

Official Journal

of the European Union

L 218



English edition

Legislation

Volume 53

19 August 2010

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Price: EUR 3

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(¹) Text with EEA relevance

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.

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information concerning the entry into force of the Agreement between the European Community and Antigua and Barbuda on the short-stay visa waiver

The Agreement between the European Community and Antigua and Barbuda on the short-stay visa waiver entered into force on 1 May 2010, the procedure provided for in Article 8 of the Agreement having been completed on 22 March 2010.

REGULATIONS

COMMISSION REGULATION (EU) No 744/2010

of 18 August 2010

amending Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer, with regard to the critical uses of halons

(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 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer ⁽¹⁾, and in particular Article 13(2) thereof,

Whereas:

- (1) Halon 1301, halon 1211 and halon 2402 (hereinafter referred to as 'halons') are ozone-depleting substances listed as controlled substances in Group III of Annex I to Regulation (EC) No 1005/2009. Their production in Member States has been banned since 1994, in line with the requirements of the Montreal Protocol. Their use, however, continues to be permitted for certain critical uses as set out in Annex VI to Regulation (EC) No 1005/2009.
- (2) As required by Article 4(4)(iv) of Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer ⁽²⁾, the Commission has reviewed Annex VII to that Regulation. To this effect, it has evaluated the current uses of halons and the availability and implementation of technically and economically feasible alternatives or technologies that are acceptable from the standpoint of environment and health (hereinafter referred to as 'alternatives'). In the meantime, Regulation (EC) No 2037/2000 has been replaced by Regulation (EC) No 1005/2009, Annex VII to Regulation (EC) No 2037/2000 becoming Annex VI to Regulation (EC) No 1005/2009, without any change.
- (3) The review has shown some discrepancies between Member States in the interpretation of which uses of halons constitute critical uses as described in Annex VI to Regulation (EC) No 1005/2009. Each halon application should therefore be described in more detail, specifying the category of equipment or facility, the purpose of the application, the type of halon extinguisher and the type of halon.
- (4) The review has also shown that, with few exceptions, halons are no longer necessary to meet fire protection needs in new designs of equipment and new facilities and that alternatives are now routinely being installed. However, halon extinguishers and fire protection systems continue to be necessary in some equipment that is, or will be, produced to existing designs.
- (5) The review has also shown that halons are being replaced or could be replaced by alternatives over time and at a reasonable cost for a majority of fire protection applications, whether incorporated in existing equipment and existing facilities or in equipment being produced to existing designs.
- (6) It is therefore appropriate, in the light of the increased availability and implementation of alternatives, to establish, for each application, cut-off dates after which the use of halons for new equipment and new facilities would not be a critical use and the installation of a halon extinguisher or fire protection system would therefore not be permitted. Due account should be taken, in defining 'new equipment' and 'new facilities', of the stage in the equipment's and the facilities' lifecycle at which the design of the space requiring fire protection is effectively fixed.
- (7) It is also appropriate to establish, for each application, end dates after which the use of halons for fire extinguishers or fire protection systems in all equipment and facilities, whether in existing equipment and existing facilities or in equipment that is, or will be, produced to existing designs, would cease to be a critical use. Use of halons would therefore not be permitted and all halon fire extinguishers and fire protection systems should be replaced, converted or decommissioned by the end date, in accordance with Article 13(3) of Regulation (EC) No 1005/2009.

⁽¹⁾ OJ L 286, 31.10.2009, p. 1.

⁽²⁾ OJ L 244, 29.9.2000, p. 1.

- (8) The cut-off dates should take into account the availability of alternatives for new equipment and new facilities and the barriers to their implementation. They should also allow sufficient time for the development of alternatives where this is necessary, whilst providing an incentive to undertake such development. Regarding aircraft, as civil aviation is regulated at the international level, due account should be taken of initiatives by the International Civil Aviation Organisation (ICAO) concerning installation and use of halons for fire extinguishers on aircraft.
- (9) The end dates should, additionally, allow sufficient time for halon replacement or conversion activities to be completed as part of routine or planned equipment or facility maintenance or upgrade programmes, without unduly affecting the operation of the equipment or facilities concerned and without resulting in excessive costs. They should also take into account the time necessary to obtain any certification, authorisation or approval that may be required for the installation of alternatives in the equipment or facilities concerned.
- (10) For the majority of applications for new equipment and new facilities, where halon extinguishers and fire protection systems are no longer necessary or are no longer being installed, it is appropriate to set 2010 as the cut-off date. However, it is appropriate to set 2011 as the cut-off date for some military ground vehicle and aircraft applications for which alternatives are considered now to be available but which have not been implemented during development programmes now nearing completion and for which modifications might no longer be technically and economically feasible. It is appropriate to set 2014 as the cut-off date for the aircraft engine nacelle and cabin portable extinguisher applications, which would correspond to the time-frame for the anticipated implementation of an equivalent restriction through the ICAO. It is appropriate to set 2018 as the cut-off date for the aircraft cargo compartment application where alternatives have not yet been identified but for which it can reasonably be expected that, following further research and development, alternatives will be available by that date for installation in new aircraft being submitted for type certification.
- (11) For many applications, it is appropriate to set end dates between 2013 and 2025, according to the level of technical and economic challenge that halon replacement or conversion represents. Those end dates should allow sufficient time for halon replacement during routine maintenance programmes for most equipment and facilities where alternatives are now available. It is appropriate to set 2030 or 2035 as the end date for certain military ground vehicle and military ship applications for which halon replacement is likely only to be technically and economically feasible as part of planned equipment upgrade or refit programmes, and for which additional research and development to verify the suitability of alternatives may be necessary in some Member States.
- (12) For some applications, on existing military vehicles, on existing military surface ships, on existing military submarines, on existing military aircraft, and on those that are, or will be, produced to existing designs, alternatives have not yet been identified. However, it can reasonably be expected that by 2040 a large part of the equipment concerned will have reached the end of its useful life or that alternatives will be available by that date, following further research and development. It is therefore appropriate to set 2040 as a reasonable end date for those applications.
- (13) For fire protection systems in cargo compartments, engine nacelles and auxiliary power units, on existing civil aircraft or on those being produced in accordance with an existing type certification, alternatives have also not yet been identified. Furthermore, a significant number of civil aircraft will continue to be produced with, and be reliant on, halons for those applications for the foreseeable future. Whilst it is accepted that there are significant technical, economic and regulatory constraints affecting the replacement of halons for those applications, it is also appropriate, in view of the uncertainty concerning the long-term availability of recycled halons and the need for additional research and development to identify and develop suitable alternatives, to set 2040 as a reasonable end date.
- (14) Annex VI, including the time-frames for the phasing out of the critical uses, will be kept under review to take account of continued research and development of alternatives and of new information on their availability. Furthermore, derogations from end dates and cut-off dates may be granted for specific cases where it is demonstrated that no alternative is available.
- (15) Regulation (EC) No 1005/2009 should, therefore, be amended accordingly.
- (16) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 25(1) of Regulation (EC) No 1005/2009,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VI to Regulation (EC) No 1005/2009 is replaced by the Annex to this Regulation.

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, 18 August 2010.

For the Commission

The President

José Manuel BARROSO

ANNEX

'ANNEX VI

CRITICAL USES OF HALONS

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

1. "Cut-off date" means the date after which halons must not be used for fire extinguishers or fire protection systems in new equipment and new facilities for the application concerned.
2. "New equipment" means equipment for which, by the cut-off date, neither of the following events has occurred:
 - (a) signature of the relevant procurement or development contract;
 - (b) submission of a request for type approval or type certification to the appropriate regulatory authority.
3. "New facilities" means facilities for which, by the cut-off date, neither of the following events has occurred:
 - (a) signature of the relevant development contract;
 - (b) submission of a request for planning consent to the appropriate regulatory authority.
4. "End date" means the date after which halons shall not be used for the application concerned and by which date the fire extinguishers or fire protection systems containing halons shall be decommissioned.
5. "Inerting" means preventing the initiation of combustion of a flammable or explosive atmosphere by means of the addition of an inhibiting or diluting agent.
6. "Cargo ship" means a ship that is not a passenger ship, is over 500 tonnes gross weight, and embarks on an international voyage, in accordance with the definition of those terms in the Safety of Life at Sea (SOLAS) Convention. The SOLAS Convention defines a "passenger ship" as "a ship that carries more than 12 passengers" and an "international voyage" as "a voyage from a country to which the present Convention applies to a port outside such country, or conversely".
7. A "normally occupied" space means a protected space in which it is necessary for persons to be present most or all of the time in order for the equipment or facility to function effectively. For military applications, the occupancy status of the protected space would be that applicable during a combat situation.
8. A "normally unoccupied" space means a protected space that is occupied for limited periods only, in particular for undertaking maintenance, and where the continual presence of persons is not necessary for the effective functioning of the equipment or facility.

CRITICAL USES OF HALONS

Application				Cut-off date (31 December of the stated year)	End date (31 December of the stated year)
Category of equipment or facility	Purpose	Type of extinguisher	Type of halon		
1. On military ground vehicles	1.1. For the protection of engine compartments	Fixed system	1301 1211 2402	2010	2035
	1.2. For the protection of crew compartments	Fixed system	1301 2402	2011	2040
	1.3. For the protection of crew compartments	Portable extinguisher	1301 1211	2011	2020

CRITICAL USES OF HALONS					
Application				Cut-off date (31 December of the stated year)	End date (31 December of the stated year)
Category of equipment or facility	Purpose	Type of extinguisher	Type of halon		
2. On military surface ships	2.1. For the protection of normally occupied machinery spaces	Fixed system	1301 2402	2010	2040
	2.2. For the protection of normally unoccupied engine spaces	Fixed system	1301 1211 2402	2010	2035
	2.3. For the protection of normally unoccupied electrical compartments	Fixed system	1301 1211	2010	2030
	2.4. For the protection of command centres	Fixed system	1301	2010	2030
	2.5. For the protection of fuel pump rooms	Fixed system	1301	2010	2030
	2.6. For the protection of flammable liquid storage compartments	Fixed system	1301 1211 2402	2010	2030
	2.7. For the protection of aircraft in hangars and maintenance areas	Portable extinguisher	1301 1211	2010	2016
3. On military submarines	3.1. For the protection of machinery spaces	Fixed system	1301	2010	2040
	3.2. For the protection of command centres	Fixed system	1301	2010	2040
	3.3. For the protection of diesel generator spaces	Fixed system	1301	2010	2040
	3.4. For the protection of electrical compartments	Fixed system	1301	2010	2040
4. On aircraft	4.1. For the protection of normally unoccupied cargo compartments	Fixed system	1301 1211 2402	2018	2040
	4.2. For the protection of cabins and crew compartments	Portable extinguisher	1211 2402	2014	2025
	4.3. For the protection of engine nacelles and auxiliary power units	Fixed system	1301 1211 2402	2014	2040

CRITICAL USES OF HALONS					
Category of equipment or facility	Application			Cut-off date (31 December of the stated year)	End date (31 December of the stated year)
	Purpose	Type of extinguisher	Type of halon		
	4.4. For the inerting of fuel tanks	Fixed system	1301 2402	2011	2040
	4.5. For the protection of lavatory waste receptacles	Fixed system	1301 1211 2402	2011	2020
	4.6. For the protection of dry bays	Fixed system	1301 1211 2402	2011	2040
5. In oil, gas and petrochemicals facilities	5.1. For the protection of spaces where flammable liquid or gas could be released	Fixed system	1301 2402	2010	2020
6. On commercial cargo ships	6.1. For the inerting of normally occupied spaces where flammable liquid or gas could be released	Fixed system	1301 2402	1994	2016
7. In land-based command and communications facilities essential to national security	7.1. For the protection of normally occupied spaces	Fixed system	1301 2402	2010	2025
	7.2. For the protection of normally occupied spaces	Portable extinguisher	1211	2010	2013
	7.3. For the protection of normally unoccupied spaces	Fixed system	1301 2402	2010	2020
8. At airfields and airports	8.1. For crash rescue vehicles	Portable extinguisher	1211	2010	2016
	8.2. For the protection of aircraft in hangars and maintenance areas	Portable extinguisher	1211	2010	2016
9. In nuclear power and nuclear research facilities	9.1. For the protection of spaces where necessary to minimise risk of dispersion of radioactive matter	Fixed system	1301	2010	2020
10. In the Channel Tunnel	10.1. For the protection of technical facilities	Fixed system	1301	2010	2016
	10.2. For the protection of power cars and shuttle wagons of Channel Tunnel trains	Fixed system	1301	2010	2020

CRITICAL USES OF HALONS					
Application				Cut-off date (31 December of the stated year)	End date (31 December of the stated year)
Category of equipment or facility	Purpose	Type of extinguisher	Type of halon		
11. Other	11.1. For initial extinguishing by fire brigades where essential to personal safety	Portable extinguisher	1211	2010	2013
	11.2. For the protection of persons by military and police personnel	Portable extinguisher	1211	2010	2013'

COMMISSION REGULATION (EU) No 745/2010**of 18 August 2010****establishing budgetary ceilings for 2010 applicable to certain direct support schemes provided for in Council Regulation (EC) No 73/2009**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003⁽¹⁾, and in particular the first subparagraph of Article 51(2), Article 69(3), Article 87(3), Article 123(1), the second subparagraph of Article 128(1), the second subparagraph of Article 128(2), and Article 131(4) thereof,

Whereas:

- (1) For the Member States implementing, in 2010, the single payment scheme provided for under Title III of Regulation (EC) No 73/2009, the budgetary ceilings for each of the payments referred to in Articles 52, 53 and 54 of that Regulation should be established for 2010.
- (2) For the Member States making use, in 2010, of the option provided for in Article 87 of Regulation (EC) No 73/2009, the budgetary ceilings applicable to the direct payments excluded from the single payment scheme should be fixed for 2010.
- (3) For the Member States making use, in 2010, of the options provided for in Articles 69(1) or 131(1) of Regulation (EC) No 73/2009, the budgetary ceilings for the specific support referred to in Chapter 5 of Title III of Regulation (EC) No 73/2009 should be established for 2010.
- (4) Article 69(4) of Regulation (EC) No 73/2009 limits the resources that can be used for any coupled measure provided for in points (i), (ii), (iii) and (iv) of Article 68(1)(a) and in Article 68(1)(b) and (e) to 3,5 % of the national ceiling referred to in Article 40 of the same Regulation. For the sake of clarity, the Commission should publish the ceiling resulting from the amounts notified by the Member States for the measures concerned.
- (5) Pursuant to Article 69(6)(a) of Regulation (EC) No 73/2009, the amounts calculated in accordance with Article 69(7) of that Regulation have been laid down in Annex III of Commission Regulation (EC) No 1120/2009 of 29 October 2009 laying down detailed rules for the implementation of the single payment scheme provided for in Title III of Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers⁽²⁾. For the sake of clarity, the Commission should publish the amounts notified by Member States which they intend to use in accordance with Article 69(6)(a) of Regulation (EC) No 73/2009.
- (6) For the sake of clarity, the 2010 budgetary ceilings for the single payment scheme, after deduction of the ceilings established for the payments referred to in Articles 52, 53, 54, 68 and 87 of Regulation (EC) No 73/2009 from the ceilings given in Annex VIII to the same Regulation, should be published. The amount to be deducted from the said Annex VIII in order to finance the specific support provided for in Article 68 of Regulation (EC) No 73/2009 corresponds to the difference between the total amount for the specific support notified by the Member States and the amounts notified to finance the specific support in accordance with article 69(6)(a) of the same Regulation. Where a Member State implementing the single payment scheme decides to grant the support referred to in Article 68(1)(c), the amount notified to the Commission is to be included in the single payment scheme ceiling, as this support takes the form of an increase in the unit value and/or the number of the farmer's payment entitlements.
- (7) For Member States implementing, in 2010, the single area payment scheme provided for in Chapter 2 of Title V of Regulation (EC) No 73/2009, the annual financial envelopes should be established in accordance with Article 123(1) of that Regulation.
- (8) For the sake of clarity, the maximum amount of funds available to Member States applying the single area payment scheme for granting separate sugar payments in 2010 under Article 126 of Regulation (EC) No 73/2009, established on the basis of their notification, should be published.
- (9) For the sake of clarity, the maximum amount of funds available to Member States applying the single area payment scheme for granting separate fruit and vegetables payments in 2010 under Article 127 of Regulation (EC) No 73/2009, established on the basis of their notification, should be published.

⁽¹⁾ OJ L 30, 31.1.2009, p. 16.

⁽²⁾ OJ L 316, 2.12.2009, p. 1.

- (10) For Member States applying the single area payment scheme, the 2010 budgetary ceilings applicable to transitional payments for fruit and vegetables payments in 2010 in accordance with Article 128(1) and (2) of Regulation (EC) No 73/2009, should be published on the basis of their notification.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

HAS ADOPTED THIS REGULATION:

Article 1

1. The budgetary ceilings for 2010 referred to in Article 51(2) of Regulation (EC) No 73/2009 are set out in Annex I to this Regulation.
2. The budgetary ceilings for 2010 referred to in Article 87(3) of Regulation (EC) No 73/2009 are set out in Annex II to this Regulation.
3. The budgetary ceilings for 2010 referred to in Article 69(3) and 131(4) of Regulation (EC) No 73/2009 are set out in Annex III to this Regulation.
4. The budgetary ceilings for 2010 for the support provided for in points (i), (ii), (iii) and (iv) of Article 68(1)(a) and in Article 68(1)(b) and (e) of Regulation (EC) No 73/2009 are set out in Annex IV to this Regulation.
5. The amounts that can be used by the Member States in accordance with Article 69(6)(a) of Regulation (EC) No 73/2009

to cover the specific support provided in Article 68(1) of the same Regulation are set out in Annex V to this Regulation.

6. The budgetary ceilings for 2010 for the single payment scheme referred to in Title III of Regulation (EC) No 73/2009 are set out in Annex VI to this Regulation.

7. The annual financial envelopes for 2010 referred to in Article 123(1) of Regulation (EC) No 73/2009 are set out in Annex VII to this Regulation.

8. The maximum amounts of funding available to the Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia for granting the separate sugar payment in 2010, as referred to in Article 126 of Regulation (EC) No 73/2009 are set out in Annex VIII to this Regulation.

9. The maximum amounts of funding available to the Czech Republic, Hungary, Poland and Slovakia for granting the separate fruit and vegetables payment in 2010, as referred to in Article 127 of Regulation (EC) No 73/2009 are set out in Annex IX to this Regulation.

10. The budgetary ceilings for 2010 referred to in the second subparagraph of Article 128(1) and (2) of Regulation (EC) No 73/2009 are set out in Annex X to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 18 August 2010.

For the Commission

The President

José Manuel BARROSO

ANNEX I

BUDGETARY CEILINGS FOR DIRECT PAYMENTS TO BE GRANTED IN ACCORDANCE WITH ARTICLES 52,
53 AND 54 OF REGULATION (EC) No 73/2009

2010 calendar year

(thousand EUR)

	BE	DK	EL	ES	FR	IT	AT	PT	SI	FI	SE
Sheep and goat premium		855						21 892		600	
Sheep and goat supplementary premium								7 184		200	
Suckler cow premium	77 565			261 153	525 622		70 578	78 695			
Additional suckler cow premium	19 389			26 000			99	9 462			
Special beef premium		33 085							8 817		37 446
Slaughter premium, adults				47 175				8 657			
Slaughter premium, calves	6 384			560				946			
Tomatoes — Article 54(1)			10 720	28 117	4 017	91 984		16 667			
Fruit and vegetables, other than tomatoes Article 54(2)					43 152	9 700					

ANNEX II

**BUDGETARY CEILINGS FOR DIRECT PAYMENTS TO BE GRANTED IN ACCORDANCE WITH ARTICLE 87
OF REGULATION (EC) No 73/2009**

2010 Calendar year

	Spain	France	Italy	Netherlands	Portugal	Finland
— Aid for seeds	10 347	2 310	13 321	726	272	1 150

(thousand EUR)

ANNEX III

BUDGETARY CEILINGS FOR THE SPECIFIC SUPPORT PROVIDED FOR IN ARTICLE 68(1) OF REGULATION (EC) No 73/2009**2010 Calendar year**

Member State	(thousands EUR)
Belgium	6 389
Bulgaria	11 761
Czech Republic	31 826
Denmark	15 800
Germany	2 000
Estonia	1 253
Ireland	25 000
Greece	107 600
Spain	247 865
France	472 600
Italy	316 250
Latvia	5 130
Hungary	77 290
Netherlands	22 020
Austria	11 900
Poland	40 800
Portugal	32 411
Romania	25 545
Slovenia	10 237
Slovakia	8 700
Finland	45 140
Sweden	3 434
United Kingdom	29 800

(*) Amounts notified by the Member States to grant the support referred to in Article 68(1)(c) which are included in the Single payment scheme ceiling.

Greece: 30 000 thousand EUR

Slovenia: 4 200 thousand EUR

ANNEX IV

**BUDGETARY CEILINGS FOR THE SUPPORT PROVIDED FOR IN POINTS (i), (ii), (iii) AND (iv) OF
ARTICLE 68(1)(a) AND ARTICLE 68(1)(b) AND (e) OF REGULATION (EC) No 73/2009****2010 Calendar year**

Member State	(thousands EUR)
Belgium	6 389
Bulgaria	11 761
Czech Republic	31 826
Denmark	4 300
Germany	2 000
Estonia	1 253
Ireland	25 000
Greece	77 600
Spain	178 265
France	232 600
Italy	147 250
Latvia	5 130
Hungary	46 164
Netherlands	15 000
Austria	11 900
Poland	40 800
Portugal	19 510
Romania	25 545
Slovenia	6 037
Slovakia	8 700
Finland	45 140
Sweden	3 434
United Kingdom	29 800

ANNEX V

**AMOUNTS TO BE USED BY THE MEMBER STATES IN ACCORDANCE WITH ARTICLE 69(6)(a) OF
REGULATION (EC) No 73/2009 TO COVER THE SPECIFIC SUPPORT PROVIDED IN ARTICLE 68(1) OF
THAT REGULATION****2010 Calendar year**

Member State	(thousands EUR)
Belgium	6 389
Denmark	15 800
Ireland	23 900
Greece	70 000
Spain	144 200
France	90 000
Italy	144 900
Netherlands	22 020
Austria	11 900
Portugal	21 700
Slovenia	4 200
Finland	4 762

ANNEX VI

BUDGETARY CEILINGS FOR THE SINGLE PAYMENT SCHEME

2010 Calendar year

Member State	(thousands EUR)
Belgium	508 479
Denmark	997 381
Germany	5 769 981
Ireland	1 339 421
Greece	2 210 268
Spain	4 642 028
France	7 465 495
Italy	3 924 520
Luxembourg	37 569
Malta	4 231
Netherlands	852 443
Austria	676 667
Portugal	435 325
Slovenia	92 740
Finland	523 192
Sweden	724 349
United Kingdom	3 946 625

ANNEX VII

ANNUAL FINANCIAL ENVELOPES FOR THE SINGLE AREA PAYMENT SCHEME

2010 Calendar year

Member State	(thousands EUR)
Bulgaria	326 671
Czech Republic	581 177
Estonia	70 531
Cyprus	34 898
Latvia	95 653
Lithuania	262 311
Hungary	831 578
Poland	1 994 196
Romania	700 424
Slovakia	268 304

ANNEX VIII

MAXIMUM AMOUNTS OF FUNDING AVAILABLE TO MEMBER STATES FOR GRANTING THE SEPARATE SUGAR PAYMENTS REFERRED TO IN ARTICLE 126 OF REGULATION (EC) No 73/2009

2010 Calendar year

Member State	(thousands EUR)
Czech Republic	44 245
Latvia	4 962
Lithuania	10 260
Hungary	41 010
Poland	159 392
Romania	4 041
Slovakia	8 856

ANNEX IX

MAXIMUM AMOUNTS OF FUNDING AVAILABLE TO MEMBER STATES FOR GRANTING THE SEPARATE FRUIT AND VEGETABLES PAYMENTS REFERRED TO IN ARTICLE 127 OF REGULATION (EC) No 73/2009**2010 Calendar year**

Member State	(thousands EUR)
Czech Republic	414
Hungary	4 756
Poland	6 715
Slovakia	690

ANNEX X

BUDGETARY CEILINGS FOR THE TRANSITIONAL PAYMENTS IN THE FRUIT AND VEGETABLE SECTOR REFERRED TO IN ARTICLE 128 OF REGULATION (EC) No 73/2009**2010 Calendar year**

(EUR thousand)			
Member State	Cyprus	Romania	Slovakia
Tomatoes — Article 128(1)		869	335
Fruit and vegetables other than tomatoes — Article 128(2)	4 478		

COMMISSION REGULATION (EU) No 746/2010**of 18 August 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 19 August 2010.

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

Done at Brussels, 18 August 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	AL	50,2
	TR	85,0
	ZZ	67,6
0707 00 05	MK	41,0
	TR	133,3
	ZZ	87,2
0709 90 70	TR	98,8
	ZZ	98,8
0805 50 10	AR	151,1
	CL	92,0
	TR	151,4
	UY	138,0
	ZA	119,8
	ZZ	130,5
0806 10 10	EG	153,0
	IL	202,2
	TR	121,8
	ZZ	159,0
0808 10 80	AR	87,2
	BR	74,9
	CL	91,0
	CN	65,6
	NZ	104,9
	US	87,8
	UY	100,6
	ZA	90,8
0808 20 50	ZZ	87,9
	AR	92,7
	CL	150,5
	TR	149,8
	ZA	92,4
	ZZ	121,4
0809 30	TR	139,8
	ZZ	139,8
0809 40 05	BA	61,5
	IL	154,7
	XS	64,6
	ZA	172,8
	ZZ	113,4

⁽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 747/2010**of 18 August 2010****on the issue of import licences for applications submitted in the first seven days of August 2010
under the tariff quota for high-quality beef administered by Regulation (EC) No 620/2009**

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) Commission Regulation (EC) No 620/2009 of 13 July 2009 providing for the administration of an import tariff quota for high-quality beef ⁽³⁾ sets out detailed rules for the submission and issue of import licences.
- (2) Article 7(2) of Regulation (EC) No 1301/2006 provides that in cases where quantities covered by licence appli-

cations exceed the quantities available for the quota period, allocation coefficients should be fixed for the quantities covered by each licence application. The applications for import licences submitted pursuant to Article 3 of Regulation (EC) No 620/2009 between 1 and 7 August 2010 exceed the quantities available. Therefore, the extent to which import licences may be issued and the allocation coefficient should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

Import licence applications covered by the quota with order number 09.4449 and submitted between 1 and 7 August 2010 in accordance with Article 3 of Regulation (EC) No 620/2009, shall be multiplied by an allocation coefficient of 79,54388 %.

Article 2

This Regulation shall enter into force on the 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, 18 August 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 182, 15.7.2009, p. 25.

DECISIONS

COMMISSION DECISION

of 17 August 2010

derogating from Regulation (EC) No 687/2008 as regards the deadlines for the delivery and takeover of cereals into intervention in Finland for the 2009/2010 marketing year

(notified under document C(2010) 5659)

(Only the Finnish and Swedish texts are authentic)

(2010/456/EU)

THE EUROPEAN COMMISSION,

samples taken are to be analysed within 20 working days of the representative sample being made up.

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(a) in conjunction with Article 4 thereof,

Whereas:

(1) Under Commission Regulation (EC) No 687/2008 of 18 July 2008 establishing procedures for the takeover of cereals by intervention agencies or paying agencies and laying down methods of analysis for determining the quality of cereals ⁽²⁾, should an offer be admissible, operators are to be informed as soon as possible of the delivery schedule. To that end, the first subparagraph of Article 2(4) of the said Regulation lays down that, for cereals other than maize, the final delivery to the intervention centre for which the offer is made is to be not later than the end of the fourth month following the month during which the offer was received, without, however, being later than 31 July in the case of Finland.

(2) Article 6(6) of Regulation (EC) No 687/2008 lays down that the final takeover, in the case of cereals other than maize, must take place no later than the end of the second month following final delivery referred to in the first subparagraph of Article 2(4), and in any event no later than 31 August in the case of Finland.

(3) Article 7(1) of Regulation (EC) No 687/2008 lays down that the physical and technical characteristics of the

(4) The cereals harvest in Finland for the 2009/2010 marketing year reached a record level of 4,3 million tonnes, including 2,2 million tonnes of barley. In view of the situation on the cereals market in Finland, characterised by relatively low producer prices, below intervention prices, substantial quantities have been offered for intervention in Finland during the 2009/2010 marketing year: some 823 000 tonnes, of which 796 000 tonnes of barley and 27 000 tonnes of common wheat. Since the start of the intervention period, the latest statistics available, established on 1 July 2010, show a total quantity of cereals taken into intervention of around 573 000 tonnes, of which 566 000 tonnes of barley and 7 000 tonnes of common wheat. A substantial quantity of offers for intervention yet to be delivered and analysed with a view to their takeover into intervention thus remains.

(5) On 24 June 2010 Finland informed the Commission that seeking additional storage capacity to deal with the abundant offers of cereals for intervention was taking time and a backlog had accumulated. The Finnish authorities therefore request, for the 2009/2010 marketing year, that the delivery deadline for cereals be extended to 30 September 2010, the deadline for taking them over be extended to 31 October 2010 and the deadline for quality analyses also be extended.

(6) In view of the circumstances and in order to enable cereals offered in respect of the 2009/2010 marketing year to be taken over, Finland's request should be granted by agreeing, by way of derogation from Regulation (EC) No 687/2008, to extend the delivery period, the period for qualitative analyses and the takeover period for products offered for intervention in respect of the marketing year in question.

(7) For offers submitted in Finland in respect of the 2009/2010 marketing year, it should be laid down that the measures provided for in this Decision are to apply.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 192, 19.7.2008, p. 20.

- (8) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from the first subparagraph of Article 2(4) of Regulation (EC) No 687/2008, for the 2009/2010 marketing year, the final delivery of cereals offered for intervention in Finland must take place no later than 30 September 2010.

Article 2

By way of derogation from Article 6(6) of Regulation (EC) No 687/2008, for the 2009/2010 marketing year, the final takeover of cereals offered for intervention in Finland must take place no later than 31 October 2010.

Article 3

By way of derogation from Article 7(1) of Regulation (EC) No 687/2008, for the 2009/2010 marketing year, the period allowed in Finland for analysing the physical and technical characteristics of samples shall be 30 working days.

Article 4

This Decision shall apply to offers for intervention submitted in respect of the 2009/2010 marketing year.

Article 5

This Decision is addressed to the Republic of Finland.

Done at Brussels, 17 August 2010.

For the Commission

Dacian CIOLOȘ

Member of the Commission

COMMISSION DECISION

of 17 August 2010

**allowing Member States to extend provisional authorisations granted for the new active substances
Candida oleophila strain O, potassium iodide and potassium thiocyanate**

(notified under document C(2010) 5662)

(Text with EEA relevance)

(2010/457/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular the fourth subparagraph of Article 8(1) thereof,

Whereas:

- (1) In accordance with Article 6(2) of Directive 91/414/EEC, in July 2006 the United Kingdom received an application from Bionext SPRL for the inclusion of the active substance *Candida oleophila* strain O in Annex I to Directive 91/414/EEC. Commission Decision 2007/380/EC ⁽²⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to that Directive.
- (2) In accordance with Article 6(2) of Directive 91/414/EEC, in September 2004 the Netherlands received an application from Koppert Beheer BV for the inclusion of the active substance potassium iodide in Annex I to Directive 91/414/EEC. Commission Decision 2005/751/EC ⁽³⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to that Directive.
- (3) In accordance with Article 6(2) of Directive 91/414/EEC, in September 2004 the Netherlands received an application from Koppert Beheer BV for the inclusion of the active substance potassium thiocyanate in Annex I to Directive 91/414/EEC. Decision 2005/751/EC confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to that Directive.
- (4) Confirmation of the completeness of the dossiers was necessary in order to allow them to be examined in detail and to allow Member States the possibility of granting provisional authorisations, for periods of up to three years, for plant protection products containing the active substances concerned, while complying with the

conditions laid down in Article 8(1) of Directive 91/414/EEC and, in particular, the condition relating to the detailed assessment of the active substances and the plant protection products in the light of the requirements laid down by that Directive.

- (5) For these active substances, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The rapporteur Member States submitted the respective draft assessment reports to the Commission on 5 February 2008 (*Candida oleophila* strain O) and on 27 July 2007 (potassium iodide and potassium thiocyanate).
- (6) Following submission of the draft assessment reports by the rapporteur Member States, it has been found to be necessary to request further information from the applicants and to have the rapporteur Member States examine that information and submit their assessment. Therefore, the examination of the dossiers is still ongoing and it will not be possible to complete the evaluation within the timeframe provided for in Directive 91/414/EEC.
- (7) As the evaluation so far has not identified any reason for immediate concern, Member States should be given the possibility of prolonging provisional authorisations granted for plant protection products containing the active substances concerned for a period of 24 months in accordance with the provisions of Article 8 of Directive 91/414/EEC so as to enable the examination of the dossiers to continue. It is expected that the evaluation and decision-making process with respect to a decision on a possible inclusion in Annex I to that Directive for *Candida oleophila* strain O, potassium iodide and potassium thiocyanate will have been completed within 24 months.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Member States may extend provisional authorisations for plant protection products containing *Candida oleophila* strain O, potassium iodide or potassium thiocyanate for a period ending on 31 August 2012 at the latest.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 141, 2.6.2007, p. 78.

⁽³⁾ OJ L 282, 26.10.2005, p. 18.

Article 2

This Decision shall expire on 31 August 2012.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 August 2010.

For the Commission

John DALLI

Member of the Commission

COMMISSION DECISION

of 18 August 2010

authorising physical checks pursuant to Regulation (EC) No 669/2009 to be carried out at approved premises of feed and food business operators in Malta*(notified under document C(2010) 5684)***(Only the English and Maltese texts are authentic)****(Text with EEA relevance)**

(2010/458/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Commission Regulation (EC) No 669/2009 of 24 July 2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin and amending Decision 2006/504/EC ⁽¹⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Regulation (EC) No 669/2009 lays down rules concerning the increased level of official controls on imports of certain feed and food of non-animal origin, including the physical checks to be carried out at designated points of entry into the European Union. It also lays down minimum requirements for such points of entry and provides for a list of those points of entry to be made publicly available by the Member States on the Internet.
- (2) Article 9(1) of Regulation (EC) No 669/2009 provides that the Commission, upon a request by a Member State, may authorise the competent authorities of certain designated points of entry, operating under specific geographical constraints, to carry out the physical checks at the premises of a feed or a food business operator, subject to certain conditions.
- (3) By letter dated 18 December 2009, Malta referred to the specific geographical situation of the designated point of entry of Floriana Port, to the relatively low throughput of imports from third countries of products of non-animal origin, as well as to the small size and the proximity of the islands constituting its territory, and requested the Commission to authorise the competent authorities of that point of entry to carry out the required physical checks at the premises of certain feed and food business operators.
- (4) By letter dated 28 February 2010 and subsequent correspondence, Malta provided the Commission with assurances to the effect that: only the premises of feed

and food business operators complying with the minimum requirements for designated points of entry laid down in Regulation (EC) No 669/2009 would be approved for the performance of the physical checks; the level of resources allocated to the competent authorities of Floriana Port would be such that the control activities carried out at that designated point of entry would not be disrupted or adversely affected by the possibility that physical checks would be carried out away from its premises; and consignments selected for physical checks at the premises of a feed or a food business operator would remain under continuous control of the competent authorities of Floriana Port from the moment of their arrival at this point of entry and in such a way that they cannot be tampered with in any manner throughout all checks.

- (5) Therefore, taking into account the specific geographical constraints of the designated point of entry of Floriana Port and the confirmation from Malta of the fulfilment of the conditions laid down in Article 9(1) of Regulation (EC) No 669/2009, it is appropriate to authorise that physical checks may be carried out at the premises of certain feed and food business operators approved by Malta for such checks.
- (6) In order to ensure adequate publicity to the authorisation provided for in this Decision, it is appropriate that a list of the premises of feed and food business operators, approved for physical checks pursuant to Regulation (EC) No 669/2009, is made publicly available on the Internet through the national link provided for in Article 5 of that Regulation,

HAS ADOPTED THIS DECISION:

Article 1

1. The competent authorities of the designated point of entry of Floriana Port in Malta are hereby authorised, in accordance with Article 9(1) of Regulation (EC) No 669/2009, to carry out the physical checks provided for in Article 8(1)(b) of that Regulation on imports of feed and food of non-animal origin listed in Annex I thereto, at the premises of a feed or food business operator approved by Malta for such checks, provided that the conditions set out in points (a), (b) and (c) of Article 9(1) of that Regulation are met.

⁽¹⁾ OJ L 194, 25.7.2009, p. 11.

2. The list of feed and food business operators whose premises are approved by Malta, as referred to in paragraph 1 of this Article, shall be made publicly available on the Internet through the national link provided for in Article 5 of Regulation (EC) No 669/2009.

Article 2

This Decision is addressed to the Republic of Malta.

Done at Brussels, 18 August 2010.

For the Commission

John DALLI

Member of the Commission

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