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⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 18 March 2013

establishing the position to be taken on behalf of the European Union within the International Grains Council with respect to the extension of the Grains Trade Convention 1995

(2013/138/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207 in conjunction with Article 218(9) thereof,

The position to be taken on behalf of the Union within the International Grains Council shall be to vote in favour of the extension of the Grains Trade Convention 1995 for a further period of up to two years.

Having regard to the proposal from the European Commission,

The Commission is hereby authorised to express that position within the International Grains Council.

Whereas:

Article 2

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

The Grains Trade Convention 1995 was concluded by Council Decision 96/88/EC ⁽¹⁾ and was regularly extended for further periods of two years. That Convention was extended the last time by decision of the International Grains Council in June 2011 and remains in force until 30 June 2013. A further extension is in the interest of the Union. The Commission, which represents the Union within the International Grains Council, should therefore be authorised to vote in favour of such extension,

Done at Brussels, 18 March 2013.

For the Council
The President
S. COVENEY

⁽¹⁾ OJ L 21, 27.1.1996, p. 47.

COUNCIL DECISION**of 18 March 2013****establishing the position to be taken on behalf of the European Union within the International Sugar Council as regards the extension of the International Sugar Agreement 1992**

(2013/139/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 207 in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

The International Sugar Agreement 1992 was concluded by Council Decision 92/580/EEC ⁽¹⁾ and entered into force on 1 January 1993 for a period of three years until 31 December 1995. Since then, it has been regularly extended for further periods of two years. It was last extended by decision of the International Sugar Council in June 2011 and remains in force until 31 December 2013. A further extension is in the interest of the Union. The Commission, which represents the Union within the International Sugar Council, should therefore be authorised to vote in favour of such extension,

Article 1

The position to be taken on behalf of the Union within the International Sugar Council shall be to vote in favour of the extension of the International Sugar Agreement 1992 for a further period of up to two years.

The Commission is hereby authorised to express that position within the International Sugar Council.

Article 2

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

Done at Brussels, 18 March 2013.

*For the Council**The President*

S. COVENEY

⁽¹⁾ OJ L 379, 23.12.1992, p. 15.

REGULATIONS

COMMISSION REGULATION (EU) No 244/2013

of 19 March 2013

amending Annex III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of Tricalcium phosphate (E 341 (iii)) in nutrient preparations intended for use in foods for infants and young children

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives⁽¹⁾, and in particular Articles 10(3) and 30(5) thereof,

Whereas:

- (1) Annex III to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in food additives, food enzymes, food flavourings, nutrients and their conditions of use.
- (2) That list may be amended in accordance with the procedure referred to in Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings⁽²⁾.
- (3) Pursuant to Article 3(1) of Regulation (EC) No 1331/2008, the Union list of food additives may be updated either on the initiative of the Commission or following an application.
- (4) An application for the authorisation of use of Tricalcium phosphate (E 341 (iii)) as an anti-caking agent added to nutrient preparations intended for use in infant formulae and follow-on formulae as defined by Commission Directive 2006/141/EC of 22 December 2006 on infant formulae and follow-on formulae and amending Directive 1999/21/EC⁽³⁾ was submitted on 19 June 2009 and has been made available to the Member States.
- (5) The application concerns a new entry in Section B of Part 5 of Annex III to Regulation (EC) No 1333/2008.

The technological need of Tricalcium phosphate (E 341 (iii)) as a food additive relates to its ability to provide unique properties as a free-flowing agent to mixtures in powder form. The product may take up to 10 % of its own weight of moisture (humidity) from the environment avoiding any lumps in a mix and keeping preparations free-flowable, which is considered to be a benefit to the consumer.

- (6) The Scientific Committee for Food advised on the safety of Tricalcium phosphate (E 341 (iii)) as a food additive in nutrient preparations intended for use in infant formulae and follow-on formulae and expressed its opinion on 7 June 1996⁽⁴⁾, concluding that its use is acceptable provided that the total levels of calcium, phosphorus and the ratio between them are not exceeded.
- (7) Calcium salts of orthophosphoric acid, including tricalcium phosphate, are mineral substances that are authorised for use in infant formulae and follow-on formulae in accordance with Annex III to Directive 2006/141/EC. The authorisation of the use of Tricalcium phosphate (E 341 (iii)) as an anti-caking agent in nutrient preparations intended for use in infant formulae and follow-on formulae is therefore not considered of safety concern, as long as the total amounts of calcium and phosphorus remain within the limits for these two minerals and within the calcium:phosphorus ratio as set in that Directive.
- (8) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives set out in Annex III to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health.
- (9) Since the authorisation of use of Tricalcium phosphate (E 341 (iii)) as an anti-caking agent in nutrient preparations intended for use in infant formulae and follow-on formulae should comply with the limit for calcium, phosphorus and the calcium:phosphorus ratio set in Directive 2006/141/EC, the update of that list is not liable to have an effect on human health. For that reason, it is not necessary to seek the opinion of the European Food Safety Authority.

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.

⁽²⁾ OJ L 354, 31.12.2008, p. 1.

⁽³⁾ OJ L 401, 30.12.2006, p. 1.

⁽⁴⁾ Reports of the Scientific Committee for Food, Fortieth series, 1997.

(10) It is therefore appropriate to authorise the use of Tricalcium phosphate (E 341 (iii)) as an anti-caking agent in nutrient preparations intended for use in infant formulae and follow-on formulae.

HAS ADOPTED THIS REGULATION:

Article 1

(11) Consequently, Annex III to Regulation (EC) No 1333/2008 should be amended accordingly.

Annex III to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

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, 19 March 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

In Section B of Part 5 of Annex III to Regulation (EC) No 1333/2008, the entry for food additive E 341 (iii) is replaced by the following:

E 341 (iii)	Tricalcium phosphate	Maximum carry-over 150 mg/kg as P ₂ O ₅ and within the limit for calcium, phosphorus and calcium:phosphorus ratio as set in Directive 2006/141/EC	All nutrients	Infant formulae and follow-on formulae as defined by Directive 2006/141/EC
		Maximum level of 1 000 mg/kg expressed as P ₂ O ₅ from all uses in final food mentioned in point 13.1.3 of Part E of Annex II is respected	All nutrients	Processed cereal based foods and baby foods for infants and young children as defined by Directive 2006/125/EC

COMMISSION REGULATION (EU) No 245/2013**of 19 March 2013****amending Regulation (EC) No 272/2009 as regards the screening of liquids, aerosols and gels at EU airports****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 ⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

- (1) In accordance with Article 4(2) of Regulation (EC) No 300/2008, the Commission is required to adopt general measures designed to amend non-essential elements of the common basic standards laid down in Annex I to that Regulation by supplementing them.
- (2) General measures supplementing the common basic standards on civil aviation security are laid down in the Annex to Commission Regulation (EC) No 272/2009 of 2 April 2009 supplementing the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008 of the European Parliament and of the Council ⁽²⁾. In particular, the Annex to Regulation (EC) No 272/2009 lays down methods, including technologies for the detection of liquid explosives, for liquids, aerosols and gels (LAGs) to be permitted to be taken into security-restricted areas and on board an aircraft.
- (3) In order to allow to progressively phase-in a system of screening for liquid explosives, the Annex to Commission Regulation (EU) No 297/2010 of 9 April 2010 amending Regulation (EC) No 272/2009 supplementing the common basic standards on civil aviation security ⁽³⁾ established two dates: 29 April 2011 for the screening of liquids, aerosols and gels (LAGs) obtained at a third country airport or on board an aircraft of a non-Community air carrier and 29 April 2013 for the screening of all liquids, aerosols and gels.
- (4) Commission Regulation (EU) No 720/2011 of 22 July 2011 amending Regulation (EC) No 272/2009 supplementing the common basic standards on civil aviation security as regards the phasing-in of the screening of

liquids, aerosols and gels at EU airports ⁽⁴⁾ deleted the date of 29 April 2011 as developments at EU and international level shortly before 29 April 2011 demonstrated that few airports would effectively be able to offer screening facilities and that it may not be clear for passengers if liquids, aerosols and gels obtained at a third country airport or on board an aircraft of a non-Community air carrier would be permitted into security restricted areas and on board an aircraft.

- (5) The developments of technological or regulatory nature both at Union and international level may affect the dates laid down in the Annex to Regulation (EC) No 272/2009 and, where appropriate, the Commission may make proposals for revision, in particular taking into account the operability of equipment and passenger facilitation.
- (6) The Commission has worked closely with all parties concerned to assess the situation in respect of the screening of liquids, aerosols and gels at EU airports by July 2012. As part of this work, operational trials have been conducted. The Commission's assessment of the situation was transmitted to the European Parliament and of the Council in July 2012 in the form of a Commission report ⁽⁵⁾.
- (7) Based on this assessment and, in particular, having regard to the considerable operational risk if all liquids, aerosols and gels were to be mandatorily screened for liquid explosives at all Union airports from 29 April 2013, the Commission considers that this date should be replaced with a gradual lifting of restrictions which ensures the maintenance of a high level of security and passenger facilitation at all stages as detailed in the implementing rules.
- (8) The Annex to Regulation (EC) No 272/2009 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee on Civil Aviation Security,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 272/2009 is amended as set out in the Annex to this Regulation.

⁽¹⁾ OJ L 97, 9.4.2008, p. 72.

⁽²⁾ OJ L 91, 3.4.2009, p. 7.

⁽³⁾ OJ L 90, 10.4.2010, p. 1.

⁽⁴⁾ OJ L 193, 23.7.2011, p. 19.

⁽⁵⁾ COM(2012) 404, of 18.7.2012, not published.

Article 2

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

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

Done at Brussels, 19 March 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

The Annex to Regulation (EC) No 272/2009 is amended as follows:

(a) in Part A, point 2 is replaced by the following:

‘2. For the screening of cabin baggage, items carried by persons other than passengers, air carrier mail and air carrier materials except when to be loaded into the hold of an aircraft, in-flight supplies and airport supplies:

- (a) hand search;
- (b) visual check;
- (c) x-ray equipment;
- (d) explosive detection systems (EDS) equipment;
- (e) explosive detection dogs (EDD);
- (f) explosive trace detection (ETD) equipment; and
- (g) liquid explosive detection systems (LEDS) equipment.’;

(b) Part B1 is replaced by the following:

‘PART B1

Liquids, aerosols and gels

Liquids, aerosols and gels shall be permitted to be taken into security restricted areas provided they are screened or exempted from screening in accordance with the requirements of implementing rules adopted pursuant to Article 4(3) of Regulation (EC) No 300/2008.’.

COMMISSION IMPLEMENTING REGULATION (EU) No 246/2013**of 19 March 2013****amending Regulation (EU) No 185/2010 as regards the screening of liquids, aerosols and gels at EU airports****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 establishing common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 ⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

- (1) In accordance with Article 4(3) of Regulation (EC) No 300/2008, the Commission should adopt detailed measures for the implementation of the common basic standards on civil aviation security laid down in Annex I to that Regulation.
- (2) Commission Regulation (EC) No 272/2009 ⁽²⁾ supplementing the common basic standards on civil aviation security, as amended, lays down methods, including technologies for the detection of liquid explosives, for liquids, aerosols and gels (LAGs) to be permitted to be taken into security restricted areas and on board an aircraft.
- (3) The Commission may make proposals for revision, in particular taking into account the operability of equipment and passenger facilitation and in light of the Report ⁽³⁾ from the Commission to the European Parliament and to the Council on the assessment of the situation in respect of the security screening of liquids, aerosols and gels at EU airports. The Commission considers it appropriate to introduce the mandatory screening for liquid explosives of airport and air carrier sales of LAGs sealed in security tamper-evident bags (STEBs), as well as of LAGs to be used during the trip for medical purposes or a special dietary requirement, including baby food.
- (4) The Commission is committed to the full lifting of restrictions on the carriage of liquids, aerosols and gels. On the basis of the experience gained from the imple-

mentation of screening as of January 2014, the Commission should review the situation by the end of 2014 and define, in close cooperation with all parties concerned, one or more next steps to reach this objective, if possible within the next two years following the first step.

- (5) The Commission should follow closely the technological development of liquid explosives detection systems with a view to possibly allow airports to deploy in the future screening systems which are capable of addressing more threats (such as solid and liquid explosives) efficiently at the same time and of simplifying divesting procedures.
- (6) Commission Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security ⁽⁴⁾ should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Civil Aviation Security,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 185/2010 is amended as set out in the Annex to this Regulation.

Article 2

By 30 June 2013, airports or the entity responsible for screening shall report to the appropriate authorities on the state of the implementation of the rules concerning the deployment and the use of liquid screening equipment. By 1 September 2013, Member States shall report to the Commission thereof.

Article 3

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

Point 2 of the Annex shall apply from 31 January 2014.

⁽¹⁾ OJ L 97, 9.4.2008, p. 72.

⁽²⁾ OJ L 91, 3.4.2009, p. 7.

⁽³⁾ COM(2012) 404, 18.7.2012, not published.

⁽⁴⁾ OJ L 55, 5.3.2010, p. 1.

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

Done at Brussels, 19 March 2013.

For the Commission
The President
José Manuel BARROSO

ANNEX

1. The Annex to Regulation (EU) No 185/2010 is amended as follows:

(a) in Chapter 4, the following point (c) is added to point 4.0.4:

‘(c) “liquid explosive detection systems (LEDS) equipment” is a piece of equipment capable of detecting threat materials that meets the provisions of point 12.7 of the Annex to Commission Decision C(2010) 774.’;

(b) in Chapter 4, point 4.1.3.4(g) is replaced by the following:

‘(g) obtained at an airport situated in a third country listed in Attachment 4-D, on condition that the LAG is sealed in a STEB inside which satisfactory proof of purchase at airside at that airport within the preceding 36 hours is displayed. The exemptions provided for in this point may be used until 30 January 2014 at the latest.’;

(c) in Chapter 4, points 4.1.3.1 and 4.1.3.2 are deleted;

(d) in Chapter 12, point 12.7.1.1 is replaced by the following:

‘12.7.1.1 LEDS equipment shall be able to detect and to indicate by means of an alarm specified and higher individual quantities of threat materials in LAGs.’;

(e) in Chapter 12, point 12.7.2 is replaced by the following:

‘12.7.2. Standards for Liquid Explosive Detection Systems (LEDS) equipment

12.7.2.1. There shall be three standards for LEDS equipment. Detailed requirements on these standards are laid down in a separate Commission Decision.

12.7.2.2. All LEDS equipment shall meet standard 1.

LEDS equipment meeting standard 1 may be used until 30 January 2016 at the latest.

12.7.2.3. Standard 2 shall apply to all LEDS equipment installed as from the day of the entry in force of this Regulation.

All LEDS equipment shall meet standard 2 with effect from 31 January 2016 at the latest.’.

2. With effect from 31 January 2014, the Annex to Regulation (EU) No 185/2010 is amended as follows:

(a) in Chapter 4, point 4.1.2.2 is replaced by the following:

‘4.1.2.2. The appropriate entity at all airports shall screen, upon entry to the SRA, at least LAGs obtained at an airport or on board an aircraft that are sealed in a STEB inside which is displayed satisfactory proof of purchase at airside at an airport or on board an aircraft, as well as LAGs to be used during the trip for medical purposes or a special dietary requirement, including baby food.

Before screening, LAGs shall be removed from cabin baggage and shall be screened separately from other items of cabin baggage, unless the equipment used for the screening of cabin baggage is also capable of screening multiple closed LAGs containers inside baggage.

Where LAGs have been removed from cabin baggage, the passenger shall present:

(a) all LAGs in individual containers with a capacity not greater than 100 millilitres or equivalent in one transparent resealable plastic bag of a capacity not exceeding 1 litre, whereby the contents of the plastic bag fit comfortably and the bag is completely closed; and

(b) all other LAGs, including STEBs containing LAGs.

Appropriate authorities, airlines and airports shall provide appropriate information to passengers in respect of the screening of LAGs at their airports.’;

(b) in Chapter 4, point 4.1.3 is replaced by the following:

‘4.1.3. Screening of liquids, aerosols and gels (LAGs)

4.1.3.1. LAGs carried by passengers may be exempted from screening with LEDS equipment upon entry to the SRA:

- (a) if the LAG is in individual containers with a capacity not greater than 100 millilitres or equivalent in one transparent resealable plastic bag of a capacity not exceeding 1 litre, whereby the contents of the plastic bag fit comfortably and the bag is completely closed; or
- (b) if the LAG is sealed in a dedicated STEB upon purchase locally at the airport airside;
- (c) if the LAG in a STEB originates from another EU airport or an aircraft of an EU carrier and is resealed in a dedicated STEB before leaving the security restricted area of the airport;
- (d) if the LAG is screened locally with LEDS equipment airside and is then sealed in a dedicated STEB.

The exemptions referred to under points (c) and (d) shall expire on 31 December 2015.

4.1.3.2. The dedicated STEBs referred to under points (b) to (d) of point 4.1.3.1 shall:

- (a) be clearly identifiable as a STEB of that airport;
- (b) display inside proof of purchase or resealing at that airport within the preceding period of three hours;
- (c) be subject to the additional provisions laid down in a separate Commission Decision.

4.1.3.3. The screening of LAGs shall also be subject to the additional provisions laid down in a separate Commission Decision.’;

(c) Attachment 4-D is deleted.

COMMISSION IMPLEMENTING REGULATION (EU) No 247/2013**of 19 March 2013****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, 19 March 2013.

*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	MA	73,8
	TN	97,8
	TR	121,1
	ZZ	97,6
0707 00 05	JO	194,1
	MA	152,2
	TR	139,5
	ZZ	161,9
0709 91 00	EG	66,7
	ZZ	66,7
0709 93 10	MA	42,0
	TR	90,4
	ZZ	66,2
0805 10 20	EG	61,2
	IL	69,8
	MA	62,8
	TN	55,9
	TR	70,7
	ZZ	64,1
0805 50 10	TR	78,4
	ZZ	78,4
0808 10 80	AR	116,0
	BR	97,9
	CL	134,3
	CN	76,4
	MK	32,3
	US	184,9
	ZA	115,3
	ZZ	108,2
0808 30 90	AR	113,5
	CL	155,7
	CN	84,8
	TR	168,0
	US	194,3
	ZA	103,8
	ZZ	136,7

⁽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'.

COMMISSION IMPLEMENTING REGULATION (EU) No 248/2013**of 19 March 2013****on the issue of import licences for applications lodged during the first seven days of March 2013
under the tariff quotas opened by Regulation (EC) No 533/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

Whereas:

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

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

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 533/2007 of 14 May 2007 opening and providing for the administration of tariff quotas in the poultrymeat sector ⁽³⁾, and in particular Article 5(6) thereof,

(1) Regulation (EC) No 533/2007 opened tariff quotas for imports of poultrymeat products.

(2) The applications for import licences lodged during the first seven days of March 2013 for the subperiod from 1 April to 30 June 2013 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged under Regulation (EC) No 533/2007 for the subperiod from 1 April to 30 June 2013 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 20 March 2013.

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

Done at Brussels, 19 March 2013.

*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 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 125, 15.5.2007, p. 9.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.4.2013-30.6.2013 (%)
P1	09.4067	9,733479
P3	09.4069	0,329972

COMMISSION IMPLEMENTING REGULATION (EU) No 249/2013**of 19 March 2013****on the issue of import licences for applications lodged during the first seven days of March 2013 under the tariff quotas opened by Regulation (EC) No 539/2007 for certain products in the egg sector and for egg albumin**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 539/2007 of 15 May 2007 opening and providing for the administration of tariff quotas in the egg sector and for egg albumin ⁽³⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 539/2007 opened tariff quotas for imports of egg products and egg albumin.
- (2) The applications for import licences lodged during the first seven days of March 2013 for the subperiod from 1 April to 30 June 2013 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged under Regulation (EC) No 539/2007 for the subperiod from 1 April to 30 June 2013 shall be multiplied by the allocation coefficients set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 March 2013.

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

Done at Brussels, 19 March 2013.

*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 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 128, 16.5.2007, p. 19.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.4.2013-30.6.2013 (%)
E2	09.4401	35,679089

COMMISSION IMPLEMENTING REGULATION (EU) No 250/2013**of 19 March 2013****on the issue of import licences for applications lodged during the first seven days of March 2013
under the tariff quota opened by Regulation (EC) No 1385/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 1385/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat ⁽³⁾, and in particular Article 5(6) thereof,

Whereas:

The applications for import licences lodged during the first seven days of March 2013 for the subperiod from 1 April to 30 June 2013 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged for the subperiod from 1 April to 30 June 2013 under Regulation (EC) No 1385/2007 shall be multiplied by the allocation coefficients set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 March 2013.

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

Done at Brussels, 19 March 2013.

*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 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 309, 27.11.2007, p. 47.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.4.2013-30.6.2013 (%)
1	09.4410	0,275711
2	09.4411	0,282249
3	09.4412	0,303802
4	09.4420	0,415976
6	09.4422	0,418413

DIRECTIVES

COMMISSION DIRECTIVE 2013/10/EU

of 19 March 2013

amending Council Directive 75/324/EEC on the approximation of the laws of the Member States relating to aerosol dispensers in order to adapt its labelling provisions to Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 75/324/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

(1) Directive 75/324/EEC provides for the classification of aerosol dispensers as 'non-flammable', 'flammable' or 'extremely flammable', according to the classification criteria provided for in its Annex. Where an aerosol dispenser is classified as 'flammable' or 'extremely flammable', it must bear the flame symbol and the safety phrases S2 and S16 provided for in Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances ⁽²⁾.

(2) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures ⁽³⁾ provides for the harmonisation of the classification and labelling of substances and mixtures within the Union. It incorporates at Union level the criteria for classification and labelling of substances and mixtures provided for by the Globally Harmonised System of Classification and Labelling of Chemicals which has been adopted at the international level, within the structure of the United Nations.

(3) Regulation (EC) No 1272/2008 will repeal and replace Directive 67/548/EEC and Directive 1999/45/EC of the

European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations ⁽⁴⁾ as from 1 June 2015. It is therefore necessary to adapt the labelling provisions of Directive 75/324/EEC to that Regulation.

(4) In accordance with Regulation (EC) No 1272/2008, a distinction should be made between the date of applicability of national transposition provisions for aerosol dispensers containing a single substance and the date of applicability of national transposition provisions for aerosol dispensers containing mixtures. However, manufacturers of aerosol dispensers containing mixtures should be allowed to apply the labelling requirements of this Directive earlier, on a voluntary basis.

(5) In accordance with Regulation (EC) No 1272/2008, and in order to avoid imposing unnecessary burdens on enterprises, a transitional period is provided for aerosol dispensers containing mixtures, labelled in accordance with the applicable provisions before 1 June 2015 and placed on the market until that date, allowing them their further marketing without relabelling.

(6) The measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directive on aerosol dispensers,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Amendments to Directive 75/324/EEC

Directive 75/324/EEC is amended as follows:

(1) in Article 8, paragraph 1 is amended as follows:

⁽¹⁾ OJ L 147, 9.6.1975, p. 40.

⁽²⁾ OJ 196, 16.8.1967, p. 1.

⁽³⁾ OJ L 353, 31.12.2008, p. 1.

⁽⁴⁾ OJ L 200, 30.7.1999, p. 1.

(a) the introductory sentence is replaced by the following:

‘1. Without prejudice to Regulation (EC) No 1272/2008 of the European Parliament and of the Council (*), each aerosol dispenser or, where particulars cannot be put on the aerosol dispenser due to its small dimensions (maximum capacity of 150 ml or less) a label attached thereto must bear the following particulars in visible, legible and indelible characters:

(*) OJ L 353, 31.12.2008, p. 1.’;

(b) point (d) is replaced by the following:

‘(d) the details referred to in point 2.2 of the Annex;’

(2) the Annex is amended as follows:

(a) in point 1, the following points 1.7a and 1.7b are inserted:

1.7a. Substance

“Substance” means substance as defined in Article 2(7) of Regulation (EC) No 1272/2008.

1.7b. Mixture

“Mixture” means mixture as defined in Article 2(8) of Regulation (EC) No 1272/2008;

(b) in point 2, points 2.2 to 2.4 are replaced by the following:

‘2.2. Labelling

Without prejudice to Regulation (EC) No 1272/2008, each aerosol dispenser must visibly bear the following legible and indelible marking:

(a) whatever its contents:

(i) the hazard statement H229: “Pressurised container: May burst if heated”;

(ii) the precautionary statements P210 and P251 provided for in Part 1, Table 6.2 of Annex IV to Regulation (EC) No 1272/2008;

(iii) the precautionary statement P410 + P412 provided for in Part 1, Table 6.4 of Annex IV to Regulation (EC) No 1272/2008;

(iv) the precautionary statement P102 provided for in Part 1, Table 6.1 of Annex IV to Regulation (EC) No 1272/2008, where the aerosol dispenser is a consumer product;

(v) any additional operating precautions which alert consumers to the specific dangers of the product; if the aerosol dispenser is accompanied by separate instructions for use, the latter must also reflect such operating precautions;

(b) where the aerosol is classified as “non-flammable” according to the criteria of point 1.9, the signal word “Warning”;

(c) where the aerosol is classified as “flammable” according to the criteria of point 1.9, the signal word “Warning” and the other label elements for “Flammable Aerosols Category 2” provided for in Table 2.3.2 of Annex I to Regulation (EC) No 1272/2008;

(d) where the aerosol is classified as “extremely flammable” according to the criteria of point 1.9, the signal word “Danger” and the other label elements for “Flammable Aerosols Category 1” provided for in Table 2.3.2 of Annex I to Regulation (EC) No 1272/2008.

2.3. Volume of the liquid phase

The volume of the liquid phase at 50 °C must not exceed 90 % of the net capacity’.

Article 2

Transitional provisions

1. By way of derogation from the third subparagraph of Article 3(1), aerosol dispensers containing mixtures may be labelled in accordance with Article 1 before 1 June 2015.

2. By way of derogation from the third subparagraph of Article 3(1), aerosol dispensers containing mixtures and placed on the market before 1 June 2015 are not required to be relabelled in accordance with Article 1 until 1 June 2017.

Article 3

Transposition

1. Member States shall adopt and publish, by 19 March 2014 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 19 June 2013 as regards aerosol dispensers containing a substance.

They shall apply those provisions from 1 June 2015 as regards aerosol dispensers containing mixtures.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

*Article 4***Entry into force**

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

This Directive is addressed to the Member States.

Done at Brussels, 19 March 2013.

For the Commission

The President

José Manuel BARROSO

DECISIONS

COUNCIL DECISION

of 18 March 2013

appointing an Austrian alternate member of the Committee of the Regions

(2013/140/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal from the Austrian Government,

Whereas:

(1) On 22 December 2009 and 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.

(2) An alternate member's seat on the Committee of the Regions has become vacant following the end of the term of office of Ms Elisabeth GROSSMANN,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed to the Committee of the Regions as alternate member for the remainder of the current term of office, which runs until 25 January 2015:

— Mr Michael SCHICKHOFER, *Landesrat*.

Article 2

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

Done at Brussels, 18 March 2013.

For the Council

The President

S. COVENEY

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION

of 18 March 2013

appointing a Spanish member and three Spanish alternate members of the Committee of the Regions

(2013/141/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposals of the Spanish Government,

Whereas:

(1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.

(2) A member's seat has become vacant following the end of the term of office of Mr Francisco Javier LÓPEZ ÁLVAREZ. Three alternate members' seats have become vacant following the end of the terms of office of Mr Guillermo ECHENIQUE GONZÁLEZ, Mr Senén FLORENSA I PALAU and Ms Elvira SAINT-GERONS HERRERA,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

(a) as member:

— Mr Iñigo URKULLU RENTERIA, *Presidente del Gobierno Vasco*;

and

(b) as alternate members:

— Ms María Ángeles ELORZA ZUBIRÍA, *Secretaria General de Acción Exterior del Gobierno Vasco*,

— Mr Roger ALBINYANA I SAIGÍ, *Secretario de Asuntos Exteriores, Generalitat de Catalunya*,

— Ms María Sol CALZADO GARCÍA, *Secretaria General de Acción Exterior de la Junta de Andalucía*.

Article 2

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

Done at Brussels, 18 March 2013.

For the Council
The President
S. COVENEY

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

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