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Price: EUR 3

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<sup>(1)</sup> 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)*

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) No 129/2012

of 13 February 2012

**approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Queso Manchego (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 <sup>(1)</sup>, and in particular the second sentence of Article 9(2) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 9(1) and Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined Spain's application for the approval of amendments to the specification for the protected designation of origin 'Queso Manchego', registered under Commission Regulation (EC) No 1107/96 <sup>(2)</sup>, as amended by Commission Regulation (EC) No 561/2009 <sup>(3)</sup>.
- (2) The application concerns the amendments to the method of production of the protected designation of origin 'Queso Manchego' and involves changes to the single document.

- (3) The Commission has examined the amendment in question and decided that it is justified. Since this concerns a minor amendment, in accordance with Article 9 of Regulation (EC) No 510/2006, the Commission may adopt it without using the procedure set out in Articles 5, 6 and 7 of that Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The specification for the protected designation of origin 'Queso Manchego' is hereby amended in accordance with Annex I to this Regulation.

*Article 2*

The consolidated single document setting out the main points of the specification is set out in Annex II to this Regulation.

*Article 3*

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, 13 February 2012.

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

<sup>(1)</sup> OJ L 93, 31.3.2006, p. 12.

<sup>(2)</sup> OJ L 148, 21.6.1996, p. 1.

<sup>(3)</sup> OJ L 166, 27.6.2009, p. 36.

## ANNEX I

The following amendments to the specification for the protected designation of origin 'Queso Manchego' have been approved:

*Raw materials*

With regard to the analytical characteristics of the milk, the reference parameters have been updated as a result of the series of tests carried out by the official laboratory, the centre to which the samples collected on the farms are sent. Lactose content and density will no longer be determined as they do not affect the quality of the finished product and their analysis was based on a production method which no longer reflects the developments which have taken place on farms.

However, the acidity of the milk is measured by determining the pH level and not in Dornic grades, and a change to this effect is being made in the specifications.

Additionally, as a result of technological progress made in the production industries, the process is carried out with a greater level of control in terms of the key parameters for final quality, and therefore the earlier version has become obsolete in terms of some of the stages of production.

The following part is being amended correspondingly:

*Part E – Obtaining the product*

At the 'cutting of the curd' stage, the size of the curd grains obtained when the curd is cut is no longer specified, this being considered a criterion which each industry must establish depending on the process it uses. The curd must have the right consistency for ensuring correct draining in accordance with the type of cheese produced and this is not determined by specifying the exact size of the grain, but by means of checks carried out as part of the production system and the experience of the producer.

The 'pressing' stage includes the time needed for pressing, which in the current specification is included in the stage of removal from the mould, which is incorrect. A pressing time of between 1 and 6 hours is specified. This period of time for pressing has changed in relation to the time initially established as a result of the technological advances made in the pressing system, which no longer requires such long periods which have a negative effect on the smaller-sized product. This period is defined as being suitable for the various sizes of product and the various models of press and allows the operator to decide the best time for the product to be removed from the mould and to move to the salting stage, which will be determined not by the number of hours taken, but by measuring pH, which is the indicative value for the state of the product.

The 'maturation and preservation' stages have been combined into a single stage called 'maturation' and the preservation stage has been eliminated as maturation is not interrupted when the product is in the preservation chambers, in other words maturation continues throughout the product's lifetime and it continues to mature provided that it is kept at the right controlled temperature and relative humidity. Therefore the stages have been combined, with the temperature set at between 3 °C and 16 °C and the humidity between 75 % and 90 %.

For the temperature, the minimum value has been increased from 1 °C to 3 °C, which is a more suitable temperature for maintaining the product and guarantees the necessary health requirements, given that at 1 °C the product may deteriorate. As for the maximum value, 16 °C is given as a reference value in order to ensure the optimal maturation of the product and its development in terms of its organoleptic characteristics.

The humidity range is an overall value which covers the two stages.

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## ANNEX II

## SINGLE DOCUMENT

## COUNCIL REGULATION (EC) No 510/2006

## ‘QUESO MANCHEGO’

EC No: ES-PDO-0217-0087-06.12.2010

PGI ( ) PDO ( X )

## 1. Name

‘Queso Manchego’

## 2. Member State

Spain

## 3. Description of the agricultural product or foodstuff

## 3.1. Type of Product

Class 1.3. Cheeses.

## 3.2. Description of the product to which the name in point 1 applies

Pressed cheese made from milk of ewes of the ‘Manchega’ breed, aged for a minimum of 30 days for cheeses weighing up to 1,5 kg and from 60 days up to a maximum of 2 years for larger cheeses.

‘Queso Manchego’ can be made with either pasteurised or raw milk. In the latter case, the label may bear the word ‘Artesano’.

‘Queso Manchego’ is a fat cheese with the following physical properties after ageing:

- shape: cylindrical with smooth sides,
- maximum height: 12 cm,
- maximum diameter: 22 cm,
- diameter/height ratio: between 1,5 and 2,2,
- minimum weight: 0,4 kg,
- maximum weight: 4,0 kg.

The physico-chemical properties of the cheese are:

- pH 4,8 to 5,8,
- dry matter: minimum 55 %,
- fat content: minimum 50 % of the dry matter,
- total protein in dry matter: minimum 30 %,
- sodium chloride: maximum 2,3 %.

Characteristics of the paste:

- consistency: firm and compact,
- colour: from white to ivory-yellow,
- aroma: lactic, intensely acidic and persistent, developing spicy notes and long overall persistence in cheeses that have been well aged,
- flavour: slightly acidic, strong and flavoursome, becoming spicy in cheeses that have been well aged. Pleasant and distinctive aftertaste produced by the milk of ewes of the ‘Manchega’ breed,
- appearance: small, unevenly distributed eyes, although these are sometimes not present,
- texture: low elasticity, buttery, slightly floury; can become granular in very well-aged cheeses.

The microbiological limits are as follows:

- *Escherichia coli*: maximum of 1 000 colonies/gram,
- *Staphylococcus aureus*: maximum of 100 colonies/gram,
- salmonella: absence in 25 grams,
- listeria: absence in 25 grams.

The cheese is slightly acidic, strong and flavoursome, with the flavour becoming spicy in cheeses that have been well aged. Pleasant and distinctive aftertaste produced by the milk of ewes of the 'Manchega' breed.

### 3.3. Raw materials (for processed products only)

'Queso Manchego' cheese is made from milk of ewes of the 'Manchega' breed, natural rennet or other authorised coagulation enzymes and sodium chloride.

The milk must not contain any medicinal products that may have a negative impact on production, maturation and preservation of the cheese.

'Queso Manchego' can be made with either pasteurised or raw milk. In the latter case, the label may bear the word 'Artesano'.

The analytical characteristics of the cheese are as follows:

- fat content: 6,5 % minimum,
- proteins: 4,5 % minimum,
- useable dry matter: 11 % minimum,
- pH: 6,5-7,
- freezing point:  $\leq -0,550$  °C.

### 3.4. Feed (for products of animal origin only)

Manchega sheep graze throughout the year on the natural resources of the area. When in the fold, their diet is supplemented with concentrated feed, hay and by-products.

As regards sheepfarming, mention should be made of the pastures that occupy the clearings in the scrub. This annual pasture is composed of *Medicago minima*, *Scorpiurus subvillosa*, *Astragalus stella*, *Astragalus sesamus*, etc.

The so-called 'madajales' are the most valuable pasture for sheep. These are composed of bulbous meadow grass and significant quantities of legumes, such as *Medicago rigidula*, *Medicago lupulina*, *Medicago trunculata*, *Trigonella polyderata*, *Coronilla scorpioides*, etc.

Deep, cooler soils can produce 'fenelares', dense pasture with a predominance of perennial and biennial plants, the appearance of which is dominated by the grass *Brachypodium phoenicoides*.

### 3.5. Specific steps in production that must take place in the identified geographical area

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### 3.6. Specific rules concerning slicing, grating, packaging, etc.

Cheeses protected by the 'Queso Manchego' Designation of Origin may be dispatched and placed into circulation by dairies and registered undertakings only in packaging of a type that does not affect their quality.

'Queso Manchego' is always marketed with the rind, which may have been washed.

'Queso Manchego' may also be coated in paraffin, covered with legally authorised inactive transparent substances or dipped in olive oil, provided that the rind maintains its natural colour and appearance and the casein label can be read.

Under no circumstances may substances be used that turn the rind black.

'Queso Manchego' may be marketed in portions, sliced or grated, provided that it is packaged and its origin can be identified. This operation may be carried out outside the area of origin by undertakings that have accepted and comply with the agreed protocol so as to guarantee the operations undergone by 'Queso Manchego' and ensure its traceability.

Packaging must comply with current legislation.

### 3.7. *Specific rules concerning labelling*

Labels must bear the following wording: 'Denominación de Origen "Queso Manchego"' ('Queso Manchego' Designation of Origin). When the cheese is made with raw milk, this can be indicated on the label by means of the word 'Artesano'.

The marketed product bears a numbered secondary label issued by the Regulatory Board and affixed in registered undertakings in such a way that it cannot be reused and every piece of 'Queso Manchego' has on one of its faces a casein label with a serial number, affixed at the moulding and pressing stage.

### 4. **Concise definition of the geographical area**

The following local authority areas are covered by the 'Queso Manchego' Designation of Origin: 45 in the Province of Albacete, 84 in the Province of Ciudad Real, 156 in the Province of Cuenca and 122 in the Province of Toledo.

The following areas have been incorporated: Alcoba de los Montes and El Robledo in the Province of Ciudad Real, Albadalejo del Cuende, Villarejo de la Peñuela, Villarejo-Sobrehuerta and Villar del Horno in the Province of Cuenca.

### 5. **Link with the geographical area**

#### 5.1. *Specificity of the geographical area*

The geographical area of La Mancha is located in the southern part of the central plateau of the peninsula and is characterised by a low relief descending to the Atlantic.

La Mancha is a high plain with lime-clay soils and its pastureland has lime- and loam-rich substrates.

The area has an extreme climate and experiences wide variations characteristic of a continental climate, with very cold winters and hot summers. The temperature occasionally reaches 40 °C, sometimes varying by 20 °C over the course of a day and 50 °C over the year. Precipitation is scant, making the region one of the more arid areas of Spain, its extremely dry environment having a relative humidity of around 65 %.

The Manchega breed is the best adapted to the area's soil and weather conditions.

#### 5.2. *Specificity of the product*

A pressed cheese with a hard rind and a firm and compact paste, a colour that varies from white to ivory-yellow, an intense and persistent aroma, a slightly acidic, strong and flavoursome taste and a buttery, slightly floury texture with low elasticity.

#### 5.3. *Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)*

The area's soil and climatic conditions have had a great influence on the processes of natural selection that have made the Manchega breed of sheep the breed best adapted to the area and producing a milk that gives 'Queso Manchego' its characteristic colour, aroma, flavour and texture.

Cheese has been made with milk from ewes of the Manchega breed since time immemorial and over the centuries manufacturing techniques have aimed to optimise the qualities of this traditional La Mancha cheese.

### **Reference to publication of the specification**

(Article 5(7) of Regulation (EC) No 510/2006)

[http://docm.jccm.es/portaldocm/descargarArchivo.do?ruta=2009/10/20/pdf/2010\\_17415.pdf&tipo=rutaDocm](http://docm.jccm.es/portaldocm/descargarArchivo.do?ruta=2009/10/20/pdf/2010_17415.pdf&tipo=rutaDocm)

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**COMMISSION REGULATION (EU) No 130/2012****of 15 February 2012****concerning type-approval requirements for motor vehicles with regard to vehicle access and manoeuvrability and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor****(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 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor<sup>(1)</sup>, and in particular Article 14(1)(a) thereof,

Whereas:

- (1) Regulation (EC) No 661/2009 is a separate Regulation for the purposes of the type-approval procedure provided for by Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)<sup>(2)</sup>.
- (2) Regulation (EC) No 661/2009 repeals Council Directive 70/387/EEC of 27 July 1970 on the approximation of the laws of the Member States relating to the doors of motor vehicles and their trailers<sup>(3)</sup> as well as Council Directive 75/443/EEC of 26 June 1975 on the approximation of the laws of the Member States relating to the reverse and speedometer equipment of motor vehicles<sup>(4)</sup>. The requirements set out in those Directives for access steps, handholds and running boards as well as reversing devices should be carried over to this Regulation and, where necessary, adapted to the development of scientific and technical knowledge. Certain other requirements laid down in those Directives and which are not covered by this Regulation are already addressed through the compulsory application of UNECE Regulation No 11<sup>(5)</sup> and Regulation No 39<sup>(6)</sup> listed in Annex IV to Regulation (EC) No 661/2009.
- (3) The scope of this Regulation should be in line with that of Directive 70/387/EEC and Directive 75/443/EEC insofar appropriate. The Regulation should therefore cover vehicles of categories M and N.
- (4) Regulation (EC) No 661/2009 lays down basic requirements for the type-approval of motor vehicles

with regard to vehicle access, namely access steps, handholds and running boards as well as manoeuvrability, namely reversing devices. It is necessary to set out the specific procedures, tests and requirements for such type-approval.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles,

HAS ADOPTED THIS REGULATION:

*Article 1***Scope**

This Regulation applies to vehicles of categories M and N as defined in Annex II to Directive 2007/46/EC.

*Article 2***Definitions**

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

- (1) 'vehicle type with regard to vehicle access and manoeuvrability' means vehicles which do not differ in such essential respects as:
  - (a) the characteristics of running boards, access steps and handholds;
  - (b) the characteristics of the reversing device.
- (2) 'off-road vehicle (ORV)' means a vehicle in conformity with the criteria set out in Part A of Annex II to Directive 2007/46/EC;
- (3) 'floor entrance' means the lowest point of the door aperture or other structure whichever of the two is higher, which a person has to clear in terms of height in order to enter the passenger compartment.

*Article 3***EC type-approval of a vehicle with regard to vehicle access and manoeuvrability**

1. The manufacturer or the representative of the manufacturer shall submit to the approval authority the application for EC type-approval of a vehicle with regard to vehicle access and manoeuvrability.

<sup>(1)</sup> OJ L 200, 31.07.2009, p. 1.<sup>(2)</sup> OJ L 263, 9.10.2007, p. 1.<sup>(3)</sup> OJ L 176, 10.8.1970, p. 5.<sup>(4)</sup> OJ L 196, 26.7.1975, p. 1.<sup>(5)</sup> OJ L 120, 13.5.2010, p. 1.<sup>(6)</sup> OJ L 120, 13.5.2010, p. 40.

2. The application shall be drawn up in accordance with the model of the information document set out in Part 1 of Annex I.

3. If the relevant requirements set out in Annexes II and III to this Regulation are met, the approval authority shall grant an EC type-approval and issue a type-approval number in accordance with the numbering system set out in Annex VII to Directive 2007/46/EC.

A Member State may not assign the same number to another vehicle type.

4. For the purposes of paragraph 3, the approval authority shall deliver an EC type-approval certificate established in accordance with the model set out in Part 2 of Annex I.

#### *Article 4*

#### **Validity and extension of approvals granted under Directive 70/387/EEC and Directive 75/443/EEC**

National authorities shall permit the sale and entry into service of vehicles type-approved before the date referred to in Article 13(2) of Regulation (EC) No 661/2009 and continue to grant extension of approvals to those vehicles under the terms of Directive 70/387/EEC and Directive 75/443/EEC.

#### *Article 5*

#### **Entry into force**

This Regulation shall enter into force on the twentieth 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, 15 February 2012.

*For the Commission*

*The President*

José Manuel BARROSO

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## ANNEX I

**Administrative provisions for the type-approval of vehicles with regard to vehicle access and manoeuvrability**

## PART 1

**Information document**

## MODEL

Information document No ... relating to the EC type-approval of a vehicle with regard to vehicle access and manoeuvrability.

The following information, if applicable, shall be supplied in triplicate and include a list of contents. Any drawings shall be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, shall show sufficient detail.

If the systems, components or separate technical units referred to in this information document have electronic controls, information concerning their performance shall be supplied.

## 0. GENERAL

0.1. Make (trade name of manufacturer): .....

0.2. Type: .....

0.2.1. Commercial name(s) (if available): .....

0.3. Means of identification of type, if marked on the vehicle <sup>(b)</sup> .....

0.3.1. Location of that marking: .....

0.4. Category of vehicle <sup>(c)</sup>: .....

0.5. Name and address of manufacturer: .....

0.8. Name(s) and address(es) of assembly plant(s): .....

0.9. Name and address of the manufacturer's representative (if any) .....

## 1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE

1.1. Photographs and/or drawings of a representative vehicle: .....

2. MASSES AND DIMENSIONS <sup>(f)</sup> <sup>(g)</sup>

## 2.6. Mass in running order

Mass of the vehicle with bodywork and, in the case of a towing vehicle of category other than M<sub>1</sub>, with coupling device, if fitted by the manufacturer, in running order, or mass of the chassis or chassis with cab, without bodywork and/or coupling device if the manufacturer does not fit the bodywork and/or coupling device (including liquids, tools, spare wheel, if fitted, and driver and, for buses and coaches, a crew member if there is a crew seat in the vehicle) <sup>(h)</sup> (maximum and minimum for each variant): .....

4. TRANSMISSION <sup>(p)</sup>

## 4.6. Gear ratios

Reverse: .....

## 9. BODYWORK

## 9.3. Occupant doors, latches and hinges

9.3.1. Door configuration and number of doors: .....

9.3.4. Details, including dimensions, of entrances, steps and necessary handles where applicable: .....

*Explanatory notes*

- (<sup>b</sup>) If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this information document, such characters shall be represented in the documentation by the symbol '?' (e.g. ABC??123??).
- (<sup>c</sup>) Classified according to the definitions set out in Part A of Annex II to Directive 2007/46/EC.
- (<sup>d</sup>) Where there is one version with a normal cab and another with a sleeper cab, both sets of masses and dimensions are to be stated.
- (<sup>e</sup>) Standard ISO 612: 1978 - Road vehicles - Dimensions of motor vehicles and towed vehicles - terms and definitions.
- (<sup>f</sup>) The mass of the driver and, if applicable, of the crew member is assessed at 75 kg (subdivided into 68 kg occupant mass and 7 kg luggage mass according to ISO Standard 2416 - 1992), the fuel tank is filled to 90 % and the other liquid containing systems (except those for used water) to 100 % of the capacity specified by the manufacturer.
- (<sup>g</sup>) The specified particulars are to be given for any proposed variants.

## PART 2

**EC type-approval certificate**

## MODEL

Format: A4 (210 × 297 mm)

## EC TYPE-APPROVAL CERTIFICATE

Stamp of type-approval authority

Communication concerning:

- |                                                   |   |                                                                        |
|---------------------------------------------------|---|------------------------------------------------------------------------|
| — EC type-approval ( <sup>1</sup> )               | } | of a type of vehicle with regard to vehicle access and manoeuvrability |
| — extension of EC type-approval ( <sup>1</sup> )  |   |                                                                        |
| — refusal of EC type-approval ( <sup>1</sup> )    |   |                                                                        |
| — withdrawal of EC type-approval ( <sup>1</sup> ) |   |                                                                        |

with regard to Regulation (EU) No 130/2012, as last amended by Regulation (EU) No .../... (<sup>1</sup>)

EC type-approval number: .....

Reason for extension: .....

## SECTION I

0.1. Make (trade name of manufacturer): .....

0.2. Type: .....

0.2.1. Commercial name(s) (if available): .....

0.3. Means of identification of type, if marked on the vehicle (<sup>2</sup>): .....

0.3.1. Location of that marking: .....

0.4. Category of vehicle (<sup>3</sup>): .....

0.5. Name and address of manufacturer: .....

0.8. Name(s) and address(es) of assembly plant(s): .....

0.9. Name and address of the manufacturer's representative (if any): .....

(<sup>1</sup>) Delete where not applicable.(<sup>2</sup>) If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this information document, such characters shall be represented in the documentation by the symbol "?" (e.g. ABC??123??).(<sup>3</sup>) As defined in Directive 2007/46/EC, Annex II, Section A.

## SECTION II

1. Additional information: see Addendum.
2. Technical service responsible for carrying out the tests: .....
3. Date of test report: .....
4. Number of test report: .....
5. Remarks (if any): see Addendum.
6. Place: .....
7. Date: .....
8. Signature: .....

Attachments: Information package

Test report

\_\_\_\_\_

*Addendum***to EC type-approval certificate No ...**

1. Additional information:
  - 1.1. Brief description of the vehicle type as regards its structure, dimensions, lines and constituent materials: .....  
.....
  2. Vehicle type of category M<sub>1</sub> / N<sub>1</sub> / N<sub>2</sub> with a maximum mass not exceeding 7,5 tonnes <sup>(1)</sup> is / is not <sup>(1)</sup> fitted with running boards or access steps.
  3. Off-road vehicle (ORV) yes / no <sup>(1)</sup>
  4. Device for reversing: gearbox / other means <sup>(1)</sup>
  - 4.1. Brief description of the device for reversing where this is not a function of the gearbox: .....
  5. Remarks: .....

\_\_\_\_\_

<sup>(1)</sup> Delete where not applicable.

## ANNEX II

**Requirements for vehicles with regard to vehicle access**

## 1. GENERAL REQUIREMENTS

- 1.1. The design characteristics of the vehicle type shall permit entry to and exit from the passenger compartment in complete safety and entrances to the passenger compartment shall be constructed in such a way that they can be used easily and without any danger.

## 2. RUNNING BOARDS AND ACCESS STEPS

- 2.1. The wheel hub, rims and other parts of the wheel shall not be deemed to be running boards or access steps for the purpose of this Regulation, except where reasons relating to construction or use preclude the fitting of running boards or access steps elsewhere on the vehicle.
- 2.2. The height of the floor entrance is determined either directly from the ground surface or from the horizontal plane passing through the middle, in relation to the longitudinal direction, of the step immediately below.

## PART 1

**Requirements concerning the access to and exit from the doors of the passenger compartment of vehicles of category N<sub>2</sub> having a maximum mass exceeding 7,5 tonnes and of category N<sub>3</sub>**

## 1. ACCESS STEPS TO THE PASSENGER COMPARTMENT (Figure 1).

- 1.1. The distance (A) from the ground surface to the upper surface of the lowest step, measured with the vehicle in running order on a horizontal and flat surface, shall not be more than 600 mm.

- 1.1.1. However, for off-road vehicles (ORV) the distance (A) may be increased up to 700 mm.

- 1.2. The distance (B) between the upper surfaces of the steps shall be not more than 400 mm. The vertical distance between two subsequent steps shall not vary by more than 50 mm. The last requirement shall not apply to the distance between the uppermost step and the floor entrance of the passenger compartment.

- 1.2.1. However, for off-road vehicles (ORV) the allowed variation as indicated above may be increased up to 100 mm.

- 1.3. In addition, the following minimum geometrical specifications shall be fulfilled:

(a) step depth (D): 80 mm;

(b) step clearance (E) (include step depth): 150 mm;

(c) step width (F): 300 mm;

(d) width of the lowest step (G): 200 mm;

(e) step height (S): 120 mm;

(f) transversal offset between steps (H): 0 mm;

(g) longitudinal overlap (J) between two subsequent steps in the same flight, or between the uppermost step and the cab floor entrance height: 200 mm.

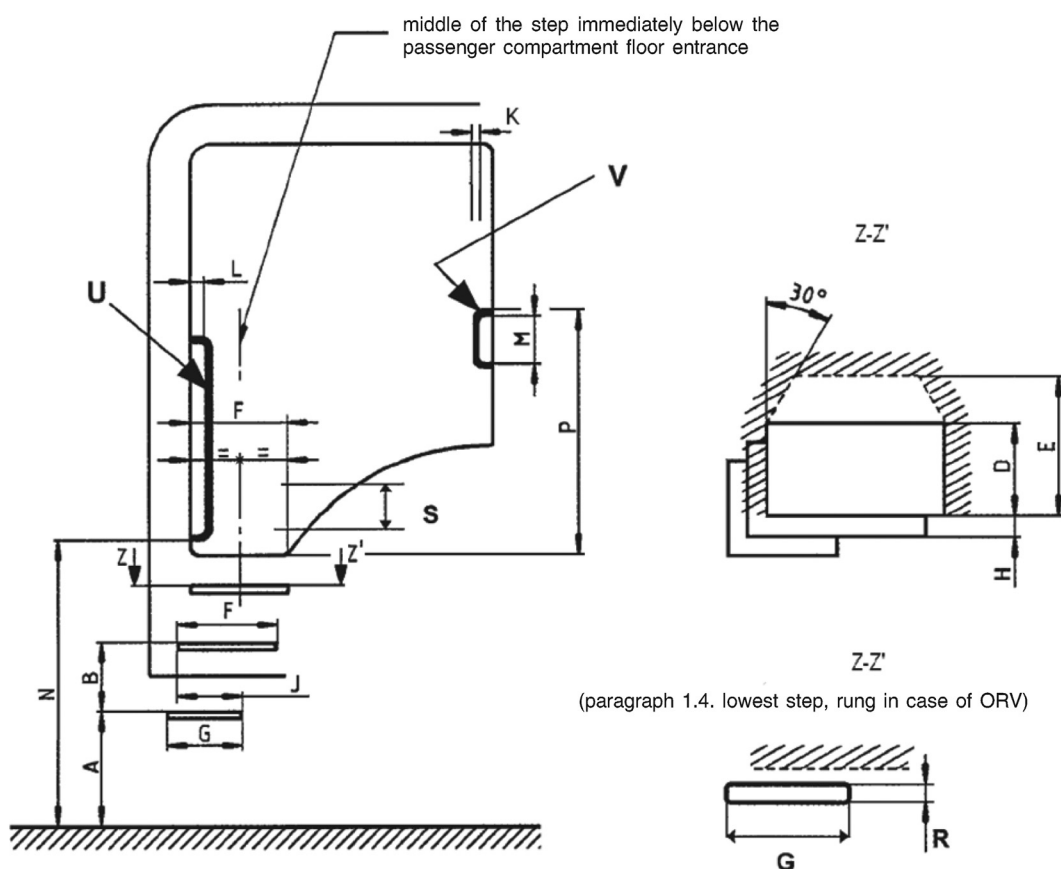
- 1.3.1. However, for off-road vehicles (ORV) the value (F) may be reduced to 200 mm.

- 1.4. In the case of off-road vehicles (ORV), the lowest step may be designed as a rung if this is necessary for reasons relating to construction or use. In such a case the rung depth (R) shall be at least 20 mm.

- 1.4.1. Rungs with a round cross-section are not permitted.
- 1.5. While getting down from the passenger compartment, the position of the uppermost step shall be easily found out.
- 1.6. All access steps shall be constructed in such a way as to preclude the risk of slipping. In addition, access steps exposed to the weather and dirt during driving shall have adequate run-off or a draining surface.
2. ACCESS TO HANDHOLDS TO THE PASSENGER COMPARTMENT (as shown in Figure 1).
- 2.1. One or more suitable handrail(s), handhold(s) or other equivalent holding device(s) shall be provided for the access to the passenger compartment.
- 2.1.1. All handrails, handholds or equivalent holding devices shall be positioned in such a way that they can easily be grasped and do not obstruct access to the passenger compartment.
- 2.1.2. A maximum discontinuity of 100 mm in the handhold area of the handrails, handholds or equivalent holding devices may be allowed.
- 2.1.3. In the case of passenger compartment access with more than two steps, the handrails, handholds or equivalent holding devices shall be located in such a way that a person can support himself at the same time with two hands and one foot or with two feet and one hand.
- 2.1.4. Except in the case of a stairway, the design and positioning of the handrails, handholds and equivalent holding devices shall be such that operators are encouraged to descend facing the passenger compartment.
- 2.1.5. The steering wheel may be considered as a handhold.
- 2.2. The height (N) of the lower edge of at least one handrail, handhold or equivalent holding device, measured from the ground surface with the vehicle in running order on a horizontal and flat surface, shall not exceed 1 850 mm.
- 2.2.1. However, for off-road vehicles (ORV) the distance (N) may be increased up to 1 950 mm.
- 2.2.2. If the floor entrance height of the passenger compartment measured from the ground surface is greater than 'N', this height shall be assumed as 'N'.
- 2.2.3. In addition, the minimum distance (P) of the upper edge of the handrails or handholds or equivalent holding devices from the floor entrance height of the passenger compartment shall be:
- (a) handrails, handholds or equivalent holding devices (U): 650 mm;
  - (b) handrails, handholds or equivalent holding devices (V): 550 mm.
- 2.3. The following geometrical specifications shall be fulfilled:
- (a) gripping dimension (K): 16 mm minimum 38 mm maximum;
  - (b) length (M): 150 mm minimum;
  - (c) clearance to vehicle components (L): 40 mm minimum with open door.

Figure 1

## Access steps and handholds to the passenger compartment



## PART 2

**Requirements concerning the access to and exit from the doors of the passenger compartment of vehicles of categories other than N<sub>2</sub> having a maximum mass exceeding 7,5 tonnes or category N<sub>3</sub>**

**1. RUNNING BOARDS AND ACCESS STEPS**

- 1.1. Vehicles of categories M<sub>1</sub> and N<sub>1</sub> as well as N<sub>2</sub> with a maximum mass not exceeding 7,5 tonnes, shall have one or more running board(s) or access step(s) if the floor entrance height of the passenger compartment is higher than 600 mm above the ground measured with the vehicle in running order on a horizontal and flat surface.

- 1.1.1. However, for off-road vehicles (ORV), the distance specified above may be increased up to 700 mm.

- 1.2. All running boards and access steps shall be constructed in such a way as to preclude the risk of slipping. In addition, running boards and access steps exposed to the weather and dirt during driving shall have adequate run-off or a draining surface.

*ANNEX III***Requirements for vehicles with regard to vehicle manoeuvrability****1. GENERAL REQUIREMENTS**

- 1.1. All vehicles shall be equipped with a device for reversing which can be operated from the driver's position.
-

**COMMISSION IMPLEMENTING REGULATION (EU) No 131/2012****of 15 February 2012****concerning the authorisation of a preparation of caraway oil, lemon oil with certain dried herbs and spices as a feed additive for weaned piglets (holder of authorisation Delacon Biotechnik GmbH)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition<sup>(1)</sup>, and in particular Article 9(2) thereof,

Whereas:

(1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.

(2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of a preparation of caraway oil, lemon oil with certain dried herbs and spices. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.

(3) The application concerns the authorisation of the preparation of caraway oil, lemon oil with certain dried herbs with spices, as specified in the Annex, as a feed additive for weaned piglets, to be classified in the additive category 'zootechnical additives'.

(4) The European Food Safety Authority ('the Authority') concluded in its opinion of 7 April 2011<sup>(2)</sup> that, under the proposed conditions of use, the preparation of caraway oil, lemon oil with certain dried herbs and spices, as specified in the Annex, does not have an adverse effect on animal health, human health or the environment, and that its use can improve the growth rate of weaned piglets. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the

(5) In order to ensure efficacy and safety and accordance with the characterisation provided by the applicant for the active substances, the maximum levels of natural substances laid down in Annex III, Part B to Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC<sup>(3)</sup> should be respected as regards dried herbs and spices used in the preparation, as specified in the Annex, and the product characterisations laid down in the European Pharmacopoeia should apply to caraway oil and lemon oil, respectively.

(6) The assessment of the preparation of caraway oil, lemon oil and dried herbs with spices, as specified in the Annex, shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of this preparation should be authorised as specified in the Annex to this Regulation.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'other zootechnical additives', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

*Article 2*

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

<sup>(1)</sup> OJ L 268, 18.10.2003, p. 29.

<sup>(2)</sup> EFSA Journal 2011; 9(4):2139.

<sup>(3)</sup> OJ L 354, 31.12.2008, p. 34.

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

Done at Brussels, 15 February 2012.

*For the Commission*

*The President*

José Manuel BARROSO

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## ANNEX

| Identification number of the additive                                                                                      | Name of the holder of authorisation | Additive                                                          | Composition, chemical formula, description, analytical method                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Species or category of animal | Maximum age | Minimum content                                                                | Maximum content | Other provisions                                                                                                                                                                                                                                                                                                                                                                                   | End of period of authorisation |
|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-------------|--------------------------------------------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
|                                                                                                                            |                                     |                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                               |             | mg of the additive/kg of complete feedingstuff with a moisture content of 12 % |                 |                                                                                                                                                                                                                                                                                                                                                                                                    |                                |
| Category of zootechnical additives. Functional group: other zootechnical additives (improvement of performance parameters) |                                     |                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                               |             |                                                                                |                 |                                                                                                                                                                                                                                                                                                                                                                                                    |                                |
| 4d6                                                                                                                        | Delacon Biotechnik GmbH             | Preparation of caraway oil, lemon oil with dried herbs and spices | <p><i>Additive composition</i></p> <p>Preparation of essential oil &gt; 1,5 % (caraway oil ≥ 0,75 % and lemon oil ≥ 0,75 %)</p> <p>— Dried herbs and spices: 50 %</p> <p>— Carriers substances: q.s. 100 %</p> <p><i>Characterisation of the active substances and other ingredients</i></p> <p>— caraway oil: d-carvone 3,5-6,0 mg/g, as defined by the European Pharmacopoeia <sup>(1)</sup></p> <p>— lemon oil: limonene 2,3-9,0 mg/g, as defined by the European Pharmacopoeia</p> <p>Dried herbs and spices:</p> <p>Clove powder 1,5 %, cinnamon powder 10 %, nutmeg powder 1,5 %, onion powder 5 %, pimento powder 2 %, orange peel powder 5 %, peppermint power 12,5 % and chamomile powder 12,5 %.</p> <p>The maximum levels laid down in Part B of Annex III to Regulation (EC) No 1334/2008 shall be respected as regards dried herbs and spices used in the preparation.</p> <p>The product characterisations laid down in the European Pharmacopoeia shall apply to caraway oil and lemon oil used in the preparation.</p> <p><i>Method of analysis</i> <sup>(2)</sup></p> <p>Determination of carvone: gas-chromatographic/mass-spectrometry (GC/MS) in single ion monitoring (SIM).</p> | Piglets (weaned)              | —           | 250                                                                            | 400             | <p>1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting.</p> <p>2. For use in weaned piglets up to approximately 35 kg.</p> <p>3. For safety: breathing protection and gloves shall be used during handling.</p> <p>4. The additive shall be incorporated in compound feedingstuff in form of a premixture.</p> | 7 March 2022                   |

<sup>(1)</sup> European Pharmacopoeia of the Council of Europe.

<sup>(2)</sup> Details of the analytical methods are available at the following address of the Reference Laboratory: [http://irmm.jrc.ec.europa.eu/EURLs/EURL\\_feed\\_additives/Pages/index.aspx](http://irmm.jrc.ec.europa.eu/EURLs/EURL_feed_additives/Pages/index.aspx)

**COMMISSION IMPLEMENTING REGULATION (EU) No 132/2012****of 15 February 2012****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) <sup>(1)</sup>,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors <sup>(2)</sup>, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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 XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 15 February 2012.

*For the Commission,  
On behalf of the President,  
José Manuel SILVA RODRÍGUEZ  
Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 157, 15.6.2011, p. 1.

## ANNEX

## Standard import values for determining the entry price of certain fruit and vegetables

| (EUR/100 kg)                                      |                                   |                       |
|---------------------------------------------------|-----------------------------------|-----------------------|
| CN code                                           | Third country code <sup>(1)</sup> | Standard import value |
| 0702 00 00                                        | JO                                | 78,3                  |
|                                                   | MA                                | 56,2                  |
|                                                   | TN                                | 76,7                  |
|                                                   | TR                                | 98,4                  |
|                                                   | ZZ                                | 77,4                  |
| 0707 00 05                                        | JO                                | 134,1                 |
|                                                   | TR                                | 143,1                 |
|                                                   | ZZ                                | 138,6                 |
| 0709 93 10                                        | MA                                | 85,0                  |
|                                                   | TR                                | 140,5                 |
|                                                   | ZZ                                | 112,8                 |
| 0805 10 20                                        | EG                                | 47,4                  |
|                                                   | IL                                | 74,0                  |
|                                                   | MA                                | 48,6                  |
|                                                   | TN                                | 49,9                  |
|                                                   | TR                                | 68,5                  |
|                                                   | ZZ                                | 57,7                  |
| 0805 20 10                                        | IL                                | 163,3                 |
|                                                   | MA                                | 115,0                 |
|                                                   | ZZ                                | 139,2                 |
| 0805 20 30, 0805 20 50, 0805 20 70,<br>0805 20 90 | CN                                | 60,1                  |
|                                                   | EG                                | 95,0                  |
|                                                   | IL                                | 114,9                 |
|                                                   | MA                                | 107,6                 |
|                                                   | TR                                | 74,7                  |
|                                                   | ZZ                                | 90,5                  |
| 0805 50 10                                        | EG                                | 41,4                  |
|                                                   | TR                                | 53,6                  |
|                                                   | ZZ                                | 47,5                  |
| 0808 10 80                                        | CA                                | 124,7                 |
|                                                   | CL                                | 98,4                  |
|                                                   | CN                                | 77,6                  |
|                                                   | MK                                | 26,7                  |
|                                                   | US                                | 139,8                 |
|                                                   | ZZ                                | 93,4                  |
| 0808 30 90                                        | CL                                | 141,4                 |
|                                                   | CN                                | 54,9                  |
|                                                   | US                                | 121,7                 |
|                                                   | ZA                                | 129,0                 |
|                                                   | ZZ                                | 111,8                 |

<sup>(1)</sup> 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 IMPLEMENTING REGULATION (EU) No 133/2012****of 15 February 2012****fixing the import duties in the cereals sector applicable from 16 February 2012**

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) <sup>(1)</sup>,

Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector <sup>(2)</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

- (2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, in order to calculate the import duty referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

- (4) Import duties should be fixed for the period from 16 February 2012 and should apply until new import duties are fixed and enter into force.

- (5) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

*Article 1*

From 16 February 2012, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

*Article 2*

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

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

Done at Brussels, 15 February 2012.

*For the Commission,  
On behalf of the President,  
José Manuel SILVA RODRÍGUEZ  
Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 187, 21.7.2010, p. 5.

## ANNEX I

**Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 16 February 2012**

| CN code       | Description                                     | Import duties <sup>(1)</sup><br>(EUR/t) |
|---------------|-------------------------------------------------|-----------------------------------------|
| 1001 19 00    | Durum wheat, high quality                       | 0,00                                    |
| 1001 11 00    |                                                 |                                         |
|               |                                                 |                                         |
|               | medium quality                                  | 0,00                                    |
|               | low quality                                     | 0,00                                    |
| ex 1001 91 20 | Common wheat seed                               | 0,00                                    |
| ex 1001 99 00 | High quality common wheat other than for sowing | 0,00                                    |
| 1002 10 00    | Rye                                             | 0,00                                    |
| 1002 90 00    |                                                 |                                         |
| 1005 10 90    | Maize seed other than hybrid                    | 0,00                                    |
| 1005 90 00    | Maize other than seed <sup>(2)</sup>            | 0,00                                    |
| 1007 10 90    | Grain sorghum other than hybrids for sowing     | 0,00                                    |
| 1007 90 00    |                                                 |                                         |

<sup>(1)</sup> The importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- EUR 3/t, where the port of unloading is located on the Mediterranean Sea (beyond the Strait of Gibraltar) or on the Black Sea, for goods arriving in the Union via the Atlantic Ocean or the Suez Canal,
- EUR 2/t, where the port of unloading is located in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or on the Atlantic coast of the Iberian Peninsula, for goods arriving in the Union via the Atlantic Ocean.

<sup>(2)</sup> The importer may benefit from a flat-rate reduction of EUR 24/t where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

## ANNEX II

## Factors for calculating the duties laid down in Annex I

1.2.2012-14.2.2012

## 1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/tonne)

|                        | Common wheat <sup>(1)</sup> | Maize   | Durum wheat, high quality | Durum wheat, medium quality <sup>(2)</sup> | Durum wheat, low quality <sup>(3)</sup> |
|------------------------|-----------------------------|---------|---------------------------|--------------------------------------------|-----------------------------------------|
| Exchange               | Minneapolis                 | Chicago | —                         | —                                          | —                                       |
| Quotation              | 245,63                      | 191,24  | —                         | —                                          | —                                       |
| Fob price USA          | —                           | —       | 302,27                    | 292,27                                     | 272,27                                  |
| Gulf of Mexico premium | 84,95                       | 19,55   | —                         | —                                          | —                                       |
| Great Lakes premium    | —                           | —       | —                         | —                                          | —                                       |

<sup>(1)</sup> Premium of EUR 14/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).<sup>(2)</sup> Discount of EUR 10/t (Article 5(3) of Regulation (EU) No 642/2010).<sup>(3)</sup> Discount of EUR 30/t (Article 5(3) of Regulation (EU) No 642/2010).

## 2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico-Rotterdam: 15,67 EUR/t

Freight costs: Great Lakes-Rotterdam: — EUR/t

# DECISIONS

## COMMISSION IMPLEMENTING DECISION

of 14 February 2012

**on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD)**

*(notified under document C(2012) 726)*

**(Only the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Lithuanian, Maltese, Polish, Portuguese, Spanish and Swedish texts are authentic)**

(2012/89/EU)

THE EUROPEAN COMMISSION,

has been used in some cases and the reports issued on the outcome have been examined by the Commission.

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

- (3) Under Regulations (EC) No 1258/1999 and (EC) No 1290/2005, only agricultural expenditure which has been incurred in a way that has not infringed European Union rules may be financed.

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy <sup>(1)</sup>, and in particular Article 7(4) thereof,

- (4) In the light of the verifications carried out, the outcome of the bilateral discussions and the conciliation procedures, part of the expenditure declared by the Member States does not fulfil this requirement and cannot, therefore, be financed under the EAGGF Guarantee Section, the EAGF and the EAFRD.

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy <sup>(2)</sup>, and in particular Article 31 thereof,

Having consulted the Committee on the Agricultural Funds,

- (5) The amounts that are not recognised as being chargeable to the EAGGF Guarantee Section, the EAGF and the EAFRD should be indicated. Those amounts do not relate to expenditure incurred more than 24 months before the Commission's written notification of the results of the verifications to the Member States.

Whereas:

- (1) Pursuant to Article 7(4) of Regulation (EC) No 1258/1999, and Article 31 of Regulation (EC) No 1290/2005, the Commission is to carry out the necessary verifications, communicate to the Member States the results of these verifications, take note of the comments of the Member States, initiate a bilateral discussion so that an agreement may be reached with the Member States in question, and formally communicate its conclusions to them.

- (6) As regards the cases covered by this decision, the assessment of the amounts to be excluded on grounds of non-compliance with European Union rules was notified by the Commission to the Member States in a summary report on the subject.

- (2) The Member States have had an opportunity to request the launch of a conciliation procedure. That opportunity

- (7) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 31 October 2011 and relating to its content,

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 103.

<sup>(2)</sup> OJ L 209, 11.8.2005, p. 1.

HAS ADOPTED THIS DECISION:

*Article 1*

The expenditure itemised in the Annex hereto that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section, under the EAGF or under the EAFRD shall be excluded from European Union financing because it does not comply with European Union rules.

*Article 2*

This Decision is addressed to the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the

Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Lithuania, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Poland, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 14 February 2012.

*For the Commission*

Dacian CIOLOŞ

*Member of the Commission*

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## ANNEX

## BUDGET ITEM: 6 7 0 1

| MS              | Measure                                               | Financial Year | Reason                                                                                                        | Type      | %      | Currency   | Amount              | Deductions          | Financial impact   |
|-----------------|-------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------|-----------|--------|------------|---------------------|---------------------|--------------------|
| BE              | Certification                                         | 2009           | ineligible expenditure                                                                                        | ONE-OFF   |        | EUR        | - 4 742,94          | - 4 742,94          | 0,00               |
| BE              | Financial audit - Late payments and payment deadlines | 2009           | late payments                                                                                                 | ONE-OFF   |        | EUR        | - 364 960,70        | - 364 960,70        | 0,00               |
| <b>BE Total</b> |                                                       |                |                                                                                                               |           |        | <b>EUR</b> | <b>- 369 703,64</b> | <b>- 369 703,64</b> | <b>0,00</b>        |
| CY              | Financial audit - Overshooting                        | 2010           | Exceeding of financial ceilings                                                                               | ONE-OFF   |        | EUR        | - 24 368,21         | - 24 368,21         | 0,00               |
| CY              | Cross Compliance                                      | 2006           | Good Agricultural and Environmental Conditions not defined, on-the-spot controls weaknesses (claim year 2005) | FLAT RATE | 5,00 % | CYP        | - 11 620,70         | - 1 561,80          | - 10 058,90        |
| CY              | Cross Compliance                                      | 2007           | Good Agricultural and Environmental Conditions not defined, on-the-spot controls weaknesses (claim year 2005) | FLAT RATE | 5,00 % | EUR        | - 180,84            | 0,00                | - 180,84           |
| CY              | Cross Compliance                                      | 2007           | Good Agricultural and Environmental Conditions not defined, on-the-spot controls weaknesses (claim year 2006) | FLAT RATE | 5,00 % | EUR        | - 50 451,34         | - 7 171,08          | - 43 280,26        |
| CY              | Cross Compliance                                      | 2008           | Good Agricultural and Environmental Conditions not defined, on-the-spot controls weaknesses (claim year 2005) | FLAT RATE | 5,00 % | EUR        | - 0,23              | 0,00                | - 0,23             |
| CY              | Cross Compliance                                      | 2008           | Good Agricultural and Environmental Conditions not defined, on-the-spot controls weaknesses (claim year 2006) | FLAT RATE | 5,00 % | EUR        | - 13,68             | 0,00                | - 13,68            |
| CY              | Cross Compliance                                      | 2008           | Good Agricultural and Environmental Conditions not defined (claim year 2007)                                  | FLAT RATE | 2,00 % | EUR        | - 38 733,21         | - 4 646,06          | - 34 087,15        |
| CY              | Cross Compliance                                      | 2009           | Good Agricultural and Environmental Conditions not defined, on-the-spot controls weaknesses (claim year 2006) | FLAT RATE | 5,00 % | EUR        | - 0,13              | 0,00                | - 0,13             |
| CY              | Cross Compliance                                      | 2009           | Good Agricultural and Environmental Conditions not defined (claim year 2007)                                  | FLAT RATE | 2,00 % | EUR        | - 18,90             | 0,00                | - 18,90            |
| <b>CY Total</b> |                                                       |                |                                                                                                               |           |        | <b>CYP</b> | <b>- 11 620,70</b>  | <b>- 1 561,80</b>   | <b>- 10 058,90</b> |
| <b>CY Total</b> |                                                       |                |                                                                                                               |           |        | <b>EUR</b> | <b>- 113 766,55</b> | <b>- 36 185,35</b>  | <b>- 77 581,19</b> |

| MS              | Measure                                               | Financial Year | Reason                                                                                      | Type    | % | Currency   | Amount                | Deductions            | Financial impact   |
|-----------------|-------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------|---------|---|------------|-----------------------|-----------------------|--------------------|
| CZ              | Financial audit - Overshooting                        | 2010           | exceeding of ceilings                                                                       | ONE-OFF |   | EUR        | - 11 170,27           | - 11 170,27           | 0,00               |
| <b>CZ Total</b> |                                                       |                |                                                                                             |         |   | <b>EUR</b> | <b>- 11 170,27</b>    | <b>- 11 170,27</b>    | <b>0,00</b>        |
| DE              | Clearance of accounts - Conformity Clearance          | 2010           | Reduction in accordance with clearance decision                                             | ONE-OFF |   | EUR        | - 7 108 483,29        | - 7 108 483,29        | 0,00               |
| DE              | Certification                                         | 2008           | total error exceeding the level of materiality (EAGF Annex III population)                  | ONE-OFF |   | EUR        | - 36 170,39           | 0,00                  | - 36 170,39        |
| <b>DE Total</b> |                                                       |                |                                                                                             |         |   | <b>EUR</b> | <b>- 7 144 653,68</b> | <b>- 7 108 483,29</b> | <b>- 36 170,39</b> |
| DK              | Financial audit - Overshooting                        | 2010           | Exceeding of financial ceilings                                                             | ONE-OFF |   | EUR        | - 898,56              | - 898,56              | 0,00               |
| <b>DK Total</b> |                                                       |                |                                                                                             |         |   | <b>EUR</b> | <b>- 898,56</b>       | <b>- 898,56</b>       | <b>0,00</b>        |
| EE              | Financial audit - Late payments and payment deadlines | 2010           | Late payments                                                                               | ONE-OFF |   | EUR        | - 10 003,08           | - 10 003,08           | 0,00               |
| <b>EE Total</b> |                                                       |                |                                                                                             |         |   | <b>EUR</b> | <b>- 10 003,08</b>    | <b>- 10 003,08</b>    | <b>0,00</b>        |
| ES              | Financial audit - Overshooting                        | 2010           | exceeding of financial ceilings                                                             | ONE-OFF |   | EUR        | - 2 626 687,43        | - 2 626 687,43        | 0,00               |
| ES              | Financial audit - Late payments and payment deadlines | 2010           | late payments                                                                               | ONE-OFF |   | EUR        | - 4 646 885,25        | - 4 646 885,25        | 0,00               |
| ES              | Milk - Quota                                          | 2010           | recovery of milk levy                                                                       | ONE-OFF |   | EUR        | 697 302,87            | 697 302,87            | 0,00               |
| ES              | Certification                                         | 2007           | Systematic errors (EAGF non-IACS population)                                                | ONE-OFF |   | EUR        | - 125 570,62          | 0,00                  | - 125 570,62       |
| ES              | Certification                                         | 2008           | Problems concerning mainly material and known errors in the accounts and/ or debtors (EAGF) | ONE-OFF |   | EUR        | - 27 516,38           | 0,00                  | - 27 516,38        |
| ES              | Certification                                         | 2008           | ineligible expenditure                                                                      | ONE-OFF |   | EUR        | - 242 423,55          | 0,00                  | - 242 423,55       |
| ES              | Financial audit - Overshooting                        | 2008           | overshooting of financial ceilings                                                          | ONE-OFF |   | EUR        | - 691 056,57          | 0,00                  | - 691 056,57       |

| MS              | Measure                                               | Financial Year | Reason                                                                                                                                                                  | Type      | %      | Currency   | Amount                | Deductions            | Financial impact      |
|-----------------|-------------------------------------------------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------|------------|-----------------------|-----------------------|-----------------------|
| ES              | Fruit and Vegetables - Tomato Processing              | 2006           | ineligible expenditure - the interests paid following non-respect of payment deadlines                                                                                  | ONE-OFF   |        | EUR        | - 2 336,20            | 0,00                  | - 2 336,20            |
| ES              | Export refunds - other                                | 2006           | ineligible expenditure - the interests paid following non-respect of payment deadlines                                                                                  | ONE-OFF   |        | EUR        | - 148,25              | 0,00                  | - 148,25              |
| ES              | Fruit and Vegetables - Operational Programmes         | 2007           | ineligible expenditure - the interests paid following non-respect of payment deadlines                                                                                  | ONE-OFF   |        | EUR        | - 20 720,15           | 0,00                  | - 20 720,15           |
| ES              | _Recoveries                                           | 2006           | ineligible expenditure - the interests paid following non-respect of payment deadlines                                                                                  | ONE-OFF   |        | EUR        | - 221 965,92          | 0,00                  | - 221 965,92          |
| ES              | _Recoveries                                           | 2007           | ineligible expenditure - the interests paid following non-respect of payment deadlines                                                                                  | ONE-OFF   |        | EUR        | - 133 057,74          | 0,00                  | - 133 057,74          |
| <b>ES Total</b> |                                                       |                |                                                                                                                                                                         |           |        | <b>EUR</b> | <b>- 8 041 065,19</b> | <b>- 6 576 269,81</b> | <b>- 1 464 795,38</b> |
| FI              | Financial audit - Late payments and payment deadlines | 2010           | late payments                                                                                                                                                           | ONE-OFF   |        | EUR        | - 11 361,66           | - 11 361,66           | 0,00                  |
| <b>FI Total</b> |                                                       |                |                                                                                                                                                                         |           |        | <b>EUR</b> | <b>- 11 361,66</b>    | <b>- 11 361,66</b>    | <b>0,00</b>           |
| GB              | Financial audit - Overshooting                        | 2010           | Exceeding of ceilings                                                                                                                                                   | ONE-OFF   |        | EUR        | - 9 281,94            | - 9 281,94            | 0,00                  |
| GB              | Financial audit - Late payments and payment deadlines | 2010           | late payments                                                                                                                                                           | ONE-OFF   |        | EUR        | - 1 456 625,58        | - 1 456 625,58        | 0,00                  |
| GB              | Cross Compliance                                      | 2007           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2006 | FLAT RATE | 5,00 % | EUR        | - 7 271 825,45        | - 195 560,21          | - 7 076 265,24        |
| GB              | Cross Compliance                                      | 2008           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2006 | FLAT RATE | 5,00 % | EUR        | 14 207,12             | 0,00                  | 14 207,12             |
| GB              | Cross Compliance                                      | 2008           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2007 | FLAT RATE | 5,00 % | EUR        | - 10 469 049,05       | - 90 522,67           | - 10 378 526,39       |

| MS              | Measure                                                  | Financial Year | Reason                                                                                                                                                                  | Type      | %      | Currency   | Amount                 | Deductions            | Financial impact       |
|-----------------|----------------------------------------------------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------|------------|------------------------|-----------------------|------------------------|
| GB              | Cross Compliance                                         | 2009           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2006 | FLAT RATE | 5,00 % | EUR        | 7 219,27               | – 496,31              | 7 715,58               |
| GB              | Cross Compliance                                         | 2009           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2007 | FLAT RATE | 5,00 % | EUR        | – 12 452,64            | – 12 759,95           | 307,30                 |
| GB              | Cross Compliance                                         | 2009           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2008 | FLAT RATE | 5,00 % | EUR        | – 10 396 466,70        | 0,00                  | – 10 396 466,70        |
| GB              | Cross Compliance                                         | 2010           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2008 | FLAT RATE | 5,00 % | EUR        | – 18 620,64            | 0,00                  | – 18 620,64            |
| <b>GB Total</b> |                                                          |                |                                                                                                                                                                         |           |        | <b>EUR</b> | <b>– 29 612 895,62</b> | <b>– 1 765 246,65</b> | <b>– 27 847 648,97</b> |
| HU              | Direct Decoupled Aid (single area payment scheme - SAPS) | 2007           | weaknesses in LPIS-GIS, weaknesses related to administrative and cross-checks, weaknesses related to on-the-spot checks                                                 | ONE-OFF   |        | EUR        | – 2 405 065,12         | 0,00                  | – 2 405 065,12         |
| HU              | Direct Decoupled Aid (single area payment scheme - SAPS) | 2008           | weaknesses in LPIS-GIS, weaknesses related to administrative and cross-checks, weaknesses related to on-the-spot checks                                                 | ONE-OFF   |        | EUR        | – 2 838 373,29         | 0,00                  | – 2 838 373,29         |
| HU              | Financial audit - Late payments and payment deadlines    | 2010           | Late payments                                                                                                                                                           | ONE-OFF   |        | EUR        | – 21 609,30            | – 21 609,30           | 0,00                   |
| <b>HU Total</b> |                                                          |                |                                                                                                                                                                         |           |        | <b>EUR</b> | <b>– 5 265 047,71</b>  | <b>– 21 609,30</b>    | <b>– 5 243 438,41</b>  |
| IE              | Financial audit - Late payments and payment deadlines    | 2010           | late payments                                                                                                                                                           | ONE-OFF   |        | EUR        | – 95 332,91            | – 95 332,91           | 0,00                   |
| IE              | Public Storage - Sugar                                   | 2005           | not meeting the regulatory minimum control level                                                                                                                        | FLAT RATE | 5,00 % | EUR        | – 983,00               | 0,00                  | – 983,00               |
| IE              | Public Storage - Sugar                                   | 2006           | not meeting the regulatory minimum control level                                                                                                                        | FLAT RATE | 5,00 % | EUR        | – 3 392,00             | 0,00                  | – 3 392,00             |

| MS              | Measure                                                     | Financial Year | Reason                                                                | Type    | % | Currency   | Amount              | Deductions         | Financial impact    |
|-----------------|-------------------------------------------------------------|----------------|-----------------------------------------------------------------------|---------|---|------------|---------------------|--------------------|---------------------|
| IE              | RD Guarantee Accompanying Measures (area related measures)  | 2002           | alleged misapplication of agricultural funds (olaf case of/2007/0586) | ONE-OFF |   | EUR        | - 101 731,00        | 0,00               | - 101 731,00        |
| IE              | RD Guarantee Accompanying Measures (area related measures)  | 2003           | alleged misapplication of agricultural funds (olaf case of/2007/0586) | ONE-OFF |   | EUR        | - 8 697,00          | 0,00               | - 8 697,00          |
| IE              | RD Guarantee Accompanying Measures (area related measures)  | 2004           | alleged misapplication of agricultural funds (olaf case of/2007/0586) | ONE-OFF |   | EUR        | - 8 697,00          | 0,00               | - 8 697,00          |
| IE              | RD Guarantee Accompanying Measures (area related measures)  | 2005           | alleged misapplication of agricultural funds (olaf case of/2007/0586) | ONE-OFF |   | EUR        | - 8 697,00          | 0,00               | - 8 697,00          |
| IE              | Rural Development EAGGF (2000-2006) - Area related measures | 2006           | alleged misapplication of agricultural funds (olaf case of/2007/0586) | ONE-OFF |   | EUR        | - 8 697,00          | 0,00               | - 8 697,00          |
| <b>IE Total</b> |                                                             |                |                                                                       |         |   | <b>EUR</b> | <b>- 236 226,91</b> | <b>- 95 332,91</b> | <b>- 140 894,00</b> |
| IT              | Financial audit - Late payments and payment deadlines       | 2007           | non-respect of payment deadlines                                      | ONE-OFF |   | EUR        | - 27 293 119,72     | - 27 293 119,72    | 0,00                |
| IT              | Financial audit - Overshooting                              | 2009           | Exceeding of ceilings                                                 | ONE-OFF |   | EUR        | - 207 254,09        | - 207 254,09       | 0,00                |
| IT              | Financial audit - Late payments and payment deadlines       | 2009           | Non-respect of payment deadlines                                      | ONE-OFF |   | EUR        | - 2 543 462,81      | - 2 543 462,81     | 0,00                |

| MS              | Measure                    | Financial Year | Reason                                                                                                                                                           | Type      | %      | Currency   | Amount                 | Deductions             | Financial impact       |
|-----------------|----------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------|------------|------------------------|------------------------|------------------------|
| IT              | Olive Oil - Production Aid | 2005           | weaknesses in the controls of mills and compatibility of yields                                                                                                  | ONE-OFF   |        | EUR        | - 10 702 915,00        | 0,00                   | - 10 702 915,00        |
| IT              | Olive Oil - Production Aid | 2006           | weaknesses in the controls of mills and compatibility of yields                                                                                                  | ONE-OFF   |        | EUR        | - 10 752 842,00        | 0,00                   | - 10 752 842,00        |
| <b>IT Total</b> |                            |                |                                                                                                                                                                  |           |        | <b>EUR</b> | <b>- 51 499 593,62</b> | <b>- 30 043 836,62</b> | <b>- 21 455 757,00</b> |
| LT              | Direct Payments            | 2006           | Weaknesses in the LPIS-GIS and ineffectiveness of the risk analysis                                                                                              | FLAT RATE | 2,00 % | LTL        | - 7 134 543,98         | 0,00                   | - 7 134 543,98         |
| LT              | Decoupled Direct Aids      | 2007           | Weaknesses in the LPIS-GIS and ineffectiveness of the risk analysis                                                                                              | FLAT RATE | 2,00 % | EUR        | - 2 564 280,33         | 0,00                   | - 2 564 280,33         |
| LT              | Decoupled Direct Aids      | 2008           | Weaknesses in the LPIS-GIS and ineffectiveness of the risk analysis                                                                                              | FLAT RATE | 2,00 % | EUR        | - 1 133,57             | 0,00                   | - 1 133,57             |
| <b>LT Total</b> |                            |                |                                                                                                                                                                  |           |        | <b>LTL</b> | <b>- 7 134 543,98</b>  | <b>0,00</b>            | <b>- 7 134 543,98</b>  |
| <b>LT Total</b> |                            |                |                                                                                                                                                                  |           |        | <b>EUR</b> | <b>- 2 565 413,90</b>  | <b>0,00</b>            | <b>- 2 565 413,90</b>  |
| MT              | Cross Compliance           | 2006           | Statutory Management Requirements 7-8, Minimum control rate not achieved, Good Agricultural and Environment Conditions not checked effectively (claim year 2005) | FLAT RATE | 5,00 % | MTL        | - 498,47               | 0,00                   | - 498,47               |
| MT              | Cross Compliance           | 2007           | Statutory Management Requirements 7-8, Minimum control rate not achieved, Good Agricultural and Environment Conditions not checked effectively (claim year 2005) | FLAT RATE | 5,00 % | EUR        | - 1,52                 | 0,00                   | - 1,52                 |
| <b>MT Total</b> |                            |                |                                                                                                                                                                  |           |        | <b>MTL</b> | <b>- 498,47</b>        | <b>0,00</b>            | <b>- 498,47</b>        |
| <b>MT Total</b> |                            |                |                                                                                                                                                                  |           |        | <b>EUR</b> | <b>- 1,52</b>          | <b>0,00</b>            | <b>- 1,52</b>          |
| NL              | Other Direct Aid - Bovines | 2007           | Non application of sanctions in the case of potentially eligible animals                                                                                         | ONE-OFF   |        | EUR        | - 918 301,00           | 0,00                   | - 918 301,00           |
| NL              | Other Direct Aid - Bovines | 2008           | Non application of sanctions in the case of potentially eligible animals                                                                                         | ONE-OFF   |        | EUR        | - 629 514,00           | 0,00                   | - 629 514,00           |

| MS              | Measure                                       | Financial Year | Reason                                                                                                                                                   | Type      | %       | Currency   | Amount                 | Deductions          | Financial impact       |
|-----------------|-----------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------|------------|------------------------|---------------------|------------------------|
| NL              | Cross Compliance                              | 2006           | Deficient sanctioning system/lack of control certain Statutory Management Requirements and Good Agricultural and Environment Conditions/ Claim year 2005 | FLAT RATE | 10,00 % | EUR        | - 1 943 408,16         | - 15 542,27         | - 1 927 865,89         |
| NL              | Cross Compliance                              | 2007           | Deficient sanctioning system/lack of control certain Statutory Management Requirements and Good Agricultural and Environment Conditions/ Claim year 2005 | FLAT RATE | 10,00 % | EUR        | - 3 585,00             | 0,00                | - 3 585,00             |
| NL              | Cross Compliance                              | 2007           | Deficient sanctioning system/lack of control certain Statutory Management Requirements and Good Agricultural and Environment Conditions/ Claim year 2006 | FLAT RATE | 10,00 % | EUR        | - 4 741 138,56         | - 42 883,69         | - 4 698 254,87         |
| NL              | Cross Compliance                              | 2008           | Deficient sanctioning system/ Claim year 2007 first pillar                                                                                               | FLAT RATE | 10,00 % | EUR        | - 7 793 074,54         | - 50 000,63         | - 7 743 073,90         |
| NL              | Cross Compliance                              | 2008           | Deficient sanctioning system/lack of control certain Statutory Management Requirements and Good Agricultural and Environment Conditions/ Claim year 2006 | FLAT RATE | 10,00 % | EUR        | - 9 280,51             | 0,00                | - 9 280,51             |
| NL              | Cross Compliance                              | 2009           | Deficient sanctioning system/ Claim year 2007 first pillar                                                                                               | FLAT RATE | 10,00 % | EUR        | - 68 832,59            | 0,00                | - 68 832,59            |
| <b>NL Total</b> |                                               |                |                                                                                                                                                          |           |         | <b>EUR</b> | <b>- 16 107 134,37</b> | <b>- 108 426,60</b> | <b>- 15 998 707,77</b> |
| PL              | Certification                                 | 2008           | non-refunded recoveries (EAGF population)                                                                                                                | ONE-OFF   |         | PLN        | - 1 245 393,63         | 0,00                | - 1 245 393,63         |
| <b>PL Total</b> |                                               |                |                                                                                                                                                          |           |         | <b>PLN</b> | <b>- 1 245 393,63</b>  | <b>0,00</b>         | <b>- 1 245 393,63</b>  |
| PT              | Fruit and Vegetables - Operational Programmes | 2006           | deficiencies in the environmental management of packaging                                                                                                | ONE-OFF   |         | EUR        | - 1 208,26             | 0,00                | - 1 208,26             |
| PT              | Fruit and Vegetables - Operational Programmes | 2006           | incorrect calculation of the value of the market production                                                                                              | ONE-OFF   |         | EUR        | - 3 563,04             | 0,00                | - 3 563,04             |
| PT              | Fruit and Vegetables - Operational Programmes | 2007           | incorrect calculation of the value of the market production                                                                                              | ONE-OFF   |         | EUR        | - 5 197,21             | 0,00                | - 5 197,21             |
| PT              | Fruit and Vegetables - Operational Programmes | 2007           | incorrect calculation of the value of the market production                                                                                              | ONE-OFF   |         | EUR        | - 14 841,09            | 0,00                | - 14 841,09            |

| MS                   | Measure                                               | Financial Year | Reason                                                              | Type    | % | Currency   | Amount                  | Deductions             | Financial impact       |
|----------------------|-------------------------------------------------------|----------------|---------------------------------------------------------------------|---------|---|------------|-------------------------|------------------------|------------------------|
| PT                   | Fruit and Vegetables - Operational Programmes         | 2008           | incorrect calculation of the value of the market production         | ONE-OFF |   | EUR        | - 3 380,72              | 0,00                   | - 3 380,72             |
| PT                   | Fruit and Vegetables - Operational Programmes         | 2008           | incorrect calculation of the value of the market production         | ONE-OFF |   | EUR        | - 9 920,19              | 0,00                   | - 9 920,19             |
| <b>PT Total</b>      |                                                       |                |                                                                     |         |   | <b>EUR</b> | <b>- 38 110,51</b>      | <b>0,00</b>            | <b>- 38 110,51</b>     |
| SE                   | Financial audit - Overshooting                        | 2010           | Exceeding of financial ceilings                                     | ONE-OFF |   | EUR        | - 15 111,28             | - 15 111,28            | 0,00                   |
| SE                   | Financial audit - Late payments and payment deadlines | 2010           | Late payments                                                       | ONE-OFF |   | EUR        | - 29 000,06             | - 29 000,06            | 0,00                   |
| SE                   | Other Direct Aid - Bovines                            | 2007           | Non application of sanctions regarding potentially eligible animals | ONE-OFF |   | EUR        | - 34 718,00             | 0,00                   | - 34 718,00            |
| SE                   | Other Direct Aid - Bovines                            | 2008           | Non application of sanctions regarding potentially eligible animals | ONE-OFF |   | EUR        | - 72 854,00             | 0,00                   | - 72 854,00            |
| <b>SE Total</b>      |                                                       |                |                                                                     |         |   | <b>EUR</b> | <b>- 151 683,34</b>     | <b>- 44 111,34</b>     | <b>- 107 572,00</b>    |
| <b>6 7 0 1 Total</b> |                                                       |                |                                                                     |         |   | <b>CYP</b> | <b>- 11 620,70</b>      | <b>- 1 561,80</b>      | <b>- 10 058,90</b>     |
| <b>6 7 0 1 Total</b> |                                                       |                |                                                                     |         |   | <b>LTL</b> | <b>- 7 134 543,98</b>   | <b>0,00</b>            | <b>- 7 134 543,98</b>  |
| <b>6 7 0 1 Total</b> |                                                       |                |                                                                     |         |   | <b>MTL</b> | <b>- 498,47</b>         | <b>0,00</b>            | <b>- 498,47</b>        |
| <b>6 7 0 1 Total</b> |                                                       |                |                                                                     |         |   | <b>PLN</b> | <b>- 1 245 393,63</b>   | <b>0,00</b>            | <b>- 1 245 393,63</b>  |
| <b>6 7 0 1 Total</b> |                                                       |                |                                                                     |         |   | <b>EUR</b> | <b>- 121 178 730,12</b> | <b>- 46 202 639,08</b> | <b>- 74 976 091,04</b> |

**BUDGET ITEM: 6 8 0 3**

| MS                   | Measure                   | Financial Year | Reason                        | Type    | % | Currency   | Amount                | Deductions            | Financial impact |
|----------------------|---------------------------|----------------|-------------------------------|---------|---|------------|-----------------------|-----------------------|------------------|
| IT                   | Sugar - Assigned Revenue_ | 2009           | Sugar temporary restructuring | ONE-OFF |   | EUR        | - 5 732 481,49        | - 5 732 481,49        | 0,00             |
| <b>IT Total</b>      |                           |                |                               |         |   | <b>EUR</b> | <b>- 5 732 481,49</b> | <b>- 5 732 481,49</b> | <b>0,00</b>      |
| <b>6 8 0 3 Total</b> |                           |                |                               |         |   | <b>EUR</b> | <b>- 5 732 481,49</b> | <b>- 5 732 481,49</b> | <b>0,00</b>      |

**BUDGET ITEM: 6 7 1 1**

| MS              | Measure                                                           | Financial Year | Reason                                                                                  | Type      | %      | Currency   | Amount                | Deductions      | Financial impact      |
|-----------------|-------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------|-----------|--------|------------|-----------------------|-----------------|-----------------------|
| BE              | Rural Development EAFRD Axis 2 (2007-2013, area related measures) | 2008           | deficiencies in controls of Agri-environment (214) and Natural Handicaps (212) measures | FLAT RATE | 5,00 % | EUR        | – 841 698,00          | 0,00            | – 841 698,00          |
| BE              | Rural Development EAFRD Axis 2 (2007-2013, area related measures) | 2009           | deficiencies in controls of Agri-environment (214) and Natural Handicaps (212) measures | FLAT RATE | 5,00 % | EUR        | – 990 437,00          | 0,00            | – 990 437,00          |
| BE              | Rural Development EAFRD Axis 2 (2007-2013, area related measures) | 2010           | deficiencies in controls of Agri-environment (214) and Natural Handicaps (212) measures | FLAT RATE | 5,00 % | EUR        | – 929 676,00          | 0,00            | – 929 676,00          |
| <b>BE Total</b> |                                                                   |                |                                                                                         |           |        | <b>EUR</b> | <b>– 2 761 811,00</b> | <b>0,00</b>     | <b>– 2 761 811,00</b> |
| CY              | Cross Compliance                                                  | 2008           | Good Agricultural and Environment Conditions not defined (claim year 2007)              | FLAT RATE | 2,00 % | EUR        | – 7 242,86            | – 533,72        | – 6 709,14            |
| CY              | Cross Compliance                                                  | 2009           | Good Agricultural and Environment Conditions not defined (claim year 2007)              | FLAT RATE | 2,00 % | EUR        | – 1 170,90            | 0,00            | – 1 170,90            |
| <b>CY Total</b> |                                                                   |                |                                                                                         |           |        | <b>EUR</b> | <b>– 8 413,76</b>     | <b>– 533,72</b> | <b>– 7 880,04</b>     |
| FI              | Rural Development EAFRD Axis 2 (2007-2013, area related measures) | 2007           | Ineligible expenditure                                                                  | ONE-OFF   |        | EUR        | – 22 419,00           | 0,00            | – 22 419,00           |
| FI              | Rural Development EAFRD Axis 2 (2007-2013, area related measures) | 2008           | Ineligible expenditure                                                                  | ONE-OFF   |        | EUR        | – 22 445,00           | 0,00            | – 22 445,00           |
| <b>FI Total</b> |                                                                   |                |                                                                                         |           |        | <b>EUR</b> | <b>– 44 864,00</b>    | <b>0,00</b>     | <b>– 44 864,00</b>    |

| MS              | Measure                                                                       | Financial Year | Reason                                                                                                                                   | Type      | %      | Currency   | Amount              | Deductions  | Financial impact    |
|-----------------|-------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------|------------|---------------------|-------------|---------------------|
| FR              | Certification                                                                 | 2008           | known error                                                                                                                              | ONE-OFF   |        | EUR        | - 12 464,23         | 0,00        | - 12 464,23         |
| FR              | Certification                                                                 | 2008           | most likely error                                                                                                                        | ONE-OFF   |        | EUR        | - 33 128,12         | 0,00        | - 33 128,12         |
| FR              | Rural Development EAFRD Axis 3 (2007-2013)                                    | 2007           | weaknesses in controls of measures: 121 - Modernisation of agricultural holdings, 323 - Conservation and upgrading of the rural heritage | FLAT RATE | 5,00 % | EUR        | - 26 631,89         | 0,00        | - 26 631,89         |
| FR              | Rural Development EAFRD Axis 1 (2007-2013)                                    | 2007           | weaknesses in controls of measures: 121 - Modernisation of agricultural holdings, 323 - Conservation and upgrading of the rural heritage | FLAT RATE | 5,00 % | EUR        | - 139 159,62        | 0,00        | - 139 159,62        |
| FR              | Rural Development EAFRD Axis 1+3 - Investment orientated measures (2007-2013) | 2008           | weaknesses in controls of measures: 121 - Modernisation of agricultural holdings, 323 - Conservation and upgrading of the rural heritage | FLAT RATE | 5,00 % | EUR        | - 425 812,37        | 0,00        | - 425 812,37        |
| FR              | Rural Development EAFRD Axis 1+3 - Investment orientated measures (2007-2013) | 2009           | weaknesses in controls of measures: 121 - Modernisation of agricultural holdings, 323 - Conservation and upgrading of the rural heritage | FLAT RATE | 5,00 % | EUR        | - 172 239,16        | 0,00        | - 172 239,16        |
| <b>FR Total</b> |                                                                               |                |                                                                                                                                          |           |        | <b>EUR</b> | <b>- 809 435,38</b> | <b>0,00</b> | <b>- 809 435,38</b> |
| GB              | Rural Development EAFRD Axis 1+3 - Investment orientated measures (2007-2013) | 2008           | Weaknesses in key controls                                                                                                               | FLAT RATE | 5,00 % | EUR        | - 17 599,91         | 0,00        | - 17 599,91         |
| GB              | Rural Development EAFRD Axis 1+3 - Investment orientated measures (2007-2013) | 2009           | Weaknesses in key controls                                                                                                               | FLAT RATE | 5,00 % | EUR        | - 17 278,26         | 0,00        | - 17 278,26         |

| MS              | Measure                                                                       | Financial Year | Reason                                                                                                                                                                                                                                                                                                  | Type      | %      | Currency   | Amount                | Deductions         | Financial impact      |
|-----------------|-------------------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------|------------|-----------------------|--------------------|-----------------------|
| GB              | Rural Development EAFRD Axis 1+3 - Investment orientated measures (2007-2013) | 2010           | Weaknesses in key controls                                                                                                                                                                                                                                                                              | FLAT RATE | 5,00 % | EUR        | - 215 112,69          | - 92 864,27        | - 122 248,42          |
| GB              | Cross Compliance                                                              | 2007           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2007                                                                                                                                 | FLAT RATE | 5,00 % | EUR        | - 368 239,54          | 0,00               | - 368 239,54          |
| GB              | Cross Compliance                                                              | 2008           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2007                                                                                                                                 | FLAT RATE | 5,00 % | EUR        | - 286 742,05          | 0,00               | - 286 742,05          |
| GB              | Cross Compliance                                                              | 2008           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2008                                                                                                                                 | FLAT RATE | 5,00 % | EUR        | - 646 960,52          | 0,00               | - 646 960,52          |
| GB              | Cross Compliance                                                              | 2009           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2007                                                                                                                                 | FLAT RATE | 5,00 % | EUR        | - 1 382,74            | 0,00               | - 1 382,74            |
| GB              | Cross Compliance                                                              | 2009           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2008                                                                                                                                 | FLAT RATE | 5,00 % | EUR        | - 394 353,28          | 0,00               | - 394 353,28          |
| GB              | Cross Compliance                                                              | 2010           | Weaknesses in the sanctioning system, some Statutory Management Requirements and Good Agricultural and Environment Conditions inadequately implemented, claim year 2008                                                                                                                                 | FLAT RATE | 5,00 % | EUR        | - 1 635,68            | 0,00               | - 1 635,68            |
| <b>GB Total</b> |                                                                               |                |                                                                                                                                                                                                                                                                                                         |           |        | <b>EUR</b> | <b>- 1 949 304,67</b> | <b>- 92 864,27</b> | <b>- 1 856 440,40</b> |
| NL              | Rural Development EAFRD Axis 2 (2007-2013, area related measures)             | 2007           | Weaknesses in admin checks of livestock density for Agri-Environment commitments, verification of Agri-Environment commitments & amount of fertilizers, notifications in advance of on-the-spot checks, traceability of on-the-spot checks measurement and checks on livestock density, sanction system | FLAT RATE | 5,00 % | EUR        | - 494 059,00          | 0,00               | - 494 059,00          |

| MS                   | Measure                                                           | Financial Year | Reason                                                                                                                                                                                                                                                                                                  | Type      | %       | Currency   | Amount                | Deductions          | Financial impact      |
|----------------------|-------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------|------------|-----------------------|---------------------|-----------------------|
| NL                   | Rural Development EAFRD Axis 2 (2007-2013, area related measures) | 2008           | Weaknesses in admin checks of livestock density for Agri-Environment commitments, verification of Agri-Environment commitments & amount of fertilizers, notifications in advance of on-the-spot checks, traceability of on-the-spot checks measurement and checks on livestock density, sanction system | FLAT RATE | 5,00 %  | EUR        | – 874 038,00          | – 21 831,00         | – 852 207,00          |
| NL                   | Rural Development EAFRD Axis 2 (2007-2013, area related measures) | 2009           | Weaknesses in admin checks of livestock density for Agri-Environment commitments, verification of Agri-Environment commitments & amount of fertilizers, notifications in advance of on-the-spot checks, traceability of on-the-spot checks measurement and checks on livestock density, sanction system | FLAT RATE | 5,00 %  | EUR        | – 672 205,00          | 0,00                | – 672 205,00          |
| NL                   | Cross Compliance                                                  | 2008           | Deficient sanctioning system, claim year 2007                                                                                                                                                                                                                                                           | FLAT RATE | 10,00 % | EUR        | – 16 005,09           | 0,00                | – 16 005,09           |
| NL                   | Cross Compliance                                                  | 2009           | Deficient sanctioning system, claim year 2007                                                                                                                                                                                                                                                           | FLAT RATE | 10,00 % | EUR        | – 22 593,38           | – 4 366,14          | – 18 227,24           |
| <b>NL Total</b>      |                                                                   |                |                                                                                                                                                                                                                                                                                                         |           |         | <b>EUR</b> | <b>– 2 078 900,47</b> | <b>– 26 197,14</b>  | <b>– 2 052 703,33</b> |
| <b>6 7 1 1 Total</b> |                                                                   |                |                                                                                                                                                                                                                                                                                                         |           |         | <b>EUR</b> | <b>– 7 652 729,28</b> | <b>– 119 595,13</b> | <b>– 7 533 134,15</b> |

**BUDGET ITEM: 6 5 0 0**

| MS | Measure                                     | Financial Year | Reason                                                                                                | Type      | %      | Currency | Amount       | Deductions | Financial impact |
|----|---------------------------------------------|----------------|-------------------------------------------------------------------------------------------------------|-----------|--------|----------|--------------|------------|------------------|
| LT | Rural Development - Transitional Instrument | 2006           | Weaknesses in the LPIS-GIS - RD measure E                                                             | FLAT RATE | 2,00 % | EUR      | – 945 870,52 | 0,00       | – 945 870,52     |
| LT | Rural Development - Transitional Instrument | 2006           | Weaknesses in the LPIS-GIS - RD measure H                                                             | FLAT RATE | 2,00 % | EUR      | – 24 632,19  | 0,00       | – 24 632,19      |
| LT | Rural Development - Transitional Instrument | 2006           | Weaknesses in the LPIS-GIS - RD measure F                                                             | FLAT RATE | 2,00 % | EUR      | – 309 889,54 | 0,00       | – 309 889,54     |
| LT | Rural Development - Transitional Instrument | 2006           | Weaknesses in the LPIS-GIS and ineffectiveness of the risk analysis, timing of the on-the-spot checks | FLAT RATE | 2,00 % | EUR      | – 651 604,16 | 0,00       | – 651 604,16     |
| LT | Rural Development - Transitional Instrument | 2007           | Weaknesses in the LPIS-GIS - RD measure E                                                             | FLAT RATE | 2,00 % | EUR      | – 985 316,48 | 0,00       | – 985 316,48     |

| MS                   | Measure                                     | Financial Year | Reason                                                                                                | Type      | %      | Currency   | Amount                | Deductions  | Financial impact      |
|----------------------|---------------------------------------------|----------------|-------------------------------------------------------------------------------------------------------|-----------|--------|------------|-----------------------|-------------|-----------------------|
| LT                   | Rural Development - Transitional Instrument | 2007           | Weaknesses in the LPIS-GIS - RD measure F                                                             | FLAT RATE | 2,00 % | EUR        | - 445 708,09          | 0,00        | - 445 708,09          |
| LT                   | Rural Development - Transitional Instrument | 2007           | Weaknesses in the LPIS-GIS - RD measure H                                                             | FLAT RATE | 2,00 % | EUR        | - 45 653,14           | 0,00        | - 45 653,14           |
| LT                   | Rural Development - Transitional Instrument | 2007           | Weaknesses in the LPIS-GIS and ineffectiveness of the risk analysis, timing of the on-the-spot checks | FLAT RATE | 2,00 % | EUR        | - 523 102,07          | 0,00        | - 523 102,07          |
| <b>LT Total</b>      |                                             |                |                                                                                                       |           |        | <b>EUR</b> | <b>- 3 931 776,19</b> | <b>0,00</b> | <b>- 3 931 776,19</b> |
| <b>6 5 0 0 Total</b> |                                             |                |                                                                                                       |           |        | <b>EUR</b> | <b>- 3 931 776,19</b> | <b>0,00</b> | <b>- 3 931 776,19</b> |

**BUDGET ITEM: 05 07 01 07**

| MS                       | Measure                                               | Financial Year | Reason                                                                  | Type      | %        | Currency   | Amount               | Deductions            | Financial impact     |
|--------------------------|-------------------------------------------------------|----------------|-------------------------------------------------------------------------|-----------|----------|------------|----------------------|-----------------------|----------------------|
| GR                       | Financial audit - Overshooting                        | 2009           | overshooting of financial ceiling                                       | ONE-OFF   |          | EUR        | - 190 168,38         | 0,00                  | - 190 168,38         |
| GR                       | Financial audit - Late payments and payment deadlines | 2009           | Late payments                                                           | ONE-OFF   |          | EUR        | - 5 005 611,96       | - 5 147 574,91        | 141 962,95           |
| GR                       | Financial audit - Overshooting                        | 2009           | overshooting of financial ceiling                                       | ONE-OFF   |          | EUR        | - 3 666 203,72       | - 3 666 203,72        | 0,00                 |
| GR                       | Meat Premiums - Bovines                               | 2001           | Reimbursement following judgement of the General Court in case T-344/05 | FLAT RATE | 100,00 % | EUR        | 16 220 422,60        | 0,00                  | 16 220 422,60        |
| GR                       | Meat Premiums - Bovines                               | 2002           | Reimbursement following judgement of the General Court in case T-344/05 | FLAT RATE | 100,00 % | EUR        | 17 243 903,60        | 0,00                  | 17 243 903,60        |
| GR                       | Meat Premiums - Bovines                               | 2003           | Reimbursement following judgement of the General Court in case T-344/05 | FLAT RATE | 100,00 % | EUR        | 1 066 391,49         | 0,00                  | 1 066 391,49         |
| <b>GR Total</b>          |                                                       |                |                                                                         |           |          | <b>EUR</b> | <b>25 668 733,63</b> | <b>- 8 813 778,63</b> | <b>34 482 512,26</b> |
| <b>05 07 01 07 Total</b> |                                                       |                |                                                                         |           |          | <b>EUR</b> | <b>25 668 733,63</b> | <b>- 8 813 778,63</b> | <b>34 482 512,26</b> |

# RECOMMENDATIONS

## COMMISSION RECOMMENDATION

of 14 February 2012

**on guidelines for the presentation of the information for the identification of lots of forest reproductive material and the information to be provided on the supplier's label or document**

(2012/90/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

shall provide information to the official body of the Member State in which the recipient is based. This information shall be provided by means of an 'Information Document' in a standardised format as regards the way the information is presented and including, as set out in the Annex to that Regulation, the use of a harmonised code to identify the different items.

- (1) Article 13 of Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material<sup>(1)</sup> lays down the information to be used in order to identify each lot of forest reproductive material (hereinafter 'FRM'). Furthermore Article 14 of that Directive lays down the information to be indicated in the supplier's label or document. However no rules have been established concerning the presentation of this information.
- (2) Therefore, the way the information is presented in the supplier's label or document varies significantly across the Union. Several Member States and stakeholders have reported that, due to the use of different languages and forms of presentation, supplier's labels or documents are frequently not understood in the same manner by the stakeholders involved in trade between Member States.
- (3) However, Directive 1999/105/EC does not contain a legal basis allowing the Commission to set legally binding provisions aimed at harmonising the suppliers' label or document in order to reduce these difficulties. Therefore, it is appropriate to adopt guidelines recommending a presentation of the information to be provided in the supplier's label or document which facilitates the understanding of this information in all Member States.
- (4) In accordance with Article 1 of Commission Regulation (EC) No 1598/2002 of 6 September 2002 laying down detailed rules for the application of Council Directive 1999/105/EC as regards the provision of mutual administrative assistance by official bodies<sup>(2)</sup>, where FRM moves from one Member State to another, the official body of the Member State in which the supplier is based
- (5) Given that no difficulties have been reported concerning the use of this 'Information Document' and that some of the information requested by Article 14 of Directive 1999/105/EC to be indicated in the supplier's label or document is also requested by Article 1 of Regulation (EC) No 1598/2002 for the 'Information Document', it is considered appropriate to recommend the use of a numerical code to identify the different items in the supplier's label or document similar to the one set out in the Annex to Regulation (EC) No 1598/2002.
- (6) The sequence and content of the codes set out in these guidelines should however be based on the requirements for the marketing of FRM lots and the content of suppliers' label or document as provided for in Articles 13 and 14 of Directive 1999/105/EC.
- (7) These guidelines should take into account the differences referred to in recital 2, to facilitate trade and exchange of information.
- (8) The national measures taken by the Member States pursuant to this Recommendation should moreover be established in a transparent manner and should be proportionate to the objective pursued,

HAS ADOPTED THIS RECOMMENDATION:

1. In developing national measures concerning the way the information to be provided by the supplier's label or document as referred to in Article 14 of Directive 1999/105/EC shall be presented, Member States should take into account the guidelines provided in the Annex to this Recommendation.

<sup>(1)</sup> OJ L 11, 15.1.2000, p. 17.

<sup>(2)</sup> OJ L 240, 7.9.2002, p. 39.

2. This Recommendation is addressed to the Member States.

Done at Brussels, 14 February 2012.

*For the Commission*  
John DALLI  
*Member of the Commission*

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## ANNEX

**A. General principles for the establishment of national measures****1. Transparency**

National measures concerning the presentation of the information to be provided at the supplier's label or document for the marketing of forest reproductive material (hereinafter 'FRM') should be developed in cooperation with all relevant stakeholders and in a transparent manner. Member States should also ensure cooperation with other Member States to contribute to reducing the difficulties encountered by stakeholders as a consequence of the differences of the ways this information is presented.

**2. Proportionality**

The national measures adopted pursuant to this recommendation should be proportionate to the objective which is pursued, namely the facilitation of the understanding of the information provided in different formats and languages. These measures should avoid any unnecessary burden for forest owners and nurseries.

The choice of measures should take into account the regional and local constraints and characteristics, such as the shape and size of the supplier's and user's enterprises, the marketing access, as well as the local, national, Union and supplier's management practices. They should be proportionate to the level of trades, depending on regional and national specificities and the particular local needs of FRM. These measures could be adopted as national rules, recommendations or guidelines addressed to the suppliers of FRM.

**B. Identification codes corresponding to relevant items of supplier's label or document**

The items to be provided on the supplier's label or document should be presented as listed in the left column of the below table, following the sequence used in Article 13 and Article 14 of Directive 1999/105/EC. Some additional items, under point C may be added, where appropriate, for traceability and information purposes.

Harmonised identification numbers should be used and presented through the numbers and codes listed in the right column of the below table, serving as numerical translations of the corresponding text in the left column. As these numbers are meant to facilitate retrieval and recognition of the information, they should be added to this information without dropping the fully written, or abbreviated, words of the left column, which are normally used on the suppliers' labels or documents.

The relevant harmonised identification code should be written in bold before each item to be provided on the supplier's label or document.

|                                                                                                                                                     | Number on the supplier's label or document                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A. Requirements as listed in Article 13 of Directive 1999/105/EC</b>                                                                             |                                                                                                                                                                |
| Master certificate code and number                                                                                                                  | <b>3</b>                                                                                                                                                       |
| Botanical name                                                                                                                                      | <b>6</b>                                                                                                                                                       |
| Category                                                                                                                                            | <b>8a</b> 'source identified'<br><b>8b</b> 'selected'<br><b>8c</b> 'qualified'<br><b>8d</b> 'tested'.                                                          |
| Purpose                                                                                                                                             | <b>10a</b> 'multifunctional forestry'<br><b>10b</b> 'other'                                                                                                    |
| Type of basic material                                                                                                                              | <b>9a</b> 'seed source'<br><b>9b</b> 'stand'<br><b>9c</b> 'seed orchard'<br><b>9d</b> 'parents of families'<br><b>9e</b> 'clone'<br><b>9f</b> 'clonal mixture' |
| Register reference or identity code for region of provenance                                                                                        | <b>11</b>                                                                                                                                                      |
| Region of provenance — for reproductive material of the 'source-identified' and 'selected' categories or other reproductive material if appropriate | <b>13</b>                                                                                                                                                      |

|                                                                                                                                                                                                   | Number on the supplier's label or document                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| If appropriate, whether the origin of the material is autochthonous or indigenous, non-autochthonous or non-indigenous, or unknown                                                                | <b>12a</b> 'autochthonous/indigenous'<br><b>12b</b> 'non-autochthonous/non-indigenous'<br><b>12c</b> 'unknown'                        |
| In the case of seed units, the year of ripening                                                                                                                                                   | <b>17</b>                                                                                                                             |
| Age of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised                                                                                                   | <b>16</b>                                                                                                                             |
| Type of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised                                                                                                  | <b>7a</b> 'seeds'<br><b>7b</b> 'parts of plants'<br><b>7c</b> 'planting stock (bare root)'<br><b>7d</b> 'planting stock (containers)' |
| Whether it is genetically modified                                                                                                                                                                | <b>18a</b> 'yes'<br><b>18b</b> 'no'                                                                                                   |
| <b>B. Requirements as listed in Article 14 of Directive 1999/105/EC</b>                                                                                                                           |                                                                                                                                       |
| Master certificate number(s) issued under Article 12 of Directive 1999/105/EC or reference to the other document available according to Article 12(3) of that Directive                           | <b>3</b>                                                                                                                              |
| Name of supplier                                                                                                                                                                                  | <b>4</b>                                                                                                                              |
| Quantity supplied                                                                                                                                                                                 | <b>15</b>                                                                                                                             |
| In the case of reproductive material of the 'tested' category whose basic material is approved under Article 4(5) of Directive 1999/105/EC, the words 'provisionally approved'                    | <b>8x</b>                                                                                                                             |
| Whether the material has been vegetatively propagated                                                                                                                                             | <b>19a</b> 'yes'<br><b>19b</b> 'no'                                                                                                   |
| <i>In the case of seed, only for quantities above those referred in Article 14(4) of Directive 1999/105/EC</i>                                                                                    |                                                                                                                                       |
| Purity: the percentage by weight of pure seed, other seed and inert matter of the product marketed as a seed lot                                                                                  | <b>22</b>                                                                                                                             |
| The germination percentage of the pure seed, or, where germination percentage is impossible or impractical to assess, the viability percentage assessed by reference to a specified method        | <b>23</b>                                                                                                                             |
| The weight of 1 000 pure seeds                                                                                                                                                                    | <b>24</b>                                                                                                                             |
| The number of germinable seeds per kilogram of product marketed as seed, or, where the number of germinable seeds is impossible or impractical to assess, the number of viable seeds per kilogram | <b>25</b>                                                                                                                             |
| <i>In the case of Populus spp. (part of plants)</i>                                                                                                                                               |                                                                                                                                       |
| Class of stem cuttings (EC 1/EC 2)                                                                                                                                                                | <b>26</b>                                                                                                                             |
| Class of sets (N1/N2 – S1/S2)                                                                                                                                                                     | <b>27</b>                                                                                                                             |
| <b>C. Possible additional items for traceability and information purposes</b>                                                                                                                     |                                                                                                                                       |
| Supplier's document number                                                                                                                                                                        | <b>1</b>                                                                                                                              |
| Internal (supplier's) number of lot                                                                                                                                                               | <b>1a</b>                                                                                                                             |

|                                                                 | Number on the supplier's label or document |
|-----------------------------------------------------------------|--------------------------------------------|
| Date of dispatch of FRM                                         | <b>2</b>                                   |
| Full address of supplier                                        | <b>4</b>                                   |
| Name and address of the receiver                                | <b>5</b>                                   |
| Country of the region of provenance or of the location          | <b>13</b>                                  |
| Origin of basic material if non-autochthonous or non-indigenous | <b>14</b>                                  |

## III

*(Other acts)*

## EUROPEAN ECONOMIC AREA

## EFTA SURVEILLANCE AUTHORITY DECISION

No 367/11/COL

of 30 November 2011

**amending the list contained in point 39 of Part 1.2 of Chapter I of Annex I to the Agreement on the European Economic Area listing border inspection posts in Iceland and Norway agreed for veterinary checks on live animals and animal products from third countries and repealing EFTA Surveillance Authority Decision No 111/11/COL**

THE EFTA SURVEILLANCE AUTHORITY,

border inspection posts in Iceland and Norway approved for veterinary checks on live animal and animal products from third countries.

HAVING REGARD to points 4(B)(1) and (3) and point (5)(b) of the Introductory Part of Chapter I of Annex I to the EEA Agreement,

HAVING REGARD to the Act referred to at point 1.1.4 of Chapter I of Annex I to the EEA Agreement (Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>(1)</sup>), as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement, and in particular to Article 6(2) thereof,

HAVING REGARD to the Act referred to at point 1.2.111 of Chapter I of Annex I to the EEA Agreement (Commission Decision 2001/812/EC of 21 November 2001 laying down the requirements for the approval of border inspection posts responsible for veterinary checks on products introduced into the Community from third countries<sup>(2)</sup>), as amended, and in particular to Article 3(5) thereof,

Whereas:

EFTA Surveillance Authority (the Authority), by Decision No 111/11/COL of 11 April 2011<sup>(3)</sup>, repealed its Decision No 8/11/COL of 26 January 2011<sup>(4)</sup> and drew up a new list of

On 30 May 2011 the Authority received a proposal from Iceland to change the categories of products of animal origin for two border inspection posts (BIPs) in Iceland. For BIP Keflavík Airport (IS KEF 4), it was requested to extend the scope of the category of animal products for human consumption to 'All Products' and to add a category for 'Other Products'. For BIP Reykjavík Eimskip (IS REY 1a), it was requested to extend the scope of the category of animal products for human consumption to 'All Products' and to change the category for 'Other Products' to 'All Packed Products'.

From 8 to 11 November 2011, the Authority carried out a joint inspection with the Food and Veterinary Office of the European Commission (FVO). In the course of that inspection, the border inspection posts of Keflavík Airport (IS KEF 4) and Reykjavík Eimskip (IS REY 1a) were visited.

On the basis on the observations made during the joint inspection, a common recommendation was signed on 10 November 2011 by inspectors of the Authority and of the European Commission.

According to the signed common recommendation, it is proposed:

<sup>(1)</sup> OJ L 24, 30.1.1998, p. 9.

<sup>(2)</sup> OJ L 306, 23.11.2001, p. 28.

<sup>(3)</sup> OJ L 170, 30.6.2011, p. 39 and EEA Supplement No 36, 30.6.2011 p. 39.

<sup>(4)</sup> OJ L 85, 31.3.2011, p. 27 and EEA Supplement No 16, 31.3.2011, p. 1.

— For BIP Keflavík Airport (IS KEF 4), to extend the scope of the category of animal products for human consumption to 'All Products' and to add a category for 'Other Products'. The BIP should now be listed as HC(2), NHC(2).

— For BIP Reykjavík Eimskip (IS REY 1a), to extend the scope of the category of animal products for human consumption to 'All Products' and to change the category for 'Other Products' to 'All Packed Products'. The BIP should now be listed as HC(2), NHC(2).

The Authority, by its Decision No 365/11/COL, referred the matter to the EFTA Veterinary Committee assisting the EFTA Surveillance Authority. The measures provided for in this Decision are in accordance with the unanimous opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority and the final text of the measures remains unchanged,

HAS ADOPTED THIS DECISION:

*Article 1*

Veterinary checks on live animals and animal products brought into Iceland and Norway from third countries shall be carried out by the competent national authorities at the agreed border inspections posts listed in the Annex to this Decision.

*Article 2*

The EFTA Surveillance Authority Decision No 111/11/COL of 11 April 2011 is hereby repealed.

*Article 3*

This Decision shall enter into force on 30 November 2011.

*Article 4*

This Decision is addressed to Iceland and Norway.

*Article 5*

This Decision shall be authentic in the English language.

Done at Brussels, 30 November 2011.

*For the EFTA Surveillance Authority*

Sverrir Haukur GUNNLAUGSSON

Xavier LEWIS

*College Member*

*Director, Legal and Executive  
Affairs*

## ANNEX

## LIST OF AGREED BORDER INSPECTION POSTS

Country: Iceland

| 1                 | 2         | 3 | 4 | 5                                                      | 6     |
|-------------------|-----------|---|---|--------------------------------------------------------|-------|
| Akureyri          | IS AKU1   | P |   | HC-T(1)(2)(3), NHC(16)                                 |       |
| Hafnarfjörður     | IS HAF 1  | P |   | HC(1)(2)(3), NHC-NT(2)(6)(16)                          |       |
| Húsavík           | IS HUS 1  | P |   | HC-T(FR)(1)(2)(3)                                      |       |
| Ísafjörður        | IS ISA1   | P |   | HC-T(FR)(1)(2)(3)                                      |       |
| Keflavík Airport  | IS KEF 4  | A |   | HC(2), NHC(2)                                          | O(15) |
| Reykjavík Eimskip | IS REY 1a | P |   | HC(2), NHC(2)                                          |       |
| Reykjavík Samskip | IS REY 1b | P |   | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3),<br>NHC-NT(2)(6)(16) |       |
| Þorlákshöfn       | IS THH1   | P |   | HC-T(FR)(1)(2)(3), HC-NT(6), NHC-NT(6)                 |       |

Country: Norway

| 1             | 2        | 3 | 4            | 5                                                         | 6     |
|---------------|----------|---|--------------|-----------------------------------------------------------|-------|
| Borg          | NO BRG 1 | P |              | HC, NHC                                                   | E(7)  |
| Båtsfjord (*) | NO BJF 1 | P |              | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) (*)                     |       |
| Egersund      | NO EGE 1 | P |              | HC-NT(6), NHC-NT(6)(16)                                   |       |
| Florø EWOS    | NO FRO 1 | P |              | NHC-NT(6)(16)                                             |       |
| Hammerfest    | NO HFT 1 | P | Rypefjord    | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3)                         |       |
| Honningsvåg   | NO HVG 1 | P | Honningsvåg  | HC-T(FR)(1)(2)(3)                                         |       |
|               |          |   | Gjesvær      | HC-T(1)(2)(3)                                             |       |
| Kirkenes      | NO KKN 1 | P |              | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3)                         |       |
| Kristiansund  | NO KSU 1 | P | Kristiansund | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3) HC-NT(6),<br>NHC-NT(6) |       |
| Larvik        | NO LAR 1 | P |              | HC(2)                                                     |       |
| Måløy         | NO MAY 1 | P | Gotteberg    | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)                        |       |
|               |          |   | Trollebø     | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)                        |       |
| Oslo          | NO OSL 1 | P |              | HC, NHC                                                   |       |
| Oslo          | NO OSL 4 | A |              | HC, NHC                                                   | U,E,O |
| Sortland      | NO SLX 1 | P | Melbu        | HC-T(FR)(1)(2)(3)                                         |       |
|               |          |   | Sortland     | HC-T(FR)(1)(2)(3)                                         |       |
| Storskog      | NO STS 3 | R |              | HC, NHC                                                   | U,E,O |

| 1       | 2        | 3 | 4         | 5                                                    | 6 |
|---------|----------|---|-----------|------------------------------------------------------|---|
| Tromsø  | NO TOS 1 | P | Bukta     | HC-T(FR)(1)(2)(3)                                    |   |
|         |          |   | Solstrand | HC-T(FR)(1)(2)(3)                                    |   |
| Vadsø   | NO VOS 1 | P |           | HC-T(FR)(1)(2)(3)                                    |   |
| Ålesund | NO AES 1 | P | Breivika  | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)                   |   |
|         |          |   | Ellingsøy | HC-T(FR)(1)(2)(3)                                    |   |
|         |          |   | Skutvik   | HC-T(1)(2)(3), HC-NT(6), NHC-T(FR) (2)(3), NHC-NT(6) |   |

1 = Name

2 = TRACES Code

3 = Type

A = Airport

F = Rail

P = Port

R = Road

4 = Inspection centre

5 = Products

HC = All products for Human Consumption

NHC = Other Products

NT = No temperature requirements

T = Frozen/chilled products

T(FR) = Frozen products

T(CH) = Chilled products

6 = Live Animals

U = Ungulates: cattle, pigs, sheep, goats, wild and domestic solipeds

E = Registered equidae as defined in Council Directive 90/426/EEC

O = Other animals

5-6 = Special remarks

(\*) = Suspended on the basis of Article 6 of Directive 97/78/EC until further notice, as noted in columns 1, 4, 5 and 6  
(1) = Checking in line with the requirements of Commission Decision 93/352/EEC taken in execution of Article 19(3) of Council Directive 97/78/EC

(2) = Packed products only

(3) = Fishery products only

(4) = Animal proteins only

(5) = Wool hides and skins only

(6) = Only liquid fats, oils, and fish oils

(7) = Icelandic ponies (from April to October only)

(8) = Equidae only

(9) = Tropical fish only

(10) = Only cats, dogs, rodents, lagomorphs, live fish, reptiles and other birds than ratites

(11) = Only feedstuffs in bulk

(12) = For (U) in the case of solipeds, only those consigned to a zoo; and for (O), only day-old chicks, fish, dogs, cats, insects, or other animals consigned to a zoo

(13) = Nagylak HU: This is a border inspection post (for products) and crossing point (for live animals) on the Hungarian Romanian border, subject to transitional measures as negotiated and laid down in the Treaty of Accession for both products and live animals. See Commission Decision 2003/630/EC

(14) = Designated for transit across the European Community for consignments of certain products of animal origin for human consumption, coming to or from Russia under the specific procedures foreseen in relevant Community legislation

(15) = Aquaculture animals only

(16) = Fish meal only







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