 December 2009.

It shall expire on 1 February 2010.

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

Done at Brussels, 19 January 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 313, 30.10.1992, p. 50.

⁽³⁾ OJ L 268, 9.10.2008, p. 3.

COMMISSION REGULATION (EU) No 47/2010
of 19 January 2010
amending Regulation (EC) No 1173/2009 as regards the intervention centres for durum wheat and
rice in Romania

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of European Union,

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 41 in conjunction with Article 4 thereof,

Whereas:

(1) Article 2 of Commission Regulation (EC) No 670/2009 ⁽²⁾, which lays down detailed rules for the application of Regulation (EC) No 1234/2007 as regards public intervention by invitation to tender for the purchase of durum wheat or paddy rice, specifies the minimum standards which Member States' intervention centres are to meet.

(2) In accordance with Article 23(1) of Regulation (EC) No 670/2009, Romania has sent the Commission a list of intervention centres to be designated and a list of the

storage premises attached to those centres which it has approved as fulfilling the minimum standards required by Community legislation. The Commission should therefore designate those intervention centres.

(3) Commission Regulation (EC) No 1173/2009 ⁽³⁾ should be amended accordingly.

(4) 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 Annex to Regulation (EC) No 1173/2009 is amended in accordance with the Annex to 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*.

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

Done at Brussels, 19 January 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 194, 25.7.2009, p. 22.

⁽³⁾ OJ L 314, 1.12.2009, p. 48.

ANNEX

The Annex to Regulation (EC) No 1173/2009 is amended as follows:

1) In Part A, the following is added:

‘ROMANIA
Turnu Măgurele
Brăila’

2) In Part B, the following is added:

‘ROMANIA
Turnu Măgurele
Brăila’

COMMISSION REGULATION (EU) No 48/2010
of 19 January 2010
establishing the standard import values for determining the entry price of certain fruit and
vegetables

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 20 January 2010.

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

Done at Brussels, 19 January 2010.

*For the Commission,
On behalf of the President,*

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	IL	122,3
	JO	64,0
	MA	52,6
	TN	115,9
	TR	100,7
	ZZ	91,1
0707 00 05	EG	174,9
	JO	101,4
	TR	109,1
	ZZ	128,5
0709 90 70	MA	130,3
	TR	103,3
	ZZ	116,8
0709 90 80	EG	225,1
	ZZ	225,1
0805 10 20	EG	51,9
	IL	58,0
	MA	53,9
	TN	56,7
	TR	54,6
	ZZ	55,0
0805 20 10	MA	84,5
	ZZ	84,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	52,8
	IL	73,1
	JM	109,6
	MA	91,2
	PK	38,1
	TR	67,9
	ZZ	72,1
0805 50 10	EG	63,3
	IL	88,6
	TR	67,7
	ZZ	73,2
0808 10 80	CA	75,3
	CL	60,1
	CN	88,3
	MK	24,7
	US	151,0
	ZZ	79,9
0808 20 50	CN	81,1
	US	102,0
	ZZ	91,6

⁽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 (EU) No 49/2010
of 19 January 2010
on the issue of licences for the import of preserved mushrooms in 2010

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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:

- (1) The quantities for which licence applications have been lodged by traditional importers and/or by new importers between 4 and 8 January 2010 pursuant to Article 8 of Commission Regulation (EC) No 1979/2006 of 22 December 2006 opening and providing for the

administration of tariff quotas for preserved mushrooms imported from third countries ⁽³⁾ exceed the quantities available for products originating in China and other third countries.

- (2) It is therefore necessary to establish the extent to which the licence applications sent to the Commission no later than 15 January 2010 can be met,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences lodged pursuant to Article 8 of Regulation (EC) No 1979/2006 between 4 and 8 January 2010 and sent to the Commission no later than 15 January 2010 shall be met at a percentage rate of the quantities applied for as set out in the Annex hereto.

Article 2

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, 19 January 2010.

*For the Commission,
On behalf of the President,*

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 368, 23.12.2006, p. 91.

ANNEX

Origin of products	Percentage allocations	
	China	Third countries other than China
— Traditional importers (Article 4(1) of Regulation (EC) No 1979/2006)	59,637409 %	100 %
— New importers (Article 4(2) of Regulation (EC) No 1979/2006)	5,431473 %	100 %

DECISIONS

COUNCIL DECISION

of 18 January 2010

appointing three Belgian members and two Belgian alternate members of the Committee of the Regions

(2010/31/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Belgian Government,

Whereas:

- (1) On 24 January 2006, the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) Three members' seats on the Committee of the Regions have become vacant following the end of the term of office of Mr Geert BOURGEOIS, Mr Dirk VAN MECHELEN and Mr Jos CHABERT. Two alternate members' seats have become vacant following the end of the term of office of Ms Evelyne HUYTEBROECK and Mr Pascal SMET,

HAS DECIDED AS FOLLOWS:

Article 1

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

(a) as members:

- Mr Geert BOURGEOIS, viceminister-president van de Vlaamse Regering en Vlaams Minister van

Bestuurszaken, Binnenlands Bestuur, Inburgering, Toerisme en Vlaamse Rand (change of mandate),

— Mr Dirk VAN MECHELEN, Vlaams volksvertegenwoordiger (change of mandate),

— Mr Jos CHABERT, opvolger in het Brussels Parlement (change of mandate),

and

(b) as alternate members:

— Mr Yaron PESZTAT, Membre du Parlement de la Région de Bruxelles-Capitale,

— Mr Jean-Luc VANRAES, Minister van Financiën, Begroting, Openbaar Ambt en Externe Betrekkingen van de Brusselse Hoofdstedelijke Regering.

Article 2

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

Done at Brussels, 18 January 2010.

For the Council

The President

E. ESPINOSA

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

IV

(Acts adopted before 1 December 2009 under the EC Treaty, the EU Treaty and the Euratom Treaty)

COUNCIL DECISION

of 30 November 2009

amending the Decision of the Executive Committee set up by the 1990 Schengen Convention, amending the Financial Regulation on the costs of installing and operating the technical support function for the Schengen Information System (C.SIS)

(2010/32/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Schengen environment, 'SISNET' pending its migration to a communication infrastructure under the responsibility of the European Union.

Having regard to the provisions of Articles 92, 92A and 119 of the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders (the 1990 Schengen Convention) ⁽¹⁾,

- (4) The financial obligations arising from the installation and the functioning of the communication infrastructure for the Schengen environment under those contracts are regulated by a specific Financial Regulation established by Council Decision 2000/265/EC ⁽⁵⁾.

Whereas:

- (1) The 1990 Schengen Convention provides that the costs arising from the installation and operation of C.SIS, including the cost of the wide-area network, and its encryption, connecting the national sections of the Schengen Information System (SIS) to the C.SIS shall be borne jointly by the Contracting Parties.
- (2) The financial obligations arising from the installation and operation of the C.SIS are regulated by a specific Financial Regulation, as amended by the Decision of the Schengen Executive Committee of 15 December 1997 amending the Financial Regulation on C.SIS ⁽²⁾ (hereinafter the 'C.SIS Financial Regulation').
- (3) As regards the communication infrastructure for the Schengen environment, the Deputy Secretary-General of the Council was authorised by Decision 1999/870/EC ⁽³⁾ and Decision 2007/149/EC ⁽⁴⁾ to act, in the context of the integration of the Schengen *acquis* within the European Union, as the representative of certain Member States for the purposes of concluding and managing contracts relating to the installation and the functioning of the communication infrastructure for the

- (5) The C.SIS Financial Regulation and the SISNET Financial Regulation apply to Denmark, Finland and Sweden, and to Iceland and Norway by virtue of Council Decision 2000/777/EC ⁽⁶⁾, to the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic by virtue of Council Decision 2007/471/EC ⁽⁷⁾, and to Switzerland by virtue of Council Decision 2008/421/EC ⁽⁸⁾. Bulgaria, Romania and Liechtenstein are also to participate in the provisions of these Financial Regulations from the dates to be set by the Council in accordance with Article 4(2) of the 2005 Act of Accession and in accordance with Article 10 of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, respectively.
- (6) The management by the same entity of the technical support function and of the wide-area network, including encryption, connecting it to the national sections of the SIS, including all the financial obligations stemming from their installation and operation, should make proceedings smooth, ensuring synergies and saving efforts.

⁽¹⁾ OJ L 239, 22.9.2000, p. 19.

⁽²⁾ OJ L 239, 22.9.2000, p. 444.

⁽³⁾ OJ L 337, 30.12.1999, p. 41.

⁽⁴⁾ OJ L 66, 6.3.2007, p. 19.

⁽⁵⁾ OJ L 85, 6.4.2000, p. 12.

⁽⁶⁾ OJ L 309, 9.12.2000, p. 24.

⁽⁷⁾ OJ L 179, 7.7.2007, p. 46.

⁽⁸⁾ OJ L 149, 7.6.2008, p. 74.

- (7) The technical support function is currently managing the encryption of the network connecting the national sections to the technical support function.
- (8) The budget for the technical support function of the SIS in Strasbourg should therefore include the budget for the wide-area network, including encryption, connecting the national sections of the SIS to the technical support function, from a date to be determined by a unanimous decision of the representatives of the Member States concerned.
- (9) As regards Iceland and Norway, this Decision constitutes a development of provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis* ⁽¹⁾ which fall within the area referred to in Article 1, point G, of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement ⁽²⁾.
- (10) As regards Switzerland, this Decision constitutes a development of provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation concerning the association of the Swiss Confederation with the implementation, application and development of the Schengen *acquis* ⁽³⁾, which fall within the area referred to in Article 1, point G, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC ⁽⁴⁾ and Article 3 of Council Decision 2008/149/JHA ⁽⁵⁾.
- (11) As regards Liechtenstein, this Decision constitutes a development of provisions of the Schengen *acquis* within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement, which fall within the area referred to in Article 1, point G, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/261/EC ⁽⁶⁾ and Article 3 of Council Decision 2008/262/JHA ⁽⁷⁾.
- (12) The United Kingdom is taking part in this Decision, in accordance with Article 5 of the Protocol integrating the Schengen *acquis* into the framework of the European Union annexed to the Treaty on European Union and the Treaty establishing the European Community, and Article 8(2) of Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ⁽⁸⁾.
- (13) Ireland is taking part in this Decision, in accordance with Article 5 of the Protocol integrating the Schengen *acquis* into the framework of the European Union annexed to the Treaty on European Union and the Treaty establishing the European Community, and Article 6(2) of Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ⁽⁹⁾.
- (14) As regards the Republic of Cyprus, this Decision constitutes an act building on the Schengen *acquis* or otherwise related to it within the meaning of Article 3(2) of the 2003 Act of Accession.
- (15) This Decision constitutes an act building on the Schengen *acquis* or otherwise related to it within the meaning of Article 4(2) of the 2005 Act of Accession,

HAS DECIDED AS FOLLOWS:

Article 1

The Decision of the Executive Committee set up by the 1990 Schengen Convention, amending the Financial Regulation on the costs of installing and operating the technical support function for the Schengen Information System (C.SIS) is hereby amended as follows:

- (a) The title of the C.SIS Financial Regulation shall be:

'FINANCIAL REGULATION FOR THE INSTALLATION AND OPERATION OF THE SCHENGEN C.SIS AND THE WIDE-AREA NETWORK, INCLUDING ENCRYPTION, CONNECTING THE NATIONAL SECTIONS OF THE SIS TO THE TECHNICAL SUPPORT FUNCTION'.

- (b) The first paragraph of Title I shall be:

'The budget for the technical support function of the Schengen Information System in Strasbourg, including the wide-area network, including encryption, connecting the national sections of the Schengen Information System to the technical support function, provided for in Articles 92, 92A and 119 of the Schengen Agreement of 14 June 1985, hereinafter the "C.SIS", shall be made up of:'.

⁽¹⁾ OJ L 176, 10.7.1999, p. 36.

⁽²⁾ OJ L 176, 10.7.1999, p. 31.

⁽³⁾ OJ L 53, 27.2.2008, p. 52.

⁽⁴⁾ Council Decision of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

⁽⁵⁾ Council Decision of 28 January 2008 on the conclusion on behalf of the European Union of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 50).

⁽⁶⁾ OJ L 83, 26.3.2008, p. 3.

⁽⁷⁾ OJ L 83, 26.3.2008, p. 5.

⁽⁸⁾ OJ L 131, 1.6.2000, p. 43.

⁽⁹⁾ OJ L 64, 7.3.2002, p. 20.

Article 2

This Decision shall enter into force on the date of its adoption. It shall become applicable with effect from a date to be determined by a unanimous decision of the representatives of the Member States concerned.

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

Done at Brussels, 30 November 2009.

For the Council

The President

B. ASK

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
of 30 November 2009
appointing an Advocate-General to the Court of Justice of the European Communities
(2010/33/EC, Euratom)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES,

HAVE DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Community, and in particular Article 223 thereof,

Mr Pedro Cruz Villalón is hereby appointed an Advocate-General to the Court of Justice of the European Communities for the period from 30 November 2009 to 6 October 2015.

Article 2

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 139 thereof,

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

Whereas, by virtue of Articles 7 and 8 of the Protocol on the Statute of the Court of Justice and following the death of Mr Dámaso Ruiz-Jarabo Colomer, an Advocate-General should be appointed to the Court of Justice of the European Communities for the remainder of Mr Dámaso Ruiz-Jarabo Colomer's term of office, which runs until 6 October 2015,

Done at Brussels, 30 November 2009.

The President

B. ASK

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