

Official Journal

of the European Union

L 32



English edition

Legislation

Volume 53

4 February 2010

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

**Information concerning the date of entry into force of the WIPO Copyright Treaty and of the
WIPO Performances and Phonograms Treaty**

The WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, adopted at Geneva on 20 December 1996, will enter into force with respect to the European Union on 14 March 2010.

REGULATIONS

COMMISSION REGULATION (EU) No 94/2010

of 3 February 2010

fixing an additional quantitative limit for the exports of out-of-quota sugar in respect of marketing year 2009/2010

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⁾, and in particular Article 61, first paragraph, point (d), in conjunction with Article 4 thereof,

Whereas:

- (1) According to Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007, the sugar or isoglucose produced in excess of the quota referred to in Article 56 of that Regulation may be exported only within the quantitative limit to be fixed by the Commission respecting the commitments resulting from international agreements concluded by the Union.
- (2) Detailed implementing rules for out-of-quota exports, in particular concerning the issue of export licences, are laid down by Commission Regulation (EC) No 951/2006 ⁽²⁾. However, the quantitative limit should be fixed per marketing year in view of the possible opportunities on the export markets.
- (3) For marketing year 2009/2010, Commission Regulation (EC) No 274/2009 ⁽³⁾ has fixed the quantitative limit for the exports of out-of-quota sugar at 1 350 000 tonnes. Applications for export licences quickly exceeded that limit. Therefore Commission Regulation (EC) No 1106/2009 ⁽⁴⁾ has fixed an acceptance percentage for the issuing of export licences and suspended the lodging of export-licence applications for out-of-quota sugar. At the time the limit of 1 350 000 t was fixed, the economic conditions were such that it was not possible to exclude that exports of out-of-quota sugar could be considered as being subsidised because the average cost of production of sugar in the Union could have exceeded the selling price of out-of-quota sugar on the export market. Under such conditions it was

therefore not possible to increase the quantities of out-of-quota sugar to be exported beyond the limits resulting from the abovementioned international commitments of the Union.

- (4) Since the beginning of 2009, the global economic conditions have changed significantly in the sugar sector. In early January 2010, world market prices for white sugar more than doubled and reached approximately EUR 500 per tonne at the London commodity futures market. At the same time, the prices on the sugar market in the Union decreased in line with the institutional reference price.
- (5) Under the current economic conditions the average production cost of sugar beet in the Union is below the selling price of the out-of-quota sugar beet. Furthermore, the selling price of the out-of-quota sugar on the world market is above the average cost of sugar production in the Union. Therefore, as long as these conditions are valid, the export of out-of-quota sugar cannot be considered as being subsidised. Consequently, exports above the export subsidy commitments of the Union could be made without violating the obligations arising from Union membership of the World Trade Organisation.
- (6) According to the most recent information, it is certain that due to exceptionally favourable weather conditions in 2009, large quantities of out-of-quota sugar will be produced in the Union. This quantity is currently estimated at around 4 100 000 tonnes. Taking into account all the possible outlets for this sugar, in particular the demand of the chemical industry for industrial sugar, it is estimated that at least 500 000 t would be still available for exports.
- (7) In view of the surplus foreseen in the Union during marketing year 2009/2010 and the exceptionally high world market prices caused by a very difficult supply situation at this time it is preferable to export the remaining surplus sugar in the Union instead of carrying it forward to the next marketing year. Fixing an additional quantitative limit in respect of marketing year 2009/2010 would allow sugar producers and beet growers in the Union to benefit from the current favourable export possibilities. An additional quantitative limit should therefore be fixed.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 91, 3.4.2009, p. 16.

⁽⁴⁾ OJ L 304, 19.11.2009, p. 3.

- (8) It is now estimated that world market sugar prices may start decreasing as from the second half of 2010. To make sure that the additional exports of out-of-quota sugar do not interfere with subsidy commitments of the Union, it is appropriate to limit the application for export licences until 30 June 2010 and to reduce the validity of export licences to one month.
- (9) Exports of sugar from the Union to certain close destinations and to third countries granting EU products a preferential import treatment are currently in a particularly favourable competitive position. In view of the absence of appropriate instruments of mutual assistance to fight against irregularities and in order to minimise the risk of fraud and to prevent any abuse associated with the reimport or reintroduction into the Union of out-of-quota sugar certain close destinations should be excluded from the eligible destinations.
- (10) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

Fixing an additional quantitative limit for out-of-quota sugar exports

1. Without prejudice to Regulations (EC) No 274/2009 and (EC) No 1106/2009, an additional quantity of 500 000 tonnes of out-of-quota white sugar falling within CN code 1701 99 may be exported without refund in respect of marketing year 2009/2010.
2. Exports within the quantitative limit fixed in paragraph 1 shall be allowed for all destinations excluding:

- (a) third countries: Andorra, Liechtenstein, the Holy See (Vatican City State), San Marino, Croatia, Bosnia and Herzegovina, Serbia ⁽¹⁾, Montenegro, Albania and the former Yugoslav Republic of Macedonia;
- (b) territories of Member States not forming part of the customs territory of the Union: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible, not forming part of the customs territory of the Union: Gibraltar.

Article 2

Validity of export licences

By way of derogation from Article 5 of Regulation (EC) No 951/2006, export licences issued in respect of the additional quantitative limit referred to in Article 1(1) shall be valid 30 days.

Article 3

Suspending the issue of export licences

Articles 7e and 9 of Regulation (EC) No 951/2006 shall apply accordingly.

Article 4

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

It shall expire on 30 June 2010.

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

Done at Brussels, 3 February 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ As well as Kosovo under UN Security Council Resolution 1244 of 10 June 1999.

COMMISSION REGULATION (EU) No 95/2010**of 3 February 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 4 February 2010.

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

Done at Brussels, 3 February 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	106,9
	JO	75,8
	MA	64,7
	TN	112,2
	TR	100,3
	ZZ	92,0
0707 00 05	JO	101,4
	MA	74,1
	TR	133,1
	ZZ	102,9
0709 90 70	MA	134,6
	TR	147,2
	ZZ	140,9
0709 90 80	EG	85,3
	ZZ	85,3
0805 10 20	EG	52,8
	IL	53,3
	MA	52,4
	TN	48,7
	TR	54,7
	ZZ	52,4
0805 20 10	IL	154,9
	MA	85,1
	TR	62,0
	ZZ	100,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	56,0
	EG	55,8
	IL	75,3
	JM	92,7
	MA	86,1
	PK	45,1
	TR	63,8
	ZZ	67,8
0805 50 10	EG	88,6
	IL	81,9
	TR	71,4
	ZZ	80,6
0808 10 80	CA	76,7
	CL	60,1
	CN	66,5
	MK	27,2
	US	118,3
	ZZ	69,8
0808 20 50	CN	58,8
	TR	84,8
	US	101,8
	ZA	99,9
	ZZ	86,3

⁽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'.

DECISIONS

COMMISSION DECISION

of 2 February 2010

on the clearance of the accounts of certain paying agencies in Belgium, Germany, Malta, Portugal and Romania concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) for the 2008 financial year

*(notified under document C(2010) 465)***(Only the Dutch, French, German, Maltese, Portuguese and Romanian texts are authentic)**

(2010/56/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Articles 30 and 32(8) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

(1) Commission Decision 2009/367/EC ⁽²⁾ cleared, for the 2008 financial year, the accounts of all the paying agencies except for the Belgian paying agency 'ALV', the German paying agency 'Baden-Württemberg', the Greek paying agency 'OPEKEPE', the Italian paying agency 'ARBEA', the Maltese paying agency 'MRRA', the Portuguese paying agency 'IFAP' and the Romanian paying agency 'PIAA'.

(2) Following the transmission of new information and after additional checks, the Commission can now take a decision on the integrality, accuracy and veracity of the accounts submitted by the Belgian paying agency 'ALV', the German paying agency 'Baden-Württemberg', the Maltese paying agency 'MRRA', the Portuguese paying agency 'IFAP' and the Romanian paying agency 'PIAA'.

(3) The first subparagraph of Article 10(2) of Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD ⁽³⁾ lays down that the amounts that are recoverable from, or payable to, each Member State, in accordance with the accounts clearance decision referred to in the first subparagraph of Article 10(1) of the said Regulation, shall be determined by deducting advances paid during the financial year in question, i.e. 2008, from expenditure recognised for that year in accordance with paragraph 1. Such amounts are to be deducted from, or added to, the advances against expenditure from the second month following that in which the accounts clearance decision is taken.

(4) Pursuant to Article 32(5) of Regulation (EC) No 1290/2005, 50 % of the financial consequences of non-recovery of irregularities shall be borne by the Member State concerned and 50 % by the Community budget if the recovery of those irregularities has not taken place within four years of the primary administrative or judicial finding, or within eight years if the recovery is taken to the national courts. Article 32(3) of the said Regulation obliges Member States to submit to the Commission, together with the annual accounts, a summary report on the recovery procedures undertaken in response to irregularities. Detailed rules on the application of the Member States' reporting obligation of the amounts to be recovered are laid down in Regulation (EC) No 885/2006. Annex III to the said Regulation provides the model table that had to be provided in 2009 by the Member States. On the basis of the tables completed by the Member States, the Commission should decide on the financial consequences of non-recovery of irregularities older than four or eight years respectively. This Decision is without prejudice to future conformity decisions pursuant to Article 32(8) of Regulation (EC) No 1290/2005.

⁽¹⁾ OJ L 209, 11.8.2005, p. 1.

⁽²⁾ OJ L 111, 5.5.2009, p. 44.

⁽³⁾ OJ L 171, 23.6.2006, p. 90.

- (5) Pursuant to Article 32(6) of Regulation (EC) No 1290/2005, Member States may decide not to pursue recovery. Such a decision may only be taken if the costs already and likely to be incurred total more than the amount to be recovered or if the recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity. If that decision has been taken within four years of the primary administrative or judicial finding or within eight years if the recovery is taken to the national courts, 100 % of the financial consequences of the non-recovery should be borne by the Community budget. In the summary report referred to in Article 32(3) of Regulation (EC) No 1290/2005 the amounts for which the Member State decided not to pursue recovery and the grounds for the decision are shown. These amounts are not charged to the Member States concerned and are consequently to be borne by the Community budget. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of the said Regulation.
- (6) In clearing the accounts of the paying agencies concerned, the Commission must take account of the amounts already withheld from the Member States concerned on the basis of Decision 2009/367/EC.
- (7) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

Article 1

The accounts of the Belgian paying agency 'ALV', the German paying agency 'Baden-Württemberg', the Maltese paying agency 'MRRA', the Portuguese paying agency 'IFAP' and the Romanian paying agency 'PIAA' concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF), in respect of the 2008 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State concerned pursuant to this Decision, including those resulting from the application of Article 32(5) of Regulation (EC) No 1290/2005, are set out in Annex.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Republic of Malta, the Portuguese Republic and Romania.

Done at Brussels, 2 February 2010.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS
FINANCIAL YEAR 2008
AMOUNT TO BE RECOVERED FROM OR PAID TO THE MEMBER STATE

MS		2008 — Expenditure/Assigned revenue for the paying agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year ⁽¹⁾	Reductions according to Article 32 of Regulation (EC) No 1290/2005	Total including reductions and suspensions	Payments made to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾
		cleared	disjoined						
		= expenditure/assigned revenue declared in the annual declaration	= total of the expenditure/assigned revenue in the monthly declarations						
		a	b	c = a + b	d	e	f = c + d + e	g	h = f – g
BE	EUR	706 129 444,37	0,00	706 129 444,37	– 593,30	– 61 021,93	706 067 829,14	706 201 150,75	– 133 321,61
DE	EUR	5 100 883 643,72	0,00	5 100 883 643,72	– 37 390,29	2 896 241,51	5 097 950 011,92	5 101 133 812,30	– 3 183 800,38
MT	EUR	2 470 040,90	0,00	2 470 040,90	– 177,28	0,00	2 469 863,62	2 472 341,64	– 2 478,02
PT	EUR	720 183 268,38	0,00	720 183 268,38	– 148 413,94	– 217 121,39	719 817 733,05	720 094 153,57	– 276 420,52
RO	EUR	462 680 727,14	0,00	462 680 727,14	– 8 629 639,25	0,00	454 051 087,89	461 870 850,36	– 7 819 762,47

MS		Amount recovered from (–) or paid to (+) the Member State under Decision 2009/367/EC	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾	Expenditure ⁽³⁾	Assigned revenue ⁽³⁾	Sugar Fund		Article 32 (=e)	Total (=h)
						Expenditure ⁽⁴⁾	Assigned revenue ⁽⁴⁾		
						05 07 01 06	67 01	67 02	
		i	j = h – i	i	j	k	l	m	n = i + j + k + l + m
BE	EUR	– 129 316,43	– 4 005,18	2 506,07	0,00	0,00	0,00	– 6 511,25	– 4 005,18
DE	EUR	– 3 158 445,95	– 25 354,43	– 3 644,61	– 4,69	0,00	0,00	– 21 705,13	– 25 354,43
MT	EUR	0,00	– 2 478,02	0,00	– 2 478,02	0,00	0,00	0,00	– 2 478,02
PT	EUR	0,00	– 276 420,52	– 59 299,13	0,00	0,00	0,00	– 217 121,39	– 276 420,52
RO	EUR	0,00	– 7 819 762,47	– 7 819 762,47	0,00	0,00	0,00	0,00	– 7 819 762,47

⁽¹⁾ The reductions and suspensions are those taken into account in the payment system, to which are added in particular the corrections for the non-respect of payment deadlines established in August, September and October 2008.

⁽²⁾ For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (column a), or the total of the monthly declarations for the expenditure disjoined (column b). Applicable exchange rate: Article 7(2) of Regulation (EC) No 883/2006.

⁽³⁾ If the Assigned revenue part would be in advantage of Member State, it has to be declared under 05 07 01 06.

⁽⁴⁾ If the Assigned revenue part of the Sugar Fund, would be in the advantage of the Member State, it has to be declared under 05 02 16 02.

NB: Nomenclature 2010: 05 07 01 06, 05 02 16 02, 67 01, 67 02, 68 03.

COMMISSION DECISION

of 3 February 2010

laying down health guarantees for the transit of equidae being transported through the territories listed in Annex I to Council Directive 97/78/EC

(notified under document C(2010) 509)

(Text with EEA relevance)

(2010/57/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 9(1)(c) thereof,

Whereas:

- (1) Article 4 of Directive 91/496/EEC provides that Member States are to ensure that consignments of animals from third countries are subjected to documentary and identity checks at border inspection posts in order to verify their subsequent destination, particularly in the case of animals in transit. Those border inspection posts are referred to in Annex II to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾.
- (2) Article 9(1) of Directive 91/496/EEC provides that Member States are to authorise the transit of animals from one third country to another third country or to the same third country, subject to certain conditions. In particular, point (c) of that Article provides that the checks referred to in Article 4 thereof show that the animals fulfil the requirements of Directive 91/496/EEC or, in the case of animals covered by the Directives referred to in Annex A to Council Directive 90/425/EEC ⁽³⁾, afford health guarantees that are at least equivalent to those requirements.
- (3) Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and

import from third countries of equidae ⁽⁴⁾ is referred to in Annex A to Directive 90/425/EEC. Chapter III of Directive 90/426/EEC lays down the equivalent health guarantees for equidae.

- (4) Commission Decision 92/260/EEC of 10 April 1992 on animal health conditions and veterinary certification for temporary admission of registered horses ⁽⁵⁾ sets out model health certificates for the temporary admission of registered horses into the Union which take account of the different animal health situations in third countries. Those certificates provide for the health guarantees necessary for the transport of equidae from one third country, territory or part thereof to another third country or territory, or another part of the same third country or territory. The health guarantees in those certificates should be considered the reference conditions for the transit of equidae through the Union.
- (5) Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species ⁽⁶⁾ provides that Member States are to authorise the temporary admission and importation of registered horses from the third countries of parts of those third countries listed in Annex I thereto. It also assigns third countries to sanitary groups depending on their animal health situation. Those sanitary groups should be taken into account for the transit of equidae through the Union.
- (6) Commission Decision 2008/907/EC of 3 November 2008 laying down health guarantees for the transport of equidae from one third country to another in accordance with Article 9(1)(c) of Council Directive 91/496/EEC ⁽⁷⁾ provides that equidae on their way from one third country to another third country must come from a third country listed in Annex I to Decision 92/260/EEC. It also provides that such equidae must be accompanied by a certificate entitled 'Transit certificate for the transport of equidae from one third country to another'. That certificate takes account of the model health certificates set out in Decision 92/260/EEC.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 24, 30.1.1998, p. 9.

⁽³⁾ OJ L 224, 18.8.1990, p. 29.

⁽⁴⁾ OJ L 224, 18.8.1990, p. 42.

⁽⁵⁾ OJ L 130, 15.5.1992, p. 67.

⁽⁶⁾ OJ L 73, 11.3.2004, p. 1.

⁽⁷⁾ OJ L 327, 5.12.2008, p. 22.

- (7) Because the animal health guarantees for imports of equidae are at least as strict as those for temporary admission of registered horses, it is appropriate to authorise the transit of equidae being transported through the territories listed in Annex I to Directive 97/78/EC not only from those third countries, territories or parts thereof from which temporary admission of registered horses is authorised pursuant to Decision 2004/211/EC, but also from those third countries, territories or parts thereof from which permanent imports are authorised pursuant to that Decision.
- (8) In the interests of clarity of Union legislation, Decision 2008/907/EC should be repealed.
- (9) 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

1. Member States shall authorise the transit of equidae being transported through the territories listed in Annex I to Directive 97/78/EC from a third country, territory or part thereof to another, or to the same, third country, territory or part thereof provided that the equidae:

- (a) come from a third country, territory or part thereof from which the temporary admission or imports of registered horses are authorised as indicated respectively in columns 6 or 8 of Annex I to Decision 2004/211/EC;
- (b) are accompanied by an individual certificate entitled 'Animal health certificate for the transit of equidae' as provided for in paragraph 2.

2. The animal health certificate for the transit of equidae shall comprise:

- (a) Sections I, II and III of the appropriate specimen animal health certificate set out in Annex II to Decision

92/260/EEC, except the requirements for equine viral arteritis in point (e)(v) of Section III, corresponding to the sanitary group to which the third country, territory or part thereof of dispatch is assigned in accordance with the indication in column 5 of Annex I to Decision 2004/211/EC; and

- (b) in addition to the requirements of point (a), the following Sections IV and V:

IV. Equidae coming from:
(Insert third country/territory of dispatch)

and proceeding to:
(Insert third country/territory of destination)

V. Stamp and signature of the official veterinarian:

3. In the case of registered horses, by way of derogation from point 2(a), the list of third countries in the third indent of point (d) of Section III of the specimen animal health certificates A to E set out in Annex II to Decision 92/260/EEC shall be replaced by the list of third countries, territories or parts thereof assigned to sanitary groups A to E in column 5 of Annex I to Decision 2004/211/EC.

Article 2

Decision 2008/907/EC is repealed.

Article 3

The Decision is addressed to the Member States.

Done at Brussels, 3 February 2010.

For the Commission

Androulla VASSILIOU

Member of the Commission

CORRIGENDA

Corrigendum to Commission Decision 2007/509/EC of 20 December 2006 on State aid No C 3/2005 (ex N 592/2004 (ex PL 51/2004)) which Poland is planning to implement for Fabryka Samochodow Osobowych SA (formerly DAEWOO — FSO Motor SA)

(Official Journal of the European Union L 187 of 19 July 2007)

On page 43, recital 81, in the last sentence:

for: '... its market share is small.'

read: '... its market share is limited.'

on page 44, recital 88:

for: '... and its small market share.'

read: '... and its limited market share.'

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