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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 144/2012

of 16 February 2012

concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by

specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.

- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) The Customs Code Committee has not issued an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

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, 16 February 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
An apparatus in a single housing with dimensions of approximately 31 × 20 × 5 cm, comprising the following components: — a microprocessor, — a dual DVB-S/DVB-T digital tuner, — a flash memory, and — a "smart card" reader for conditional access to a service provider. The apparatus is equipped with the following interfaces: — a satellite RF input, — a terrestrial RF input, — a terrestrial RF output, — an Ethernet (RJ-45), — two USB, — an HDMI, — two SCART, — two RCA for audio output, — an S/PDIF (optical digital audio output), and — a slot for a hard disk. An interchangeable hard disk can be clipped in after presentation. The hard disks can be retained for viewing the files recorded at a later stage only on this apparatus. Upon presentation, the apparatus is capable of receiving and decoding digital television signals (both free channels and programmes from the service provider). It is also capable of connecting to the Internet via the Ethernet interface. The apparatus is capable of receiving and decoding audio/video files from an automatic data - processing machine via a so-called "home gateway". The apparatus is capable of reproducing audio/video files from external media (such as a hard disk or a USB memory) via a USB interface. The apparatus is capable of recording and reproducing the digital television signals received.	8528 71 15	Classification is determined by General Rules 1, 3(c) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8528, 8528 71 and 8528 71 15. The apparatus is a composite machine capable of performing the functions of both headings 8521 and 8528. Given its characteristics, neither function is considered to be the apparatus' principal function within the meaning of Note 3 to Section XVI. The apparatus is therefore to be classified under the heading that occurs last in numerical order, namely heading 8528. Despite the presence of interchangeable hard disks, a capability to reproduce content from external media as well as a capability to record the free channels received, the apparatus retains the essential character of a so-called "set-top box which has a communication function". It is therefore to be classified under CN code 8528 71 15 as a set-top box which has a communication function.

COMMISSION IMPLEMENTING REGULATION (EU) No 145/2012
of 16 February 2012
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by

specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.

- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

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, 16 February 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
An apparatus in a single housing with dimensions of approximately 27 × 15 × 6 cm, comprising the following components: — a microprocessor, — two cable digital tuners, — a cable modem, — a flash memory, and — a "smart card" reader for conditional access to a service provider. The apparatus is equipped with the following interfaces: — an RF input and an RF output, — two Ethernet (RJ-45), — two USB, — an HDMI, — a SCART, — six RCA for audio and video output, — an S/PDIF (optical digital audio output), and — a slot for a hard disk. The housing of the apparatus can be opened and a hard disk can be inserted after presentation. Upon presentation, the apparatus is capable of receiving and decoding digital television signals. It is also capable of connecting to the Internet via the modem. The apparatus is capable of receiving and decoding audio/video files from apparatus within a local area network via a router. The apparatus is capable of reproducing audio/video files from external media (such as a hard disk or a USB memory) via a USB interface. The apparatus is capable of recording and reproducing the digital television signals received from the service provider.	8528 71 15	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and by the wording of CN codes 8528, 8528 71 and 8528 71 15. The apparatus is a composite machine capable of performing the functions of both headings 8521 and 8528. Given its characteristics and mainly the capacity to record only content received from the service provider, the apparatus is principally intended to be used for receiving television signals. Therefore, classification under heading 8521 is excluded. Given that the apparatus is not designed to incorporate a video display or a screen and that its main components are tuners, a micro-processor and a modem for gaining access to the Internet and having the function of interactive information exchange, it retains the essential character of a so-called "set-top box which has a communication function". It is therefore to be classified under CN code 8528 71 15 as a set-top box which has a communication function.

COMMISSION IMPLEMENTING REGULATION (EU) No 146/2012
of 16 February 2012
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by

specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.

- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

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, 16 February 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
An apparatus in a single housing with dimensions of approximately 42 × 25 × 6 cm, comprising the following components: — two microprocessors, one of which is dedicated only for the Blu-Ray reader, — a dual DVB-S/DVB-T digital tuner, — a built-in hard disk of 250 GB, — a Blu-Ray 2D and 3D reader, — an SD card reader, and — a "smart card" reader for conditional access to a service provider. The apparatus is equipped with the following interfaces: — two RF inputs, — an Ethernet (RJ-45), — a USB, — an HDMI, — a SCART, — two RCA for audio output, and — an S/PDIF (optical digital audio output). Upon presentation, the apparatus is capable of receiving and decoding digital television signals (both free channels and programmes from the service provider). It is also capable of connecting to the Internet via the Ethernet interface. The apparatus is capable of receiving and decoding audio/video files from: — apparatus within a local area network via a so-called "home gateway" and — external sources via the USB interface (such as a hard disk, a USB memory, video recorders, digital cameras, camcorders) or via the SD card reader. The apparatus is capable of recording and reproducing the digital television signals received as well as any video files received through the SD card reader or the USB interface. The apparatus is capable of reproducing files from external media such as DVD, Blu-Ray 2D and 3D and CD via the integrated Blu-Ray reader.	8521 90 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and by the wording of CN codes 8521 and 8521 90 00. The apparatus is a composite machine capable of performing the functions of both headings 8521 and 8528. Given its characteristics, namely the presence of a video reproducing apparatus of heading 8521 (the Blu-Ray reader in the present case) and the possibility to record video signals and files from a range of sources (including inter alia video recorders, digital cameras, camcorders) independently of the connection to the service provider, the apparatus is not a reception apparatus for television, incorporating a video recording or reproducing apparatus and does not retain the essential character of a so-called "set-top box which has a communication function". The apparatus has the principal function of a video recording or reproducing apparatus incorporating a video tuner within the meaning of Note 3 to Section XVI. The apparatus is therefore to be classified under CN code 8521 90 00 as other video recording or reproducing apparatus incorporating a video tuner.

COMMISSION IMPLEMENTING REGULATION (EU) No 147/2012

of 20 February 2012

amending Regulation (EU) No 65/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ⁽¹⁾, and in particular Articles 51(4) and 74(4) and Article 91 thereof,

Whereas:

- (1) Article 6(2) of Commission Regulation (EU) No 65/2011 ⁽²⁾ contains definitions which, according to the text of that Article, are to apply only to Title I of Part II of that Regulation. However, the terms 'area-related measures' and 'animal-related measures' appear throughout the Regulation. Those terms should therefore be included in the list of definitions set out in Article 2 of the Regulation.
- (2) For the sake of consistency, in Article 31(a)(ii) of Regulation (EU) No 65/2011, the term 'area-related support' should be replaced by the term 'area-related measures'.
- (3) Commission Regulation (EC) No 1122/2009 of 30 November 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 73/2009 as regards cross-compliance, modulation and the integrated administration and control system, under the direct support schemes for farmers provided for that Regulation, as well as for the implementation of Council Regulation (EC) No 1234/2007 as regards cross-compliance under the support scheme provided for the wine sector ⁽³⁾ has been amended to improve and simplify certain control rules as regards animal-related payments. For the sake of consistency with controls for animal-related measures under Regulation (EU) No 65/2011, corresponding rules should be included in that Regulation.
- (4) In accordance with Article 17(3) of Regulation (EU) No 65/2011, a bovine animal which has lost one of the two ear tags is to be deemed to belong to the animals determined provided that it is clearly and individually identified by the other elements of the system for the identification and registration of bovine animals. The system for the identification and registration of bovine animals is in general well established. Therefore, where one bovine animal has lost both ear tags and its identity can be established without any doubt it should also be

included in the number of animals determined and should be eligible for payment. This should, however, only apply if the farmer has taken measures to remedy the situation before the announcement of the on-the-spot check and, in order to avoid any risk of irregular payments, the application of this rule should be limited to one single animal.

- (5) A new improved system for the identification of ovine and caprine animals has been set up under Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC ⁽⁴⁾. A similar provision for ovine and caprine animals declared for payment should therefore be included in Article 17 of Regulation (EU) No 65/2011.
- (6) In accordance with Article 7(1) of Regulation (EU) No 65/2011, Article 16 of Regulation (EC) No 1122/2009 applies *mutatis mutandis* for the purposes of Title I of Part II of Regulation (EU) No 65/2011. While under the second subparagraph of Article 16(1) of Regulation (EC) No 1122/2009 beneficiaries of animal-related measures are required to inform the competent authorities about any change of location of the animals during the applicable retention period, it should be made clear that failure to do so should not lead to penalties if the animals concerned are immediately located within the holding during the on-the-spot check.
- (7) As regards the rules on reductions and exclusions set out in Article 17 of Regulation (EU) No 65/2011 and the order of reductions laid down in Article 22 of that Regulation, it should be made clear that offsetting in accordance with Commission Regulation (EC) No 885/2006 ⁽⁵⁾ should always be carried out last in the order of reductions pursuant to Article 22 of Regulation (EU) No 65/2011. Articles 17 and 22 of that Regulation should therefore be amended accordingly.
- (8) Regulation (EU) No 65/2011 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Rural Development Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 65/2011 is amended as follows:

⁽¹⁾ OJ L 277, 21.10.2005, p. 1.

⁽²⁾ OJ L 25, 28.1.2011, p. 8.

⁽³⁾ OJ L 316, 2.12.2009, p. 65.

⁽⁴⁾ OJ L 5, 9.1.2004, p. 8.

⁽⁵⁾ OJ L 171, 23.6.2006, p. 90.

(1) in Article 2, the following definitions are added:

- ‘(d) “Area-related measures” means measures or sub-measures for which support is based on the size of the area declared;
- (e) “Animal-related measures” means measures or sub-measures for which support is based on the number of animals declared.’;

(2) in Article 6(2), points (a) and (b) are deleted;

(3) Article 17 is amended as follows:

- (a) in paragraph 3, the first subparagraph is replaced by the following:

‘3. A bovine animal which has lost one of the two ear tags shall be deemed to belong to the animals determined provided that it is clearly and individually identified by the other elements of the system for the identification and registration of bovine animals. Furthermore, where one single bovine animal of a holding has lost two ear tags it shall be deemed to belong to the animals determined provided that the animal can still be identified by register, animal passport, database or other means laid down in Regulation (EC) No 1760/2000 of the European Parliament and of the Council (*) and provided that the keeper can provide evidence that he had already taken action to remedy the situation before the announcement of the on-the-spot check.

(*) OJ L 204, 11.8.2000, p. 1.’;

- (b) the following paragraphs are inserted:

‘3a. An ovine or caprine animal which has lost one ear tag shall be deemed to belong to the animals determined provided that the animal can still be identified by a first means of identification in accordance with Article 4(2)(a) of Council Regulation (EC) No 21/2004 (*) and provided that all other requirements of the system for the identification and registration of ovine and caprine animals are fulfilled.

3b. Where a beneficiary has failed to inform the competent authorities pursuant to the second subparagraph of Article 16(1) of Regulation (EC) No 1122/2009 that animals were moved to another location during the retention period, the animals concerned shall be deemed to belong to the animals determined if the animals were immediately located within the holding during the on-the-spot check.

(*) OJ L 5, 9.1.2004, p. 8.’;

- (c) in the third subparagraph of paragraph 5, the second sentence is deleted;

- (d) in the second subparagraph of paragraph 7, the second sentence is deleted;

- (e) the following paragraph is added:

‘8. The amount resulting from the exclusions provided for in the third subparagraph of paragraph 5 and in the second subparagraph of paragraph 7 of this Article shall be offset in accordance with Article 5b of Commission Regulation (EC) No 885/2006. If the amount cannot be fully offset in accordance with that Article in the course of the 3 calendar years following the calendar year of the finding, the outstanding balance shall be cancelled.’;

- (4) in Article 22, the sixth indent is replaced by the following:

‘— finally, in accordance with Articles 16(7) and 17(8) of this Regulation.’;

- (5) in Article 31(a), point (ii) is replaced by the following:

‘(ii) for area-related measures, the total area broken down by individual aid scheme’.

Article 2

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

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

Done at Brussels, 20 February 2012.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 148/2012**of 20 February 2012****entering a name in the register of protected designations of origin and protected geographical indications (New Season Comber Potatoes/Comber Earlies (PGI))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, the United Kingdom's application to register the name 'New Season Comber Potatoes/Comber Earlies' was published in the *Official Journal of the European Union* ⁽²⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 20 February 2012.

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

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 144, 14.5.2011, p. 32.

ANNEX

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

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

UNITED KINGDOM

New Season Comber Potatoes/Comber Earlies (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 149/2012**of 20 February 2012****entering a name in the register of protected designations of origin and protected geographical indications (Limone di Rocca Imperiale (PGI))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

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

Done at Brussels, 20 February 2012.

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

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 157, 27.5.2011, p. 10.

ANNEX

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

1.6. Fruit, vegetables and cereals, fresh or processed

ITALY

Limone di Rocca Imperiale (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 150/2012**of 20 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) ⁽¹⁾,

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 ⁽²⁾, 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, 20 February 2012.

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ 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 ⁽¹⁾	Standard import value
0702 00 00	IL	131,4
	JO	78,3
	MA	66,4
	TN	80,2
	TR	101,5
	ZZ	91,6
0707 00 05	JO	134,1
	MA	94,0
	TR	162,4
	ZZ	130,2
0709 93 10	MA	87,3
	TR	148,3
	ZZ	117,8
0805 10 20	EG	45,9
	IL	74,5
	MA	50,7
	TN	50,4
	TR	69,1
	ZZ	58,1
0805 20 10	IL	133,3
	MA	90,0
	ZZ	111,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	EG	83,5
	IL	130,4
	MA	68,5
	TR	71,7
	ZZ	88,5
0805 50 10	EG	74,4
	TR	50,8
	ZZ	62,6
0808 10 80	CA	136,5
	CL	98,4
	CN	98,3
	MK	29,3
	US	173,9
0808 30 90	ZZ	107,3
	AR	96,3
	CL	172,3
	CN	42,1
	US	113,9
	ZA	109,0
	ZZ	106,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION IMPLEMENTING DECISION

of 17 February 2012

amending Decision 2005/51/EC as regards the period during which soil contaminated by pesticides or persistent organic pollutants may be introduced into the Union for decontamination purposes

(notified under document C(2012) 869)

(2012/102/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular Article 15(1) thereof,

Whereas:

- (1) By way of derogation from Directive 2000/29/EC, Commission Decision 2005/51/EC of 21 January 2005 authorising Member States temporarily to provide for derogations from certain provisions of Council Directive 2000/29/EC in respect of the importation of soil contaminated by pesticides or persistent organic pollutants for decontamination purposes ⁽²⁾ authorises, for a limited period, Member States participating in the United Nations Food and Agriculture Organisation (FAO) programme on prevention and disposal of obsolete and unwanted pesticides to permit the introduction of soil contaminated by such pesticides into the Union for treatment in dedicated hazardous waste incinerators. That programme is still ongoing.
- (2) In view of the circumstances justifying the derogation granted by Decision 2005/51/EC and in the interest of

good legislative practice, it is now appropriate to extend that derogation by 5 years.

- (3) Decision 2005/51/EC should therefore be amended accordingly.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

In the second paragraph of Article 1 of Decision 2005/51/EC the words '29 February 2012' are replaced by the words '28 February 2017'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 February 2012.

For the Commission

John DALLI

Member of the Commission

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 21, 25.1.2005, p. 21.

2012 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

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