

Official Journal

of the European Union

L 142



English edition

Legislation

Volume 53

10 June 2010

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) No 498/2010 of 9 June 2010 prohibiting fishing activities for purse seiners flying the flag of France or Greece or registered in France or Greece, fishing for bluefin tuna in the Atlantic Ocean, east of longitude 45° W, and in the Mediterranean Sea ..** 1

Commission Regulation (EU) No 499/2010 of 9 June 2010 establishing the standard import values for determining the entry price of certain fruit and vegetables 3

Commission Regulation (EU) No 500/2010 of 9 June 2010 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year 5

DECISIONS

2010/316/EU:

- ★ **Council Decision of 3 June 2010 establishing the position to be adopted on behalf of the European Union within the Food Aid Committee as regards the extension of the Food Aid Convention 1999** 7

Price: EUR 3

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

2010/317/CFSP:

★ Political and Security Committee Decision Atalanta/3/2010 of 28 May 2010 on the appointment of an EU Operation Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta)	9
---	---

2010/318/EU:

★ Commission Decision of 9 June 2010 on the beneficiary countries which qualify for the special incentive arrangement for sustainable development and good governance for the period from 1 July 2010 to 31 December 2011, as provided in Council Regulation (EC) No 732/2008 (<i>notified under document C(2010) 3639</i>)	10
---	----

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 498/2010

of 9 June 2010

prohibiting fishing activities for purse seiners flying the flag of France or Greece or registered in France or Greece, fishing for bluefin tuna in the Atlantic Ocean, east of longitude 45° W, and in the Mediterranean Sea

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required and amending Regulations (EC) No 1359/2008, (EC) No 754/2009, (EC) No 1226/2009 and (EC) No 1287/2009 ⁽²⁾, fixes the amount of bluefin tuna which may be fished in 2010 in the Atlantic Ocean, east of longitude 45° W, and the Mediterranean Sea by European Union fishing vessels.
- (2) Council Regulation (EC) No 302/2009 of 6 April 2009 concerning a multiannual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean, amending Regulation (EC) No 43/2009 and repealing Regulation (EC) No 1559/2007 ⁽³⁾, requires Member States to inform the Commission of the individual quota allocated to their vessels over 24 metres.
- (3) The Common Fisheries Policy is designed to ensure the long-term viability of the fisheries sector through sustainable exploitation of living aquatic resources based on the precautionary approach.

- (4) In accordance with Article 36(2) of Regulation (EC) No 1224/2009, on the basis of information to be provided by Member States or on its own initiative, where the Commission finds that fishing opportunities available to the European Union, a Member State or group of Member States are deemed to have been exhausted, the Commission shall inform the Member States concerned thereof and shall prohibit fishing activities for the respective area, gear, stock, group of stocks or fleet involved in those specific fishing activities.

- (5) The information in the Commission's possession indicates that the fishing opportunities for bluefin tuna in the Atlantic Ocean, east of longitude 45° W, and the Mediterranean Sea allocated to purse seiners flying the flag of or registered in France or Greece will be deemed to be exhausted on 9 June 2010.

- (6) It is therefore necessary that the Commission prohibits as from 10 June 2010, 00h00, the fishing for bluefin tuna in the Atlantic Ocean, east of longitude 45° W and the Mediterranean Sea by purse seiners flying the flag of or registered in France or Greece,

HAS ADOPTED THIS REGULATION:

Article 1

Fishing for bluefin tuna in the Atlantic Ocean, east of longitude 45° W, and the Mediterranean by purse seiners flying the flag of or registered in France or Greece shall be prohibited as from 10 June 2010, 00h00.

It shall also be prohibited to retain on board, place in cages for fattening or farming, tranship, transfer or land such stock caught by those vessels as from that date.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 21, 26.1.2010, p. 1.

⁽³⁾ OJ L 96, 15.4.2009, p. 1.

*Article 2***Entry into force**

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, 9 June 2010.

*For the Commission,
On behalf of the President,
Maria DAMANAKI
Member of the Commission*

COMMISSION REGULATION (EU) No 499/2010**of 9 June 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 10 June 2010.

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

Done at Brussels, 9 June 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	44,4
	MK	50,2
	TR	53,9
	ZZ	49,5
0707 00 05	MA	37,3
	MK	41,0
	TR	92,9
	ZZ	57,1
0709 90 70	MA	68,1
	TR	101,9
	ZZ	85,0
0805 50 10	AR	108,9
	BR	112,1
	TR	98,6
	ZA	103,6
	ZZ	105,8
0808 10 80	AR	100,1
	BR	79,2
	CA	103,3
	CL	90,8
	CN	66,0
	IL	49,0
	NZ	108,6
	US	120,1
	UY	116,3
	ZA	91,4
	ZZ	92,5
0809 10 00	TN	380,0
	TR	185,0
	ZZ	282,5
0809 20 95	TR	489,4
	US	586,5
	ZZ	538,0

⁽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 500/2010**of 9 June 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

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

Whereas:

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

for the 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 496/2010 ⁽⁴⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 June 2010.

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

Done at Brussels, 9 June 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 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 253, 25.9.2009, p. 3.

⁽⁴⁾ OJ L 140, 8.6.2010, p. 23.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 10 June 2010

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	39,44	0,00
1701 11 90 ⁽¹⁾	39,44	3,07
1701 12 10 ⁽¹⁾	39,44	0,00
1701 12 90 ⁽¹⁾	39,44	2,78
1701 91 00 ⁽²⁾	41,01	5,17
1701 99 10 ⁽²⁾	41,01	2,03
1701 99 90 ⁽²⁾	41,01	2,03
1702 90 95 ⁽³⁾	0,41	0,27

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

DECISIONS

COUNCIL DECISION

of 3 June 2010

establishing the position to be adopted on behalf of the European Union within the Food Aid Committee as regards the extension of the Food Aid Convention 1999

(2010/316/EU)

THE COUNCIL OF THE EUROPEAN UNION,

immediately without any prejudice to the formal position that would be communicated at the 102nd Session of the Food Aid Committee in June 2010.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 214(4) and Article 218(9) thereof,

- (5) There are two possible scenarios for which the European Union should prepare a position in view of the 102nd Session of the Food Aid Committee:

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Food Aid Convention 1999 was concluded on behalf of the European Community by Council Decision 2000/421/EC⁽¹⁾ and extended by decisions of the Food Aid Committee in June 2003, June 2005, June 2007, June 2008 and June 2009 so as to remain in force until 30 June 2010.
- (2) The Grains Trade Convention 1995 remains in force until 30 June 2011.
- (3) The Food Aid Convention 1999 expires on 30 June 2010 and the question of its renewal will be formally addressed at the 102nd Session of the Food Aid Committee on 4 June 2010.
- (4) At the 101st Session of the Food Aid Committee, on 9 December 2009, some members expressed their willingness to extend the Food Aid Convention 1999 for another year until 30 June 2011. The European Union took the position that it would work towards taking a decision in June 2010 as to the future of the Food Aid Convention 1999 and that preparations could be started

(a) discussions among members of the Food Aid Committee on the future of the Food Aid Convention 1999 have achieved significant progress (i.e. there is reasonable expectation that renegotiation of the Food Aid Convention 1999/negotiation of a future Convention will start in the course of 2010), by the 102nd Session of the Food Aid Committee, in which case an extension of the Food Aid Convention 1999 for one more year would be most appropriate. The Commission would then initiate the procedure laid down in Article 218 of the Treaty on the Functioning of the European Union recommending that the Council authorise the opening of negotiations and adopt negotiating directives; or

(b) discussions among members of the Food Aid Committee on the future of the Food Aid Convention 1999 have not achieved significant progress by the 102nd Session of the Food Aid Committee, in which case an extension of the Food Aid Convention 1999 for one more year would not be appropriate, and the Commission, on behalf of the European Union and its Member States, should formally oppose the emergence of a consensus in the Food Aid Committee favouring an extension of the Food Aid Convention 1999.

- (6) The Commission, which represents the European Union in the Food Aid Committee, should therefore be authorised by a Council Decision to either favour an extension of the Food Aid Convention 1999 for one year, i.e. until 30 June 2011, if the condition set out in paragraph 5(a) is met, or, if that is not the case, oppose a consensus in the Food Aid Committee favouring such an extension,

⁽¹⁾ OJ L 163, 4.7.2000, p. 37.

HAS ADOPTED THIS DECISION:

Article 1

The position of the European Union within the Food Aid Committee shall be to favour the extension of the Food Aid Convention 1999 for a period of one year, i.e. until 30 June 2011, provided that discussions among members of the Food Aid Committee on the future of the Food Aid Convention 1999 have achieved significant progress (i.e. there is a reasonable expectation that renegotiation of the Food Aid Convention 1999/negotiation of a future Convention will start in the course of 2010), by the 102nd Session of the Food Aid Committee on 4 June 2010.

If that condition is not met, the position of the European Union shall be formally to oppose the emergence of a consensus in the

Food Aid Committee favouring an extension of the Food Aid Convention 1999, pursuant to Rule 13 of the Rules of Procedure of the Food Aid Committee.

Article 2

The Commission is hereby authorised to express one of the positions set out in Article 1 within the Food Aid Committee.

Done at Luxembourg, 3 June 2010.

For the Council

The President

A. PÉREZ RUBALCABA

POLITICAL AND SECURITY COMMITTEE DECISION ATALANTA/3/2010**of 28 May 2010****on the appointment of an EU Operation Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta)**

(2010/317/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

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

Having regard to Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ⁽¹⁾ (Atalanta), and in particular Article 6(1) thereof,

Whereas:

- (1) Pursuant to Article 6(1) of Joint Action 2008/851/CFSP, the Council authorised the Political and Security Committee (PSC) to take decisions on the appointment of the EU Operation Commander.
- (2) The United Kingdom has proposed that Major-General Buster HOWE replace Rear-Admiral Peter HUDSON as EU Operation Commander.
- (3) The EU Military Committee supports that recommendation.

- (4) In accordance with Article 5 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications,

HAS ADOPTED THIS DECISION:

Article 1

Major-General Buster HOWE is hereby appointed EU Operation Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.

Article 2

This Decision shall enter into force on 14 June 2010.

Done at Brussels, 28 May 2010.

*For the Political and Security Committee**The Chairman*

C. FERNÁNDEZ-ARIAS

⁽¹⁾ OJ L 301, 12.11.2008, p. 33.

COMMISSION DECISION

of 9 June 2010

on the beneficiary countries which qualify for the special incentive arrangement for sustainable development and good governance for the period from 1 July 2010 to 31 December 2011, as provided in Council Regulation (EC) No 732/2008

*(notified under document C(2010) 3639)**(2010/318/EU)*

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 732/2008 of 22 July 2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011 and amending Regulations (EC) No 552/97, (EC) No 1933/2006 and Commission Regulations (EC) No 1100/2006 and (EC) No 964/2007 ⁽¹⁾, and in particular Article 10(2) thereof,

Whereas:

- (1) Regulation (EC) No 732/2008 provides for the granting of a special incentive arrangement for sustainable development and good governance to developing countries which satisfy the requirements established under its Articles 8 and 9.
- (2) Any developing country wishing to avail itself of the special incentive arrangement as of 1 July 2010 had to submit a request to that effect by 30 April 2010, accompanied by comprehensive information concerning ratification of the relevant conventions, the legislation and measures to implement effectively the provisions of the conventions and its commitment to accept and comply fully with the monitoring and review mechanism envisaged in the relevant conventions and related instruments. To be granted the request, the requesting country also has to be considered to be a vulnerable country as defined in Article 8(2) of Regulation (EC) No 732/2008.
- (3) By 30 April 2010, the Commission received a request from the Republic of Panama (hereinafter Panama) to benefit from the special incentive arrangement for sustainable development and good governance as from 1 July 2010.
- (4) The request has been examined in accordance with the provisions of Article 10(1) of Regulation (EC) No 732/2008.

(5) The examination showed that Panama fulfils all the necessary requirements of Article 8 and 9 of Regulation (EC) No 732/2008. Accordingly, the special incentive arrangement should be granted to Panama from 1 July 2010 to 31 December 2011.

(6) Pursuant to Article 10(3) of Regulation (EC) No 732/2008, this Decision is to be notified to Panama.

(7) The measures provided for in this Decision are in accordance with the opinion of the Generalised Preferences Committee.

(8) This decision does not affect the beneficiary status under the arrangement of any country listed in Commission Decision 2008/938/EC of 9 December 2008 on the list of the beneficiary countries which qualify for the special incentive arrangement for sustainable development and good governance, provided for in Council Regulation (EC) No 732/2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011 ⁽²⁾,

HAS ADOPTED THIS DECISION:

Article 1

The Republic of Panama shall benefit from the special incentive arrangement for sustainable development and good governance provided for in Regulation (EC) No 732/2008 from 1 July 2010 to 31 December 2011.

Article 2

This Decision is addressed to the Republic of Panama.

Done at Brussels, 9 June 2010.

For the Commission

Karel DE GUCHT

Member of the Commission

⁽¹⁾ OJ L 211, 6.8.2008, p. 1.

⁽²⁾ OJ L 334, 12.12.2008, p. 90.

2010 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 100 per year
EU Official Journal, L + C series, paper + annual CD-ROM	22 official EU languages	EUR 1 200 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 770 per year
EU Official Journal, L + C series, monthly CD-ROM (cumulative)	22 official EU languages	EUR 400 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, CD-ROM, two editions per week	multilingual: 23 official EU languages	EUR 300 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual CD-ROM.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

CD-Rom formats will be replaced by DVD formats during 2010.

Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our commercial distributors. The list of commercial distributors is available at:

http://publications.europa.eu/others/agents/index_en.htm

EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN