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Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

2012/297/EU:

- ★ **Council Decision of 7 June 2012 on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Annex XXI (Statistics) to the EEA Agreement** 1

2012/298/EU:

- ★ **Council Decision of 7 June 2012 on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms** 3

REGULATIONS

- ★ **Commission Implementing Regulation (EU) No 491/2012 of 7 June 2012 concerning the classification of certain goods in the Combined Nomenclature** 5
- ★ **Commission Implementing Regulation (EU) No 492/2012 of 7 June 2012 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Berenjena de Almagro (PGI))** 7
- ★ **Commission Regulation (EU) No 493/2012 of 11 June 2012 laying down, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, detailed rules regarding the calculation of recycling efficiencies of the recycling processes of waste batteries and accumulators ⁽¹⁾** 9

Price: EUR 3

(Continued overleaf)

⁽¹⁾ Text with EEA relevance

EN

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

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

- ★ **Commission Regulation (EU) No 494/2012 of 11 June 2012 amending Regulation (EC) No 593/2007 on the fees and charges levied by the European Aviation Safety Agency ⁽¹⁾** 22

Commission Implementing Regulation (EU) No 495/2012 of 11 June 2012 establishing the standard import values for determining the entry price of certain fruit and vegetables 27

Commission Implementing Regulation (EU) No 496/2012 of 11 June 2012 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year 29

DECISIONS

2012/299/EU:

- ★ **Council Decision of 7 June 2012 on the launch of automated data exchange with regard to DNA data in Estonia** 31

2012/300/EU:

- ★ **Council Decision of 7 June 2012 appointing an Austrian member of the European Economic and Social Committee** 32



⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 7 June 2012

on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Annex XXI (Statistics) to the EEA Agreement

(2012/297/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Annex XXI to the Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') contains specific provisions and arrangements concerning statistics.
- (2) Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism ⁽³⁾ should be incorporated into the EEA Agreement.
- (3) Regulation (EU) No 692/2011 repealed Council Directive 95/57/EC of 23 November 1995 on the collection of

statistical information in the field of tourism ⁽⁴⁾ which is incorporated to Annex XXI to the EEA Agreement.

- (4) Annex XXI to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the Union in the EEA Joint Committee on the proposed amendment to Annex XXI (Statistics) to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Luxembourg, 7 June 2012.

For the Council

The President

M. BØDSKOV

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ OJ L 192, 22.7.2011, p. 17.

⁽⁴⁾ OJ L 291, 6.12.1995, p. 32.

Draft

DECISION No .../2012 OF THE EEA JOINT COMMITTEE
of
amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the EEA Agreement was amended by Decision of the EEA Joint Committee No .../... of ... ⁽¹⁾.
- (2) Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Regulation (EU) No 692/2011 repealed Council Directive 95/57/EC of 23 November 1995 on the collection of statistical information in the field of tourism ⁽³⁾ which is incorporated to Annex XXI to the EEA Agreement.
- (4) Annex XXI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Point 7c (Council Directive 95/57/EC) of Annex XXI shall be replaced by following:

'7c. **32011 R 0692**: Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011

concerning European statistics on tourism and repealing Council Directive 95/57/EC (OJ L 192, 22.7.2011, p. 17).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Liechtenstein is exempted from collecting the data required by Annex II to this Regulation.'

Article 2

The texts of Regulation (EU) No 692/2011 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on [...], provided that all the notifications under Article 103(1) of the EEA Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee

The President

*The Secretaries
to the EEA Joint Committee*

⁽¹⁾ OJ L ...

⁽²⁾ OJ L 192, 22.7.2011, p. 17.

⁽³⁾ OJ L 291, 6.12.1995, p. 32.

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COUNCIL DECISION

of 7 June 2012

on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

(2012/298/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 153(2), in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Protocol 31 to the Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') contains specific provisions and arrangements concerning cooperation in specific fields outside the four freedoms.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Decision No 940/2011/EU of the European Parliament and of the Council of 14 September 2011 on the European Year for Active Ageing and Solidarity between Generations (2012) ⁽³⁾.

(3) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2012.

(4) The position of the Union in the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union in the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Luxembourg, 7 June 2012.

For the Council
The President
M. BØDSKOV

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ OJ L 246, 23.9.2011, p. 5.

DRAFT

DECISION No .../2012 OF THE EEA JOINT COMMITTEE

of

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Decision No 940/2011/EU of the European Parliament and of the Council of 14 September 2011 on the European Year for Active Ageing and Solidarity between Generations (2012) ⁽¹⁾.
- (2) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2012,

HAS ADOPTED THIS DECISION:

Article 1

Article 5 of Protocol 31 to the EEA Agreement shall be amended as follows:

- (1) paragraph 5 is replaced by the following:

'5. The EFTA States shall participate in the Community programmes and actions referred to in the first two indents of paragraph 8 as from 1 January 1996, in the programme referred to in the third indent of paragraph 8 as from 1 January 2000, in the programme referred to in the fourth indent of paragraph 8 as from 1 January 2001, in the programmes referred to in the fifth and sixth indents of paragraph 8 as from 1 January 2002, in the programmes referred to in the seventh and eighth indents of paragraph 8

as from 1 January 2004, in the programmes referred to in the ninth, tenth and eleventh indents of paragraph 8 as from 1 January 2007, in the programme referred to in the twelfth indent of paragraph 8 as from 1 January 2009 and in the programme referred to in the thirteenth indent of paragraph 8 as from 1 January 2012.;

- (2) the following indent is added in paragraph 8:

— **32011 D 0940:** Decision No 940/2011/EU of the European Parliament and of the Council of 14 September 2011 on the European Year for Active Ageing and Solidarity between Generations (2012) (OJ L 246, 23.9.2011, p. 5).'

Article 2

This Decision shall enter into force on ... , provided that all the notifications under Article 103(1) of the EEA Agreement have been made to the EEA Joint Committee (*).

It shall apply from 1 January 2012.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,.

For the EEA Joint Committee

The President

*The Secretaries
to the EEA Joint Committee*

⁽¹⁾ OJ L 246, 23.9.2011, p. 5.

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 491/2012

of 7 June 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) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

(5) 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

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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, 7 June 2012.

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

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
Infant feeding bottle made of plastic (polypropylene) and graduated. The product has a height of around 20 cm and a capacity of 300 ml. The infant feeding bottle has a silicone nipple and a protector. (See photo) (*)	3924 10 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 3924 and 3924 10 00. As the product is used to feed babies, it cannot be considered as an article for the conveyance or packing of goods. Therefore, heading 3923 is excluded. Infants' feeding bottles, regardless of the material, are generally considered as 'tableware and kitchenware' (see also Harmonised System Explanatory Notes to heading 7013, point (1)). Consequently, subheading 3924 90 00 is excluded. The product is therefore to be classified under CN code 3924 10 00.

(*) The photo is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 492/2012**of 7 June 2012****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Berenjena de Almagro (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) In accordance with the first subparagraph of Article 9(1), and in application of Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined Spain's application for the approval of amendments to the specification of the protected geographical indication 'Berenjena de Almagro' registered on the basis of Commission Regulation (EC) No 2400/96 ⁽²⁾, as amended by Regulation (EC) No 2206/2003 ⁽³⁾.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾, as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been sent to the Commission, the amendment should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

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, 7 June 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 L 327, 18.12.1996, p. 11.

⁽³⁾ OJ L 330, 18.12.2003, p. 13.

⁽⁴⁾ OJ C 283, 27.9.2011, p. 16.

ANNEX

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

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

SPAIN

Berenjena de Almagro (PGI)

COMMISSION REGULATION (EU) No 493/2012**of 11 June 2012****laying down, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, detailed rules regarding the calculation of recycling efficiencies of the recycling processes of waste batteries and accumulators****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC ⁽¹⁾, and in particular Article 12(6)(a) thereof,

Whereas:

- (1) Recycling processes which, as part of a sequence or as standalone processes, recycle waste lead-acid, nickel-cadmium and other batteries and accumulators should achieve the minimum recycling efficiencies set out in Annex III, Part B to Directive 2006/66/EC.
- (2) Detailed rules supplementing Annex III, Part B to Directive 2006/66/EC should be laid down for calculating recycling efficiencies.
- (3) It is appropriate to define the recycling process as one which starts after collection and possible sorting and/or preparation for recycling of the waste batteries and accumulators received by a recycling facility and finishes when output fractions are produced to be used for their original purpose or for other purposes without undergoing further treatment and have ceased to be waste. In order to encourage the improvement of existing and development of new recycling and treatment technologies, the recycling efficiencies should be achieved by each recycling process.
- (4) It is necessary to define the preparation for recycling as a preliminary operation prior to recycling in order to distinguish it from the recycling process of waste batteries and accumulators.
- (5) The recycling efficiencies of the recycling processes of waste batteries and accumulators should be calculated by reference to the chemical composition of the input and output fractions and having regard to the latest technical and scientific developments and made publicly available.
- (6) It is necessary to harmonise the information to be reported by recyclers in order to monitor compliance with the recycling efficiency requirements across the European Union.

(7) Recyclers of waste batteries and accumulators need at least 18 months to adapt their technological processes to the new recycling efficiencies calculation requirements.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and of the Council ⁽²⁾,

HAS ADOPTED THIS REGULATION:

*Article 1***Scope**

This Regulation shall apply to the recycling processes carried out to waste batteries and accumulators from 1 January 2014.

*Article 2***Definitions**

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

- (1) 'recycling process' means any reprocessing operation as referred to in Article 3(8) of Directive 2006/66/EC which is carried out on waste lead-acid, nickel-cadmium and other batteries and accumulators and results in the production of output fractions as defined in point 5 of this Article. The recycling process does not include sorting and/or preparation for recycling/disposal and may be carried out in a single facility or in several facilities;
- (2) 'preparation for recycling' means treatment of waste batteries and/or accumulators prior to any recycling process, which shall, inter alia, include storage, handling, dismantling of battery packs or separation of fractions that are not part of the battery or accumulator itself;
- (3) 'recycling efficiency' of a recycling process means the ratio obtained by dividing the mass of output fractions accounting for recycling by the mass of the waste batteries and accumulators input fraction expressed as a percentage;
- (4) 'input fraction' means the mass of collected waste batteries and accumulators entering the recycling process as defined in Annex I;

⁽¹⁾ OJ L 266, 26.9.2006, p. 1.

⁽²⁾ OJ L 312, 22.11.2008, p. 3.

(5) 'output fraction' means the mass of materials that are produced from the input fraction as a result of the recycling process, as defined in Annex I without undergoing further treatment, that have ceased to be waste or that will be used for their original purpose or for other purposes, but excluding energy recovery.

Article 3

Calculation of recycling efficiency

1. The method set out in Annex I shall be used to calculate the recycling efficiency of a process for recycling waste lead-acid, nickel-cadmium and other batteries and accumulators.
2. The method set out in Annex II shall be used to calculate the rate of recycled lead content for any recycling process.
3. The method set out in Annex III shall be used to calculate the rate of recycled cadmium content for any recycling process.

4. Recyclers shall report the information shown in Annex IV, Annex V and Annex VI, as applicable, on an annual basis and shall send it to the Member State's competent authorities by no later than four months from the end of a calendar year concerned. Recyclers shall send their first annual reports no later than the 30 April 2015.

5. Reporting on the recycling efficiency shall cover all individual steps of recycling and all corresponding output fractions.

6. Where a recycling process is carried out at more than one facility, the first recycler is responsible for submitting the information required under point 4 to the Member State's competent authorities.

Article 4

Entry into force

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

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

Done at Brussels, 11 June 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Method for the calculation of the recycling efficiency of the recycling process of waste batteries and accumulators

1. The recycling efficiency of a recycling process is calculated as follows:

$$R_E = \frac{\sum m_{\text{output}}}{m_{\text{input}}} \times 100, [\text{mass \%}]$$

where:

R_E = calculated *recycling efficiency* of a recycling process for the purpose of Article 12(4) of Directive 2006/66/EC [in mass %];

m_{output} = the *mass of output fractions accounting for recycling per calendar year*;

m_{input} = the *mass of input fractions entering the battery recycling process per calendar year*.

2. The recycling efficiency of a recycling process is calculated separately for the following waste battery types:
- lead-acid batteries and accumulators,
 - nickel-cadmium batteries and accumulators, and
 - other batteries and accumulators.
3. The recycling efficiency is calculated on the basis of the overall chemical composition (at elemental/compound level) of the input and output fractions. The following applies in respect of the input fraction:
- recyclers shall determine the share of different types of waste battery or accumulator present in an input fraction by conducting a sorting analysis of the fraction (by continuous or representative sampling),
 - the chemical composition of each type of waste battery or accumulator present in the input fraction is determined on the basis of the chemical composition of new batteries and accumulators when placed on the market or on the basis of available data of recyclers or on information provided by the battery producers,
 - recyclers shall determine the overall chemical composition of the input fraction by applying the chemical composition analysis to the types of batteries or accumulators present in the input fraction.
4. Emissions to the atmosphere are not accounted for the recycling efficiency.
5. The mass of output fractions accounting for recycling is the mass, on a dry weight basis, of the elements or compounds contained in fractions resulting from the recycling of waste batteries and accumulators per calendar year [in tonnes]. The following may be, inter alia, accounted for output fractions:
- the carbon which is actually used as a reducing agent or which is a component of an output fraction of the recycling process, if it results from the input waste batteries and accumulators, on the condition that it is certified by an independent scientific authority and made publicly available. The carbon which is used for energy recovery is not accounted for the recycling efficiency,
 - the oxygen, used as an oxidising agent, if it results from the input waste batteries and accumulators and if it is a component of an output fraction of the recycling process. The oxygen coming from the atmosphere is not accounted for the recycling efficiency,
 - battery and accumulator materials contained in slag suitable and used for recycling purposes as defined in Article 3(8) of Directive 2006/66/EC other than landfill construction or backfilling operations, provided that this is in line with national requirements.
6. The *mass of input fractions entering the battery recycling process* is the mass of collected waste batteries and accumulators on a dry weight basis entering the recycling process per calendar year [in tonnes], including:
- fluids and acids,
 - the mass of external jacket of waste batteries and accumulators,
- and excluding:
- the mass of outer casings belonging to battery packs.
-

ANNEX II

Method for the calculation of the rate of recycled lead content

1. The rate of recycled lead content is calculated as follows:

$$R_{Pb} = \frac{\sum m_{Pb \text{ output}}}{m_{Pb \text{ input}}} \times 100, [\text{mass \%}]$$

where:

R_{Pb} = calculated *rate of recycled lead* (Pb) from a recycling process for the purpose of Article 12(4) of Directive 2006/66/EC [in mass %];

$m_{Pb \text{ output}}$ = the *mass of Pb in output fractions accounting for recycling* is the share of Pb contained in these fractions which results from the recycling of lead-acid batteries and accumulators per calendar year [in tonnes];

$m_{Pb \text{ input}}$ = the *mass of Pb in the input fraction entering the battery recycling process* is defined as the yearly average Pb content of waste lead-acid batteries and accumulators multiplied by the input mass of lead-acid batteries and accumulators per calendar year [in tonnes].

2. In the output fraction the lead (Pb) contained in slag at the end of the recycling process is not accounted for the rate of recycled lead content.

ANNEX III

Method for the calculation of the rate of recycled cadmium content

1. The rate of recycled cadmium content is calculated as follows:

$$R_{Cd} = \frac{\sum m_{Cd \text{ output}}}{m_{Cd \text{ input}}} \times 100, [\text{mass \%}]$$

where:

R_{Cd} = calculated *rate of recycled cadmium* (Cd) from a recycling process for the purpose of Article 12(4) of Directive 2006/66/EC [in mass %];

$m_{Cd \text{ output}}$ = the *mass of Cd in output fractions accounting for recycling* is the share of Cd contained in these fractions which results from the recycling of nickel-cadmium batteries and accumulators per calendar year [in tonnes].

$m_{Cd \text{ input}}$ = the *mass of Cd in the input fraction entering the battery recycling process* is defined as the yearly average Cd content of waste nickel-cadmium batteries and accumulators multiplied by the input mass of nickel-cadmium batteries and accumulators per calendar year [in tonnes].

2. In the output fraction the cadmium (Cd) contained in slag at the end of the recycling process is not accounted for the rate of recycled cadmium content.

ANNEX IV

Reporting on recycling efficiencies for lead-acid batteries and accumulators

1. For lead-acid batteries and accumulators input into the recycling process the following information shall be reported:

Recycling efficiency of a battery recycling process (lead-acid batteries)							
Calendar year							
Facility ⁽¹⁾							
Name							
Street							
City							
Country							
Contact person							
E-mail							
Tel.							
Description of the complete battery recycling process ⁽²⁾ :							
Input to the complete battery recycling process ⁽³⁾							
Description of waste batteries and accumulators	EWC code (optional)	Mass ⁽⁴⁾	Overall composition of input		m _{input}		
		t/a	Element or compound	mass %	[t/a]		
			<i>Elements or components, which are not part of the input fractions</i>				
			Impurities ⁽⁸⁾				
			Outer casing of battery pack				
			Water (H ₂ O)				
			Other				
			<i>Elements or components, which are part of the input fractions</i>				
			Lead (Pb)				
			Sulphuric acid (H ₂ SO ₄)				
			Plastics				
			Other				
			m_{input} total ⁽⁵⁾				
			m_{output} Pb ⁽⁵⁾				
m_{output} total ⁽⁵⁾							
Recycling efficiency (R _E) ⁽⁶⁾ : $\frac{m_{\text{output}}}{m_{\text{input}}}$ mass %							
Degree of recycled Pb (R _{Pb}) ⁽⁷⁾ : $\frac{m_{\text{Pb output}}}{m_{\text{Pb input}}}$ mass %							

Notes:

- (1) Facility treating the waste batteries and accumulators after collection, eventual sorting and preparation for recycling.
 (2) Description of the complete battery recycling process, no matter if carried out by one or several facilities (including a description of the individual recycling steps and their output fractions).
 (3) Description of waste batteries and accumulators as received after collection, eventual sorting and preparation for recycling.
 (4) Wet mass of waste batteries and accumulators as received after collection, eventual sorting and preparation for recycling (the mass of separated impurities and outer casing of battery packs as well as the water content as specified in the field 'overall composition' shall be subtracted for the calculation of the recycling efficiency).

⁽⁵⁾ Data transferred from Annex IV(2).

⁽⁶⁾ Calculated according to the formula for RE based on data reported according to Annex IV(2).

⁽⁷⁾ Calculated according to the formula for R_{Pb} based on data reported according to Annex IV(2).

⁽⁸⁾ Examples of impurities include plastic, ebonite chips, items/pieces of iron, fibres from electronic scrap, molten aluminium.

2. For the individual steps of the recycling process of lead-acid batteries and accumulators the following information shall be reported:

Process step	1
Calendar year	
Facility ⁽¹⁾	
Name	
Street	
City	
Country	
Contact person	
E-mail	
Tel.	
Description of the individual process step:	

Input (waste batteries or waste batteries fractions) ⁽²⁾

Description of input	EWC code (optional)	Mass
		t/a

Output

(1) *Intermediate fractions* ⁽³⁾

Description of fraction	EWC code (optional)	Mass ⁽⁴⁾	Further treatment	Recipient ⁽⁵⁾	Further process step
		t/a		Name	
					1_1
					1_2
					1_3
					1_4
					1_5
					1_6
					1_7
					1_8
					1_9
					1_10

(2) *Final output fractions accounting for recycling* ⁽⁶⁾

Element or compound ⁽⁷⁾	Fraction (non-waste) containing the element or compound	Concentration of the element or compound in the fraction	Mass of the element or compound, which results from batteries input	Fate of the fraction
		mass %	t/a	

Element or compound (7)	Fraction (non-waste) containing the element or compound	Concentration of the element or compound in the fraction	Mass of the element or compound, which results from batteries input	Fate of the fraction
		mass %	t/a	
		m _{output} Pb		
		m _{output} total		

Notes:

- (¹) Facility carrying out an individual process step.
 (²) For step 1 = the same as input into the complete battery recycling process.
 For subsequent steps = intermediate fractions from the previous process step.
 (³) Intermediate fractions = fractions destined for subsequent step(s) in the recycling process.
 (⁴) Resulting from the batteries input (dry mass).
 (⁵) Facility to which the intermediate fraction is handed over or — if the further process step is carried out internally — the same as 1.
 (⁶) Final output fractions accounting for recycling = that have ceased to be waste and that will be used for their original purpose or for other purposes without undergoing further treatment, but excluding energy recovery. See also examples in Annex I(5).
 (⁷) Elements and compounds if they were component of the batteries input (waste battery). See special provisions and examples in Annex I(5). For lead (Pb) in slag see the provision in Annex II(2). Lead must be entered as 'Pb'.

ANNEX V

Reporting on recycling efficiencies for nickel-cadmium batteries and accumulators

1. For nickel-cadmium batteries and accumulators input into the recycling process the following information shall be reported:

Recycling efficiency of a battery recycling process (nickel-cadmium batteries)

Calendar year

Facility ⁽¹⁾

Name

Street

City

Country

Contact person

E-mail

Tel.

Description of the complete battery recycling process ⁽²⁾:Input into the complete battery recycling process ⁽³⁾

Description of waste batteries and accumulators	EWC code (optional)	Mass ⁽⁴⁾	Overall composition of input		m _{input}
		t/a	Element or compound	mass %	[t/a]
			<i>Elements or components, which are not part of the input fractions</i>		
			Impurities ⁽⁸⁾		
			Outer casing of battery pack		
			Water (H ₂ O)		
			Other		
			<i>Elements or components, which are part of the input fractions</i>		
			Cadmium (Cd)		
			Nickel (Ni)		
			Iron (Fe)		
			Plastics		
			Electrolyte		
			m_{input} total ⁽⁵⁾		
			m_{output} Cd ⁽⁵⁾		
			m_{output} total ⁽⁵⁾		
Recycling efficiency (R _E) ⁽⁶⁾ :		m _{output} /m _{input}		mass %	
Degree of recycled Cd (R _{Cd}) ⁽⁷⁾ :		m _{Cd output} /m _{Cd input}		mass %	

Notes:

- (1) Facility reprocessing the waste batteries and accumulators after collection and eventual sorting.
 (2) Description of the complete battery recycling process, no matter if carried out by one or several facilities (including a description of the individual recycling steps and their output fractions).
 (3) Description of waste batteries and accumulators as received after collection and eventual sorting and preparation for recycling.
 (4) Wet mass of waste batteries and accumulators as received after collection and eventual sorting (the mass of separated impurities and outer casing of battery packs as well as the water content as specified in the field 'overall composition' shall be subtracted for the calculation of the recycling efficiency).

⁽⁵⁾ Data transferred from Annex V(2).

⁽⁶⁾ Calculated according to the formula for RE based on data reported according to Annex V(2).

⁽⁷⁾ Calculated according to the formula for R_{Cd} based on data reported according to Annex V(2).

⁽⁸⁾ Examples of impurities include plastic, ebonite chips, items/pieces of iron, fibres from electronic scrap, molten aluminium.

2. For the individual steps of the recycling process of nickel-cadmium batteries and accumulators the following information shall be reported:

Process step	1
Calendar year	
Facility ⁽¹⁾	
Name	
Street	
City	
Country	
Contact person	
E-mail	
Tel.	
Description of the individual process step:	

Input (waste batteries or waste batteries fractions) ⁽²⁾					
Description of input	EWC code (optional)	Mass			
		T/a			
Output					
(1) Intermediate fractions ⁽³⁾					
Description of fraction	EWC code (optional)	Mass ⁽⁴⁾	Further treatment	Recipient ⁽⁵⁾	Further process step
		t/a		Name	
					1_1
					1_2
					1_3
					1_4
					1_5
					1_6
					1_7
					1_8
					1_9
					1_10
(2) Final output fractions accounting for recycling ⁽⁶⁾					
Element or compound ⁽⁷⁾	Fraction (non-waste) containing the element or compound	Concentration of the element or compound in the fraction	Mass of the element or compound, which results from batteries input	Fate of the fraction	
		mass %	t/a		

Element or compound ⁽⁷⁾	Fraction (non-waste) containing the element or compound	Concentration of the element or compound in the fraction	Mass of the element or compound, which results from batteries input	Fate of the fraction
		mass %	t/a	
		m_{output}, Cd		
		m_{output}, total		

Notes:

- (¹) Facility carrying out an individual process step.
 (²) For step 1 = the same as input into the complete battery recycling process.
 For subsequent steps = intermediate fractions from the previous process step.
 (³) Intermediate fractions = fractions destined for subsequent step(s) in the recycling process.
 (⁴) Resulting from the batteries input (dry mass).
 (⁵) Facility to which the intermediate fraction is handed over or — if the further process step is carried out internally — the same as 1.
 (⁶) Final output fractions accounting for recycling = that will be used for their original purpose or for other purposes without undergoing further treatment, see also examples in Annex I(5).
 (⁷) Elements and compounds if they were component of the batteries input (waste battery). See special provisions and examples in Annex I(5). For cadmium (Cd) in slag see provisions in Annex III(2). Cadmium must be entered as 'Cd'.

ANNEX VI

Reporting on recycling efficiencies for other batteries and accumulators

1. For other batteries and accumulators input into the recycling process the following information shall be reported:

Recycling efficiency of a battery recycling process (other batteries)					
Calendar year					
Facility ⁽¹⁾					
Name					
Street					
City					
Country					
Contact person					
E-mail					
Tel.					
Description of the complete battery recycling process ⁽²⁾ :					
Input into the complete battery recycling process ⁽³⁾					
Description of waste batteries and accumulators	EWC code (optional)	Mass ⁽⁴⁾	Overall composition of input		m _{input}
		t/a	Element or compound	mass %	[t/a]
			<i>Elements or components, which are not part of the input fractions</i>		
			Impurities ⁽⁷⁾		
			Outer casing of battery pack		
			Water (H ₂ O)		
			Other		
			<i>Elements or components, which are part of the input fractions</i>		
			Metals (e.g. Fe, Mn, Zn, Ni, Co, Li, Ag, Cu, Al)		
			Mercury (Hg)		
			Carbon		
			Plastics		
			Electrolyte		
			m_{input} total ⁽⁵⁾		
			m_{output} total ⁽⁵⁾		
	Recycling efficiency (R _E) ⁽⁶⁾ :		m _{output} /m _{input}		mass %

Notes:

- ⁽¹⁾ Facility treating the waste batteries and accumulators after collection, eventual sorting and preparation for recycling.
⁽²⁾ Description of the complete battery recycling process, no matter if carried out by one or several facilities (including a description of the individual recycling steps and their output fractions).
⁽³⁾ Description of waste batteries and accumulators as received after collection, eventual sorting and preparation for recycling.
⁽⁴⁾ Wet mass of waste batteries and accumulators as received after collection, eventual sorting and preparation for recycling (the mass of separated impurities and outer casing of battery packs as well as the water content as specified in the field 'overall composition' shall be subtracted for the calculation of the recycling efficiency).

(5) Data transferred from Annex VI(2).

(6) Calculated according to the formula for R_E based on data reported according to Annex VI(2).

(7) Examples of impurities include plastic, ebonite chips, items/pieces of iron, fibres from electronic scrap, molten aluminium.

2. For the individual steps of the recycling process of other batteries and accumulators the following information shall be reported:

Process step	1
Calendar year	
Facility ⁽¹⁾	
Name	
Street	
City	
Country	
Contact person	
E-mail	
Tel.	
Description of the individual process step:	

Input (waste batteries or waste batteries fractions) ⁽²⁾

Description of input	EWC code (optional)	Mass
		t/a

Output

(1) *Intermediate fractions* ⁽³⁾

Description of fraction	EWC code (optional)	Mass ⁽⁴⁾	Further treatment	Recipient ⁽⁵⁾	Further process step
		t/a		Name	
					1_1
					1_2
					1_3
					1_4
					1_5
					1_6
					1_7
					1_8
					1_9
					1_10

(2) *Final output fractions accounting for recycling* ⁽⁶⁾

Element or compound ⁽⁷⁾	Fraction (non-waste) containing the element or compound	Concentration of the element or compound in the fraction	Mass of the element or compound, which results from batteries input	Fate of the fraction
		mass %	t/a	

Element or compound ⁽⁷⁾	Fraction (non-waste) containing the element or compound	Concentration of the element or compound in the fraction	Mass of the element or compound, which results from batteries input	Fate of the fraction
		mass %	t/a	
		m_{output} total		

Notes:

- ⁽¹⁾ Facility carrying out an individual process step
- ⁽²⁾ For step 1 = the same as input into the complete battery recycling process.
For subsequent steps = intermediate fractions from the previous process step.
- ⁽³⁾ Intermediate fractions = fractions destined for subsequent step(s) in the recycling process.
- ⁽⁴⁾ Resulting from the batteries input (dry mass).
- ⁽⁵⁾ Facility to which the intermediate fraction is handed over or — if the further process step is carried out internally — the same as 1.
- ⁽⁶⁾ Final output fractions accounting for recycling = that will be used for their original purpose or for other purposes without undergoing further treatment, see also examples in Annex I(5).
- ⁽⁷⁾ Elements and compounds if they were component of the batteries input (spent battery). See special provisions and examples in Annex I(5).

COMMISSION REGULATION (EU) No 494/2012**of 11 June 2012****amending Regulation (EC) No 593/2007 on the fees and charges levied by the European Aviation Safety Agency****(Text with EEA relevance)**

THE EUROPEAN COMMISSION

Having regard to the Treaty on the Functioning of the European Union, in particular Article 100(2) thereof,

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC ⁽¹⁾, and in particular Article 64(1) thereof,

After consulting the Management Board of the European Aviation Safety Agency,

Whereas:

- (1) By Regulation (EC) No 216/2008 the scope of activities of the European Aviation Safety Agency (hereinafter 'the Agency') has been extended; hence the Agency is required to issue a certificate, approval, licence or other document as a result of certification according to the extended scope.
- (2) Commission Regulation (EC) No 593/2007 of 31 May 2007 on the fees and charges levied by the European Aviation Safety Agency ⁽²⁾ does not allow for fees and charges to be levied for any certification activities referred to in Article 5(5)(e) and Articles 21, 22, 22a, 22b and 23 of Regulation (EC) No 216/2008 other than those detailed in Commission Regulations (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production ⁽³⁾ and (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks ⁽⁴⁾.
- (3) Fees and charges referred to in this Regulation should be set in a transparent, fair and uniform manner, reflecting the actual cost of each individual service as stipulated in Article 64(4)(b) of Regulation (EC) No 216/2008. It is necessary to ensure a balance between overall expenditure incurred by the Agency in carrying out certification tasks and overall income from the fees it levies.

- (4) The geographical location of the undertakings in the territories of the Member States should not be a discriminatory factor when setting fees.
- (5) The applicant should have the choice to request a financial quote of the foreseeable amount to be paid for the service which will be provided. The criteria for determining the amount to be paid should be clear, uniform and public. Where it is not possible to accurately determine this amount in advance, transparent principles for assessing the amount to be paid during the provision of the service should be established by the Agency.
- (6) Deadlines for the payment of fees and charges levied under this Regulation should be fixed. Appropriate remedies in cases of non-payment should be laid down such as the termination of the related application processes, invalidation of related approvals, ceasing of any further provision of services to the same applicant, and recovery of the outstanding amount through available means.
- (7) Charges for appeals against decisions of the Agency should be paid in full before the appeal is declared admissible.
- (8) Interested parties should be consulted prior to any modification of fees. Moreover, the Agency should regularly provide interested parties with information on how and on what basis the fees are calculated to provide interested parties with an insight into the costs incurred by the Agency, and to provide the industry with the appropriate financial visibility and the ability to anticipate the cost of the fees it will be required to pay. It should therefore be possible to review the levels of fees annually on the basis of the Agency's financial results and forecasts.
- (9) Regulation (EC) No 593/2007 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of the Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 593/2007 is amended as follows:

⁽¹⁾ OJ L 79, 19.3.2008, p. 1.

⁽²⁾ OJ L 140, 1.6.2007, p. 3.

⁽³⁾ OJ L 243, 27.9.2003, p. 6.

⁽⁴⁾ OJ L 315, 28.11.2003, p. 1.

1. in Article 1, the second paragraph is replaced by the following:

‘It determines in particular the matters for which fees and charges referred to in Article 64(4) of Regulation (EC) No 216/2008 are due, the amount of those fees and charges and the way in which they are to be paid.’;

2. in Article 2 points (a) to (d) are replaced by the following:

‘(a) “fees” means the amounts levied by the Agency and payable by applicants for certification tasks;

(b) “charges” means the amounts levied by the Agency and payable by applicants for services other than certification tasks provided by the Agency, including the supply of goods;

(c) “certification tasks” means all activities carried out by the Agency directly or indirectly for the purposes of issuing, maintaining or amending certificates pursuant to Regulation (EC) No 216/2008 and its implementing rules;

(d) “applicant” means any natural or legal person requesting to benefit from a certification task or a service provided by the Agency’;

3. in Article 4, the following second and third paragraphs are added:

‘Upon application of future Regulations, the Agency may levy fees according to Part II of the Annex for certification tasks other than those referred to in Part I of the Annex.

Any changes to the organisation that are reported to the Agency and affect its approval may have the effect of a recalculation of the surveillance fee due, which will be applicable as of the next fee cycle.’;

4. Article 8 is replaced by the following:

‘Article 8

1. The fee shall be payable by the applicant in euros. The terms of payment shall be made available to applicants on the Agency’s website. The applicant shall pay the fee in full including possible bank charges related to the payment before the issuing, maintaining or amending of the certificate, unless the Agency decides otherwise after due consideration of financial risks. The fee shall be paid within 30 calendar days from the date on which the invoice is notified to the applicant by the Agency. The application may be cancelled or the certificate may be suspended or revoked if the fees due have not been received upon the expiry of the deadline and after the Agency has sent out a formal warning.

2. The Agency may invoice the fee in one instalment after having received the application or at the start of the annual or surveillance period.

3. For all certification tasks which give rise to the payment of fees calculated on an hourly basis, the Agency may, on request, provide the applicant with an estimate. The estimate shall be amended by the Agency if it appears that the task is simpler or can be carried out faster than initially foreseen or, on the contrary, if it is more complex and takes longer to carry out than the Agency could reasonably have foreseen.

4. If, following a verification of an application, the Agency decides not to accept this application, any fees already paid shall be returned to the applicant, with the exception of an amount to cover the administrative costs of handling the application. That amount shall be equivalent to two times the hourly fee set out in Part II of the Annex. Where the Agency has evidence that the applicant’s financial ability is at risk, it may refuse an application unless the applicant provides a bank guarantee or secured deposit. The Agency may also refuse an application, where the applicant has not fulfilled its payment obligations arising out of certification tasks or services performed by the Agency, unless the applicant pays for the outstanding amounts due for those certification tasks or services provided.

5. If a certification task has to be interrupted by the Agency because the applicant has insufficient resources or fails to comply with the applicable requirements, or because the applicant decides to abandon its application or to postpone its project, the balance of any fees due, calculated on an hourly basis for the ongoing period of 12 months but not exceeding the applicable flat fee, shall be payable in full at the time the Agency stops working, together with any other amounts due at that time. The relevant number of hours shall be invoiced at the hourly fee set out in Part II of the Annex. When, on demand of the applicant, the Agency starts again a certification task previously interrupted, this task shall be charged as a new project.

6. If the certificate holder surrenders the corresponding certificate or the Agency revokes the certificate, the balance of any fees due, calculated on an hourly basis but not exceeding the applicable flat fee, shall be payable in full at the time the surrender or revocation takes place, together with any other amounts due at that time. The relevant number of hours shall be invoiced at the hourly fee set out in Part II of the Annex.

7. If the Agency suspends the certificate due to non-payment of the annual fee or surveillance fee or because the applicant fails to comply with the applicable requirements, the respective fee periods shall continue.’;

5. in Article 10, paragraph 2 is deleted;

6. in Article 11, the second and third paragraphs are replaced by the following:

‘Charges shall be levied for processing an appeal lodged pursuant to Article 44 of Regulation (EC) No 216/2008 of the European Parliament and of the Council (*). The amounts of charges are set out in Part IV of the Annex. Where the

appellant is a legal person, it is required to supply to the Agency a signed certificate from an authorised officer of the organisation concerned specifying the financial turnover of the appellant. This certificate shall be submitted together with the appeal notification. Appeal charges shall be paid within 60 calendar days from the date on which the appeal was filed at the Agency according to the applicable procedure established by the Agency. In the event the payment is not made within this deadline, the Board of Appeal shall reject the appeal. If the appeal is concluded in favour of the appellant, the appeal charges paid shall be reimbursed by the Agency without delay.

An estimate of the amount of the charges may be communicated on request to the applicant before the service is provided. The estimate shall be amended by the Agency if it appears that the task is simpler or can be carried out faster than initially foreseen or, on the contrary, if it is more complex and takes longer to carry out than the Agency could reasonably have foreseen.

(*) OJ L 79, 19.3.2008, p. 1.;

7. in Article 14 the following paragraph 3 is added:

‘3. The Annex to this Regulation shall be reviewed periodically to ensure that significant information related to the underlying assumptions for anticipated income and expenditure of the Agency is duly reflected in the amounts of fees or charges levied by the Agency. Where necessary, this Regulation and its Annex may be revised at the latest five years after its entry into force.’;

8. the Annex is amended as set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 April 2012.

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

Done at Brussels, 11 June 2012.

For the Commission
The President
José Manuel BARROSO

ANNEX

The Annex to Regulation (EC) No 593/2007 is amended as follows:

(1) in Part II, point 2 is replaced by the following:

‘2. Hourly basis according to the tasks concerned (*):

Demonstration of design capability by means of alternative procedures	Actual number of hours
Production without approval	Actual number of hours
Alternative Methods of Compliance to AD's	Actual number of hours
Validation support (acceptance of EASA certification by foreign authorities)	Actual number of hours
Technical assistance requested by foreign authorities	Actual number of hours
EASA acceptance of Maintenance Review Board reports	Actual number of hours
Transfer of certificates	Actual number of hours
Approved Training Organisation certificate	Actual number of hours
Aero-medical Centre certificate	Actual number of hours
ATM-ANS organisation certificate	Actual number of hours
Air Traffic Controller Training Organisation certificate	Actual number of hours
Operational Data related to Type Certificate, changes to Type Certificate and Supplemental Type Certificate (**)	Actual number of hours
Qualification Certificate for Flight Simulation Training Devices	Actual number of hours
Approval of flight conditions for Permit to fly	3 hours
Administrative reissuance of documents	1 hour
Export certificate of airworthiness (E-CoA) for CS 25 aircraft	6 hours
Export certificate of airworthiness (E-CoA) for other aircraft	2 hours

(*) This is a non-exhaustive list of tasks. Non-inclusion of a task in this Part should not be automatically construed as indicating that the task cannot be performed by the European Aviation Safety Agency.

(**) See Articles 5 and 20 of Regulation (EC) No 216/2008 and Regulation (EC) No 1702/2003 and its modifications.’

(2) Part IV is replaced by the following:

PART IV

Charges for appeals

All appeal applications attract the fixed charge shown in the table, multiplied by the coefficient indicated for the corresponding charge category for the person or organisation in question.

The appeal shall be deemed to be admissible only when the charge for appeal has been paid.

Fixed charge	EUR 10 000
Charge category for natural persons	Fixed charge coefficient
	0,1
Charge category for organisations, according to financial turnover of the appellant in euros	Fixed charge coefficient
less than 100 001	0,25
between 100 001 and 1 200 000	0,5
between 1 200 001 and 2 500 000	0,75
between 2 500 001 and 5 000 000	1
between 5 000 001 and 50 000 000	2,5
between 50 000 001 and 500 000 000	5
between 500 000 001 and 1 000 000 000	7,5
over 1 000 000 000	10'

COMMISSION IMPLEMENTING REGULATION (EU) No 495/2012**of 11 June 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, 11 June 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	AL	55,3
	MK	52,8
	TR	50,2
	ZZ	52,8
0707 00 05	MK	18,0
	TR	103,7
	ZZ	60,9
0709 93 10	TR	100,3
	ZZ	100,3
0805 50 10	AR	35,4
	BO	105,2
	TR	55,0
	ZA	80,3
	ZZ	69,0
0808 10 80	AR	105,5
	BR	87,0
	CL	106,6
	CN	136,2
	NZ	126,3
	US	153,6
	UY	61,9
	ZA	113,8
	ZZ	111,4
0809 10 00	TR	226,2
	ZZ	226,2
0809 29 00	TR	447,8
	ZZ	447,8

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

COMMISSION IMPLEMENTING REGULATION (EU) No 496/2012**of 11 June 2012****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

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

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2011/12 marketing year are fixed by Commission Implementing Regulation (EU) No 971/2011 ⁽³⁾. Those prices and duties were last amended by Commission Implementing Regulation (EU) No 453/2012 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with Article 36 of Regulation (EC) No 951/2006.

- (3) 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

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year, are hereby amended as set out in the Annex hereto.

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, 11 June 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 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 254, 30.9.2011, p. 12.

⁽⁴⁾ OJ L 140, 30.5.2012, p. 66.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 12 June 2012

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 12 10 ⁽¹⁾	37,34	0,00
1701 12 90 ⁽¹⁾	37,34	3,41
1701 13 10 ⁽¹⁾	37,34	0,08
1701 13 90 ⁽¹⁾	37,34	3,70
1701 14 10 ⁽¹⁾	37,34	0,08
1701 14 90 ⁽¹⁾	37,34	3,70
1701 91 00 ⁽²⁾	46,46	3,53
1701 99 10 ⁽²⁾	46,46	0,40
1701 99 90 ⁽²⁾	46,46	0,40
1702 90 95 ⁽³⁾	0,46	0,24

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

DECISIONS

COUNCIL DECISION

of 7 June 2012

on the launch of automated data exchange with regard to DNA data in Estonia

(2012/299/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, in particular Article 2(3) and Article 25 thereof,

Having regard to Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA ⁽²⁾, in particular Article 20 and Chapter 4 of the Annex thereto,

Whereas:

- (1) According to the Protocol on Transitional Provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, the legal effects of the acts of the institutions, bodies, offices and agencies of the Union adopted prior to the entry into force of the Treaty of Lisbon are preserved until those acts are repealed, annulled or amended in implementation of the Treaties.
- (2) Accordingly, Article 25 of Decision 2008/615/JHA is applicable and the Council must unanimously decide whether the Member States have implemented the provisions of Chapter 6 of that Decision.
- (3) Article 20 of Decision 2008/616/JHA provides that decisions referred to in Article 25(2) of Decision 2008/615/JHA are to be taken on the basis of an evaluation report based on a questionnaire. With respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA, the evaluation report is to be based on an evaluation visit and a pilot run.
- (4) Estonia has informed the General Secretariat of the Council of the national DNA analysis files to which Articles 2 to 6 of Decision 2008/615/JHA apply and the conditions for automated searching as referred to in Article 3(1) of that Decision in accordance with Article 36(2) of that Decision.
- (5) According to Chapter 4, point 1.1, of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by

the relevant Council Working Group concerns each of the automated data exchanges and has to be answered by a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.

- (6) Estonia has completed the questionnaire on data protection and the questionnaire on DNA data exchange.
- (7) A successful pilot run has been carried out by Estonia with the Netherlands.
- (8) An evaluation visit has taken place in Estonia and a report on the evaluation visit has been produced by the Dutch evaluation team and forwarded to the relevant Council Working Group.
- (9) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning DNA data exchange has been presented to the Council,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching and comparison of DNA data, Estonia has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA and is entitled to receive and supply personal data pursuant to Articles 3 and 4 of that Decision as from the date of the entry into force of this Decision.

Article 2

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

Done at Luxembourg, 7 June 2012.

For the Council
The President
M. BØDSKOV

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ OJ L 210, 6.8.2008, p. 12.

COUNCIL DECISION
of 7 June 2012
appointing an Austrian member of the European Economic and Social Committee
(2012/300/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 302 thereof,

Having regard to the proposal of the Austrian Government,

Having regard to the opinion of the European Commission,

Whereas:

- (1) On 13 September 2010 the Council adopted Decision 2010/570/EU, Euratom appointing the members of the European Economic and Social Committee for the period from 21 September 2010 to 20 September 2015 ⁽¹⁾.
- (2) A member's seat on the European Economic and Social Committee has become vacant following the end of the term of office of Mr Johann KÖLTRINGER,

Article 1

Dr Ferdinand MAIER, *Generalsekretär des Österreichischen Raiffeisenverbands* is hereby appointed as a member of the European Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2015.

Article 2

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

Done at Luxembourg, 7 June 2012.

For the Council
The President
M. BØDSKOV

⁽¹⁾ OJ L 251, 25.9.2010, p. 8.

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