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Price: EUR 3

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⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 440/2010

of 21 May 2010

on the fees payable to the European Chemicals Agency pursuant to Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 ⁽¹⁾, and in particular Articles 24(2) and 37(3) thereof,

Whereas:

- (1) A manufacturer, importer or downstream user of a substance in a mixture may submit a request to the European Chemicals Agency, hereinafter 'the Agency', to use an alternative chemical name.
- (2) Such requests under Article 24(1) of Regulation (EC) No 1272/2008 should be accompanied by a fee.
- (3) A manufacturer, importer or downstream user may submit a proposal for harmonisation of classification and labelling of a substance to the Agency, provided there is no entry in part 3 of Annex VI of Regulation (EC) No 1272/2008 for that hazard class or differentiation.
- (4) Such proposals should be accompanied by a fee in cases laid down in Article 37(3) of Regulation (EC) No 1272/2008.
- (5) The level of the fees collected by the Agency as well as the rules for payment should be determined.
- (6) The amount of the fees should take account of the work required by Regulation (EC) No 1272/2008 to be carried

out by the Agency and should be fixed at such a level as to ensure that the revenue derived from them when combined with other sources of the Agency's revenue pursuant to Article 96(1) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽²⁾ is sufficient to cover the cost of the services delivered.

- (7) In the 'Small Business Act' for Europe ⁽³⁾ the European Union has firmly placed the needs of small and medium-sized enterprises ('SMEs') at the heart of the Lisbon Growth and Jobs Strategy. Specifically the Union's capacity to build on the growth and innovation potential of SMEs will therefore be decisive for future prosperity of the Union. However, SMEs bear a disproportionate regulatory and administrative burden in comparison to larger businesses. Therefore it is appropriate to reduce the level of fees for SMEs.
- (8) It is appropriate for the identification of SMEs to follow the definitions set out in Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises ⁽⁴⁾.
- (9) The reduced fees for proposals for harmonised classification and labelling should be reviewed within 3 years after the entry into force of the Regulation with a view to reviewing or removing them if deemed necessary.
- (10) This Regulation should enter into force as soon as possible, since it has been possible to submit requests for use of alternative chemical names and proposals for harmonisation of classification and labelling of substances to the Agency since 20 January 2009, date of the entry into force of Regulation (EC) No 1272/2008.

⁽¹⁾ OJ L 353, 31.12.2008, p. 1.

⁽²⁾ OJ L 396, 30.12.2006, p. 1.

⁽³⁾ COM(2008) 394 final.

⁽⁴⁾ OJ L 124, 20.5.2003, p. 36.

- (11) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

CHAPTER I

SUBJECT MATTER AND DEFINITIONS

Article 1

Subject matter

This Regulation lays down the levels, and rules for payment, of the fees levied by the European Chemicals Agency, hereinafter called the 'Agency', as provided for in Regulation (EC) No 1272/2008.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

1. 'SME' means a micro, small or medium-sized enterprise within the meaning of the Recommendation 2003/361/EC;
2. 'medium-sized enterprise' means a medium-sized enterprise within the meaning of the Recommendation 2003/361/EC;
3. 'small enterprise' means a small enterprise within the meaning of the Recommendation 2003/361/EC;
4. 'microenterprise' means a microenterprise within the meaning of the Recommendation 2003/361/EC.

CHAPTER II

FEES

Article 3

Fees for request for use of an alternative chemical name

1. The Agency shall levy a fee as laid down in Annex I for a request to use an alternative chemical name for a substance in up to 5 mixtures in accordance with Article 24(1) of Regulation (EC) No 1272/2008.
2. Where the applicant is an SME, the Agency shall levy a reduced fee, as set out in Annex I.
3. For the use of the alternative chemical name of the substance in accordance with Article 24(1) of Regulation (EC) No 1272/2008 in additional mixtures, an additional fee shall be levied for up to 10 additional mixtures and the same additional fee shall be levied for every further 10 additional mixtures, as set out in Section 3 of Annex I.
4. The date on which the fee levied for a request is received by the Agency shall be considered to be the date of receipt of the request.

Article 4

Fees for submission of proposals for harmonised classification and labelling of a substance

1. The Agency shall levy a fee as laid down in Annex II for submission of proposals for harmonisation of classification and labelling in accordance with Article 37(3) of Regulation (EC) No 1272/2008.
2. Where the party making the proposal is an SME, the Agency shall levy a reduced fee, as set out in Annex II.
3. The date on which the fee levied for a proposal is received by the Agency shall be considered to be the date of receipt of the proposal.

Article 5

Reductions

1. A natural or legal person that claims to be entitled to a reduced fee under Article 3 and 4 shall inform the Agency thereof at the time of submission of the request.
2. The Agency may request, at any time, evidence that the conditions for a reduction of fees apply.
3. Where a natural or legal person that claims to be entitled to a reduction cannot demonstrate that it is entitled to such a reduction, the Agency shall levy the full fee.

Where a natural or legal person that claims to be entitled to a reduction has already paid a reduced fee, but cannot demonstrate that it is entitled to such a reduction, the Agency shall levy the balance of the full fee.

CHAPTER III

PAYMENTS

Article 6

Mode of payment

1. The fees shall be paid in Euro.
2. Payments shall be made only after the Agency has issued an invoice.
3. Payments shall be made by means of a transfer to the bank account of the Agency.

Article 7

Identification of the payment

1. Every payment must indicate the invoice number in the reference field.
2. If the purpose of the payment cannot be established, the Agency shall set a deadline by which the payer must notify it in writing of the purpose of the payment. If the Agency does not receive a notification of the purpose of the payment before the expiry of the set deadline, the payment shall be considered invalid and the amount concerned shall be refunded to the payer.

*Article 8***Date of payment**

The date on which the full amount of the payment is deposited in the bank account of the Agency shall be considered as the date on which the payment has been made.

*Article 9***Refund of amounts paid in excess**

1. The arrangements for the refund to the payer of amounts paid in excess of a fee shall be fixed by the Executive Director of the Agency and published on the website of the Agency.

However, where an amount paid in excess is under EUR 100 and the party concerned has not expressly requested a refund, the amount paid in excess shall not be refunded.

2. It shall not be possible to credit any amounts paid in excess towards future payments to the Agency.

CHAPTER IV

FINAL PROVISIONS*Article 10***Provisional Estimate**

The Management Board of the Agency shall, when producing an estimate of the overall expenditure and income for the following financial year in accordance with Article 96(5) of Regulation (EC) No 1907/2006, include a specific provisional estimate of income from fees which is separate from income from any subsidy from the Community.

*Article 11***Reviews**

1. The fees provided for in this Regulation shall be reviewed annually by reference to the inflation rate as measured by means of the European Index of Consumer Prices as published by Eurostat pursuant to Council Regulation (EC) No 2494/95 ⁽¹⁾. A first review shall be carried out by 1 June 2011.

2. The fee reduction for SMEs for harmonised classification and labelling shall be reviewed within 3 years after the entry into force of this Regulation.

3. The Commission shall also keep this Regulation under continual review in the light of significant information becoming available in relation to the underlying assumptions for anticipated income and expenditure of the Agency.

4. At the latest by 1 January 2013, the Commission shall review this Regulation with a view to amending it, if appropriate, taking into account in particular the costs of the Agency.

Article 12

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, 21 May 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 257, 27.10.1995, p. 1.

ANNEX I

Fees for request in accordance with Article 24(1) of Regulation (EC) No 1272/2008:

Section 1 — Standard fee for a substance in up to five mixtures

EUR 4 000

Section 2 — Reduced fees for SMEs for a substance in up to five mixtures

2.1. *Reduced fee for medium-sized enterprises*

EUR 2 800

2.2. *Reduced fee for small enterprises*

EUR 1 600

2.3. *Reduced fee for micro enterprises*

EUR 400

Section 3 — Fee for use of alternative chemical name per 10 additional mixtures

3.1. *Standard fee*

EUR 500

3.2. *Reduced fee for medium-sized enterprises*

EUR 350

3.3. *Reduced fee for small enterprises*

EUR 200

3.4. *Reduced fee for micro enterprises*

EUR 100

ANNEX II

Fees for the proposals submitted in accordance with Article 37(3) of Regulation (EC) No 1272/2008:

Section 1 — Standard fee

EUR 12 000

Section 2 — Reduced fees for SMEs*2.1. Reduced fees for medium-sized enterprises*

EUR 8 400

2.2. Reduced fee for small enterprises

EUR 4 800

2.3. Reduced fee for micro enterprises

EUR 1 200

COMMISSION REGULATION (EU) No 441/2010**of 21 May 2010****entering a name in the register of protected designations of origin and protected geographical indications [Canestrato di Moliterno (PGI)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Canestrato di Moliterno' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

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

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

Done at Brussels, 21 May 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 235, 30.9.2009, p. 28.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.3. Cheeses

ITALY

Canestrato di Moliterno (PGI)

COMMISSION REGULATION (EU) No 442/2010**of 21 May 2010****entering a name in the register of protected designations of origin and protected geographical indications (Aglio di Voghiera (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Aglio di Voghiera' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

*Article 2*This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 21 May 2010.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 236, 1.10.2009, p. 29.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

ITALY

Aglione di Voghera (PDO)

COMMISSION REGULATION (EU) No 443/2010**of 21 May 2010****entering a name in the register of protected designations of origin and protected geographical indications (Piave (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Piave' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

*Article 2*This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 21 May 2010.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 234, 29.9.2009, p. 18.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.3. Cheeses

ITALY

Piave (PDO)

COMMISSION REGULATION (EU) No 444/2010**of 21 May 2010****entering a name in the register of protected designations of origin and protected geographical indications (Pemento da Arnoia (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Spain's application to register the name 'Pemento da Arnoia' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

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

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

Done at Brussels, 21 May 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 222, 15.9.2009, p. 16.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

SPAIN

Pemento da Arnoia (PGI)

COMMISSION REGULATION (EU) No 445/2010**of 21 May 2010****on the division between 'deliveries' and 'direct sales' of national milk quotas fixed for 2009/2010 in Annex IX to Council Regulation (EC) No 1234/2007**

THE EUROPEAN COMMISSION,

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

as amended by Council Regulation (EC) No 72/2009 ⁽⁴⁾ were increased with effect from 1 April 2009. Member States, except Malta, which has no direct sales part of its national quota, have notified the Commission of the division between 'deliveries' and 'direct sales' of the additional quota.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 69(1) in conjunction with Article 4 thereof,

(5) It is therefore appropriate to establish the division between 'deliveries' and 'direct sales' of the national quotas applicable for the period from 1 April 2009 to 31 March 2010 fixed in Annex IX to Regulation (EC) No 1234/2007.

Whereas:

(1) Article 67(2) of Regulation (EC) No 1234/2007 provides that producers may have one or two individual quotas, one for deliveries and the other for direct sales and quantities may be converted from one quota to the other only by the competent authority of the Member State, at the duly justified request of the producer.

(6) Given the fact that the division between direct sales and deliveries is used as a reference basis for controls pursuant to Articles 19 to 21 of Regulation (EC) No 595/2004 and for the establishment of the annual questionnaire set out in Annex I to that Regulation, it is appropriate to determine a date of expiry of this Regulation after the last possible date for these controls.

(2) Commission Regulation (EC) No 416/2009 of 20 May 2009 on the division between 'deliveries' and 'direct sales' of national milk quotas fixed for 2008/2009 in Annex IX to Council Regulation (EC) No 1234/2007 ⁽²⁾ sets out the division between 'deliveries' and 'direct sales' for the period from 1 April 2008 to 31 March 2009 for all Member States.

(7) 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(3) In accordance with Article 25(2) of Commission Regulation (EC) No 595/2004 of 30 March 2004 laying down detailed rules for applying Council Regulation (EC) No 1788/2003 establishing a levy in the milk and milk products sector ⁽³⁾, Member States have notified the quantities which have been definitively converted at the request of the producers between individual quotas for deliveries and for direct sales.

The division, applicable for the period from 1 April 2009 to 31 March 2010, between 'deliveries' and 'direct sales' of the national quotas fixed in Annex IX to Regulation (EC) No 1234/2007 is set out in the Annex to this Regulation.

Article 2

(4) The total national quotas for all Member States fixed in point 1 of Annex IX to Regulation (EC) No 1234/2007

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 September 2011.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 125, 21.5.2009, p. 54.⁽³⁾ OJ L 94, 31.3.2004, p. 22.⁽⁴⁾ OJ L 30, 31.1.2009, p. 1.

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

Done at Brussels, 21 May 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX

(tonnes)		
Member States	Deliveries	Direct sales
Belgium	3 415 434,609	46 127,018
Bulgaria	928 425,173	80 140,627
Czech Republic	2 808 527,676	12 088,840
Denmark	4 658 507,411	238,304
Germany	29 044 163,443	91 731,152
Estonia	657 011,272	8 877,042
Ireland	5 556 537,382	2 178,691
Greece	844 055,493	1 237,000
Spain	6 235 301,035	66 380,855
France	24 989 415,129	352 819,788
Italy	10 982 463,306	306 079,560
Cyprus	148 696,344	888,696
Latvia	719 683,007	30 970,163
Lithuania	1 679 913,351	76 411,787
Luxembourg	280 831,137	500,000
Hungary	1 928 903,771	121 256,041
Malta	50 168,680	0,000
Netherlands	11 505 972,047	74 314,536
Austria	2 785 409,610	90 543,644
Poland	9 502 697,468	160 725,851
Portugal ⁽¹⁾	1 999 241,020	8 155,190
Romania	1 475 454,378	1 673 867,022
Slovenia	573 711,028	20 341,440
Slovakia	1 049 575,219	22 644,579
Finland	2 512 083,449	5 551,251
Sweden	3 449 791,859	4 000,000
United Kingdom	15 139 642,862	136 777,767

⁽¹⁾ Except Madeira.

COMMISSION REGULATION (EU) No 446/2010
of 21 May 2010
opening the sale of butter by a tendering procedure

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

Article 1

Scope

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(f) and (j), in conjunction of Article 4 thereof,

Sales by a tendering procedure of butter entered into storage before 1 October 2009 are open, under the conditions provided for in Title III of Regulation (EU) No 1272/2009.

The proposed price shall be the price per 100 kg of products.

Whereas:

Article 2

Dates of submission

(1) Given the current situation on the butter market in terms of demand and prices and the level of intervention stocks it is appropriate to open the sale of butter from intervention by a tendering procedure in accordance with Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention ⁽²⁾.

1. The time limit for submission of tenders in response to the individual invitations to tender shall be 11.00 (Brussels time) on the first and third Tuesday of the month. However, in August it shall be 11.00 (Brussels time) of the fourth Tuesday and in December it shall be 11.00 (Brussels time) on the second Tuesday. If Tuesday is a public holiday the time limit shall be 11.00 (Brussels time) on the previous working day.

(2) In order to better manage the sales from intervention, a date shall be fixed before which the intervention butter should have entered into storage to be available for sale.

2. The time limit for the submission of tenders for the first individual tender is 1 June 2010 at 11.00 (Brussels time).

(3) Article 40(4)(b) of Regulation (EU) No 1272/2009 provides that it is necessary to lay down the time limits for the submission of tenders.

3. Tenders shall be submitted to the intervention agencies ⁽³⁾.

Article 3

Notification to the Commission

(4) According to Article 45 of Regulation (EU) No 1272/2009 the time limit to notify all admissible tenders by the intervention agencies to the Commission should be set.

Notification provided for in Article 45 of Regulation (EU) No 1272/2009 shall be made by 16.00 (Brussels time), on the closing date of submission of tenders referred to in Article 2 of this Regulation.

(5) In view of increased volatility of market prices, it is appropriate to increase the amount of the tendering security, by derogation from Article 44(b) of Regulation (EU) No 1272/2009.

Article 4

Derogation

(6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

By way of derogation from Article 44(b) of Regulation (EU) No 1272/2009, the tendering security for butter shall be EUR 200/tonne.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 349, 29.12.2009, p. 1.

⁽³⁾ The addresses of the intervention agencies are available on the European Commission website CIRCA (<http://circa.europa.eu/Public/irc/agri/lait/library?l=/&vm=detailed&sb=Title>).

*Article 5***Entry into force**

This Regulation shall enter into force on the third 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, 21 May 2010.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

COMMISSION REGULATION (EU) No 447/2010
of 21 May 2010
opening the sale of skimmed milk powder by a tendering procedure

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 43(f) and (j), in conjunction of Article 4 thereof,

Whereas:

(1) Given the current situation on the skimmed milk powder market in terms of demand and prices and the level of intervention stocks it is appropriate to open the sale of skimmed milk powder from intervention by a tendering procedure in accordance with Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention ⁽²⁾.

(2) In order to better manage the sales from intervention, a date shall be fixed before which the intervention skimmed milk powder should have entered into storage to be available for sale.

(3) Article 40(4)(b) of Regulation (EU) No 1272/2009 provides that it is necessary to lay down the time limits for the submission of tenders.

(4) According to Article 45 of Regulation (EU) No 1272/2009 the time limit to notify all admissible tenders by the intervention agencies to the Commission should be set.

(5) In view of increased volatility of market prices, it is appropriate to increase the amount of the tendering security, by derogation from Article 44(b) of Regulation (EU) No 1272/2009.

(6) 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

Scope

Sales by a tendering procedure of skimmed milk powder entered into storage before 1 May 2009 are open, under the conditions provided for in Title III of Regulation (EU) No 1272/2009.

The proposed price shall be the price per 100 kg of products.

Article 2

Dates of submission

1. The time limit for submission of tenders in response to the individual invitations to tender shall be 11.00 (Brussels time) on the first and third Tuesday of the month. However, in August it shall be 11.00 (Brussels time) of the fourth Tuesday and in December it shall be 11.00 (Brussels time) on the second Tuesday. If Tuesday is a public holiday the time limit shall be 11.00 (Brussels time) on the previous working day.

2. The time limit for the submission of tenders for the first individual tender is 1 June 2010 at 11.00 (Brussels time).

3. Tenders shall be submitted to the intervention agencies ⁽³⁾.

Article 3

Notification to the Commission

Notification provided for in Article 45 of Regulation (EU) No 1272/2009 shall be made by 16.00 (Brussels time), on the closing date of submission of tenders referred to in Article 2 of this Regulation.

Article 4

Derogation

By way of derogation from Article 44(b) of Regulation (EU) No 1272/2009, the tendering security for skimmed milk powder shall be EUR 200/tonne.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 349, 29.12.2009, p. 1.

⁽³⁾ The addresses of the intervention agencies are available on the European Commission website CIRCA (<http://circa.europa.eu/Public/irc/agri/lait/library?l=/&vm=detailed&sb=Title>).

*Article 5***Entry into force**

This Regulation shall enter into force on the third 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, 21 May 2010.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

COMMISSION REGULATION (EU) No 448/2010**of 21 May 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 22 May 2010.

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

Done at Brussels, 21 May 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	MA	70,9
	MK	66,4
	TN	69,5
	TR	58,9
	ZZ	66,4
0707 00 05	MA	46,5
	MK	59,4
	TR	118,3
	ZZ	74,7
0709 90 70	TR	107,5
	ZZ	107,5
0805 10 20	EG	60,0
	IL	68,3
	MA	57,9
	PY	48,3
	TN	51,1
	TR	49,3
	ZA	73,7
	ZZ	58,4
0805 50 10	AR	94,0
	BO	58,6
	BR	117,8
	TR	84,7
	ZA	90,7
	ZZ	89,2
0808 10 80	AR	88,4
	BR	76,9
	CA	111,7
	CL	81,2
	CN	77,5
	MK	31,8
	NZ	116,8
	US	117,9
	UY	77,5
	ZA	81,1
	ZZ	86,1

⁽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'.

DIRECTIVES

COMMISSION DIRECTIVE 2010/33/EU

of 21 May 2010

correcting the Spanish version of Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

(1) Following the adoption, on 14 August 2009, of Commission Directive 2009/106/EC ⁽²⁾ which amended Council Directive 2001/112/EC, Annex V of the latter Directive now contains an error in the Spanish language version, which needs to be corrected. The other language versions are not affected.

(2) Directive 2001/112/EC should therefore be corrected accordingly.

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Concerns only the Spanish version.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, by 1 January 2011 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 21 May 2010.

For the Commission
The President

José Manuel BARROSO

⁽¹⁾ OJ L 10, 12.1.2002, p. 58.

⁽²⁾ OJ L 212, 15.8.2009, p. 42.

DECISIONS

COUNCIL DECISION

of 10 May 2010

on the European Capital of Culture event for the year 2014

(2010/294/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Decision No 1622/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Community action for the European Capital of Culture event for the years 2007 to 2019 ⁽¹⁾, and in particular Article 9(3) thereof,

Having regard to the Selection Panel reports of September 2009 regarding the selection process of the European Capitals of Culture in Sweden and Latvia respectively and the positive opinion issued by the European Parliament,

Considering that the criteria referred to in Article 4 of Decision No 1622/2006/EC are entirely fulfilled,

Having regard to the recommendation from the Commission of the 23 April 2010,

HAS ADOPTED THIS DECISION:

Sole Article

Umeå (Sweden) and Riga (Latvia) are designated as 'European Capital of Culture 2014'.

Done at Brussels, 10 May 2010.

For the Council

The President

Á. GONZÁLEZ-SINDE REIG

⁽¹⁾ OJ L 304, 3.11.2006, p. 1.

POLITICAL AND SECURITY COMMITTEE DECISION EU BAM Rafah/1/2010**of 21 May 2010****extending the mandate of the Head of Mission of the European Union Border Assistance Mission at the Rafah Crossing Point**

(2010/295/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third paragraph of Article 38 thereof,

Having regard to Council Joint Action 2005/889/CFSP of 12 December 2005 on establishing a European Union Border Assistance Mission at the Rafah Crossing Point (EU BAM Rafah) ⁽¹⁾, and in particular Article 10(2) thereof,

Whereas:

- (1) Pursuant to Article 10(2) of Joint Action 2005/889/CFSP, the Council authorised the Political and Security Committee (PSC), in accordance with Article 38 of the Treaty, to take the relevant decisions for the purpose of political control and strategic direction of the EU BAM Rafah mission, including the decision to appoint a Head of Mission.
- (2) On 11 November 2008, upon a proposal by the Secretary General/High Representative, the PSC appointed by Decision EUBAM Rafah/1/2008 ⁽²⁾ Mr Alain FAUGERAS as Head of Mission of EU BAM Rafah.

- (3) On 20 May 2010, the High Representative of the Union for Foreign Affairs and Security Policy proposed to the PSC that it extend the mandate of Mr Alain FAUGERAS as Head of Mission of EU BAM Rafah until 24 May 2011,

HAS ADOPTED THIS DECISION:

Article 1

The mandate of Mr Alain FAUGERAS as Head of Mission of the European Union Border Assistance Mission at the Rafah Crossing Point is hereby extended from 25 November 2009 until 24 May 2011.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 21 May 2010.

For the Political and Security Committee

The President

C. FERNÁNDEZ-ARIAS

⁽¹⁾ OJ L 327, 14.12.2005, p. 28.

⁽²⁾ OJ L 306, 15.11.2008, p. 99.

COMMISSION DECISION
of 21 May 2010
on the establishment of a Register for Biocidal Products

(notified under document C(2010) 3180)

(Text with EEA relevance)

(2010/296/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ⁽¹⁾, and in particular Article 18(4) thereof,

Whereas:

- (1) In order to facilitate compliance by the Member States with the requirement to submit the information concerning authorisation and registration of biocidal products set out in Article 18(1) of Directive 98/8/EC, it is appropriate to establish a standardised information system at European Union level, in the form of a Register for Biocidal Products, hereinafter referred to as the 'Register'.
- (2) To ensure consistency of the data, the Register should be used by all the Member States to enter the information required under Article 18(1) of Directive 98/8/EC.
- (3) As the standardised information system is still under development, it is appropriate to provide for the deferred applicability of this Decision.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS DECISION:

Article 1

A Register for Biocidal Products is established.

Article 2

Member States shall enter the information required under Article 18(1) of Directive 98/8/EC into the Register for Biocidal Products.

Article 3

This Decision shall apply from 1 July 2010.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 21 May 2010.

For the Commission

Janez POTOČNIK

Member of the Commission

⁽¹⁾ OJ L 123, 24.4.1998, p. 1.

CORRIGENDA**Corrigendum to Decision No 1/2009 of the Joint Committee on Agriculture of 9 December 2009 on the amendment of Annex 7 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products**

(Official Journal of the European Union L 115 of 8 May 2010)

On page 33, Article 1(2):

for: 'Appendix 5 is amended as set out in the Annex to this Decision.'

read: 'Appendix 5 is added as set out in the Annex to this Decision.'

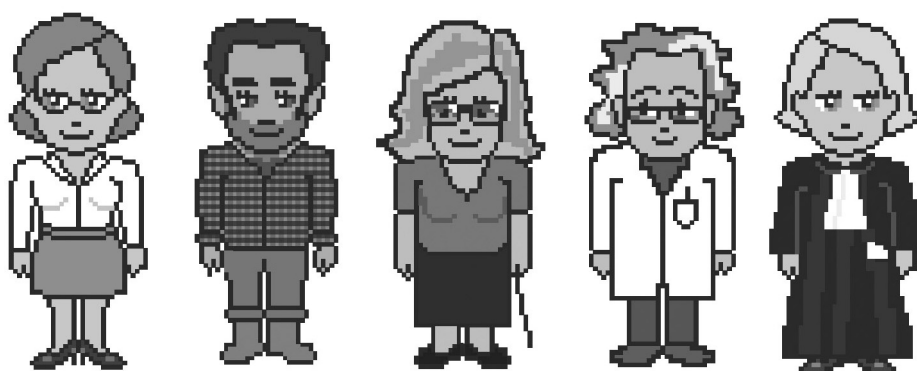
on page 34, in the Annex, Appendix 5, point 6, 'Transitional provisions':

for: 'Producers with areas planted with vines that are not listed in the grape production area listed in point 2(b), but who have previously and legitimately used the registered designation of origin "AOC Genève", may continue to use it until 2013 and the relevant products can be marketed until stocks are exhausted.'

read: 'Producers with areas planted with vines that are not listed in the grape production area listed in point 2(b), but who have previously and legitimately used the registered designation of origin "AOC Genève", may continue to use it until the 2013 vintage and the relevant products can be marketed until stocks are exhausted.'

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