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(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 650/2007**of 13 June 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 June 2007.

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

Done at Brussels, 13 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 13 June 2007 establishing the 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	46,7
	TR	95,5
	ZZ	71,1
0707 00 05	JO	151,2
	TR	94,5
	ZZ	122,9
0709 90 70	TR	95,3
	ZZ	95,3
0805 50 10	AR	49,7
	ZA	62,9
	ZZ	56,3
0808 10 80	AR	92,9
	BR	81,3
	CA	102,0
	CL	79,7
	CN	93,8
	NZ	109,6
	US	109,8
	UY	55,1
	ZA	98,3
	ZZ	91,4
0809 10 00	IL	155,5
	TR	204,2
	ZZ	179,9
0809 20 95	TR	352,5
	US	308,9
	ZZ	330,7
0809 40 05	CL	134,4
	IL	204,2
	ZZ	169,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 651/2007**of 8 June 2007****concerning the classification of certain goods in the Combined Nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 Community provisions, 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, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the

Community, binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days 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

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, 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 60 days, under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 8 June 2007.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 580/2007 (OJ L 138, 30.5.2007, p. 1).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
1. A lightweight garment for women intended to cover the body reaching down to the crotch, made of a knitted self-coloured fabric of synthetic fibres (80 % polyamide and 20 % elastane), the fabric does not contain any rubber thread. The garment is fitted with 8 mm wide strips of vulcanised rubber (heading 4008), which are added by stitching them into the neckline, armholes and leg openings. The garment has under wired bra style shaped cups, a lined gusset, adjustable straps and high cut openings for the legs. (swimsuit) (See photograph No 641) (*)	6112 41 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 6112, 6112 41 and 6112 41 90. Since the rubber is added to the garment but not contained in the fabric of the garment, this garment cannot be classified in subheading 6112 41 10 (women's or girls' swimwear of synthetic fibres containing 5 % or more of rubber thread). Taking into account its general appearance, the cut and the nature of the fabric, the garment meets the criteria for classification of women's or girls' swimwear of synthetic fibres (CN code 6112 41 90 — other).
2. Padded textile article composed of two layers of woven textile material (100 % cotton) assembled with padding by stitching. The made up article is assembled by sewing and shows the following characteristics: The article is approx. 90 cm long and has a close fitting neckline. It has an opening at the front with a zip fastener of a length of approximately 68 cm. There is an elastic tightening element at the waist. The upper part of the article has armholes and the sides and the base are completely closed. The cut of the upper part gives the garment its body shape. (Romper bag for children) (See photograph No 640) (*)	6211 42 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 7 to Section XI, Note 8 to Chapter 62 and the wording of CN codes 6211, 6211 42 and 6211 42 90. According to Note 4 a) to Chapter 62 this article cannot be considered as a babies' garment since it is designed for young children of a body height exceeding 86 cm, therefore classification in heading 6209 is excluded. Taking into account the CN Explanatory Notes to heading 6111, which consider babies' romper bags with armholes or sleeves to be garments, the article in question which is designed in the same manner as the ones for babies (the upper part is cut like a garment), only bigger in size, shall also be considered as a garment. Because of the cut of its upper part the article is considered to be a garment of Section XI and not an article of bedding or similar furnishing. Therefore classification in heading 9404 is excluded. Since in the chapters covering garments there is no specific heading for this kind of article, it has to be classified as 'other garment'.

(1)	(2)	(3)
3. A furnishing article of textile materials to be used in motor-cars. It is intended to be placed on seats of motor vehicles and consists of a multi-layered material, the outer layers are made of a woven material (cotton) and the middle layer of a non-woven material, which serves as padding. (seat cover) (See photograph no 642) (*)	6304 92 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of the CN codes 6304 and 6304 92 00. See the HS explanatory notes to heading 6304, which state that this heading includes furnishing articles of textile materials used in motor-cars. This article is not a part of a car seat but an accessory to the seat therefore it cannot be classified in heading 9401. See also the HS explanatory notes to heading 9401, Parts. Because this article is designed to be used in motor cars, it cannot be considered as an <i>article of bedding or similar furnishing</i> . Therefore classification in heading 9404 is excluded.

(*) The photographs are purely for information.



COMMISSION REGULATION (EC) No 652/2007**of 8 June 2007****concerning the classification of certain goods in the Combined Nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 Community provisions, 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 codes 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 codes 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, 8 June 2007.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 580/2007 (OJ L 138, 30.5.2007, p. 1).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
1. A replica of a specific mobile phone (a so-called 'mock-up'). The product is made mainly of plastics. It has no electronic components. Its size, design and weight are identical to the characteristics of the specific model. It is equipped with buttons allowing the feeling of pushing real buttons.	3926 90 97	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 3926, 3926 90 and 3926 90 97. Because of its construction and the fact that it does not possess the functions of a mobile phone, the product is excluded from heading 8517. Although the product is a replica of a specific mobile phone by looking like one and being equipped with buttons providing the feel of a mobile phone, it does not demonstrate any other feature or property of the model in question. Its main task is to show what a specific mobile phone looks like. Therefore the product is excluded from heading 9023. The product is to be classified according to the constituent material (plastics).
2. A so-called 'self-inflatable mattress' intended for outdoor use, with the following dimensions: 185 cm (L), 66 cm (W) and 3,8 cm (H). The outer surface of the article consists of a textile fabric of synthetic fibres coated on the inner side with plastic. It incorporates a sheet (thickness approximately 3,5 cm) of polyurethane foam with open cells. The outer surface of the article increases the friction with other products (for example, sleeping bags) and is durable, resisting dirt, dampness and punctures. It has a valve which allows air to go in when being unrolled and out when being rolled.	6306 40 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 6306 and 6306 40 00. Due to its objective characteristics (friction, dirt resistance, durability) and the fact that it is intended for outdoor use, the product is a camping good. It is excluded from Chapter 94 because the article is a pneumatic mattress (see Note 1(a) to Chapter 94). The product is to be classified under subheading 6306 40 00 as a camping good being a pneumatic mattress of textile.
3. Vessel of the 'catamaran' type designed for the transport of persons. It has a length of approximately 49 meters and a maximum speed of 34 knots (approximately 63 kilometers per hour). It can transport up to 600 passengers. It is designed to operate in rivers, estuaries or coastal waters. However, it is constructed so that it may sail on the sea but without passengers. It is not constructed to carry passengers more than 20 nautical miles (approximately 37 kilometers) from shore.	8901 10 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 8901, 8901 10 and 8901 10 90. The catamaran is a vessel designed for transporting passengers in rivers, estuaries or coastal waters. As it is not constructed to carry passengers beyond a certain distance from the shore, it cannot be a vessel for the 'transport of persons' on the sea. Consequently, the product cannot be considered as a 'seagoing vessel' (see Additional Note 1 to Chapter 89).

(1)	(2)	(3)
4. A reduced-size (scale) model replica of a football stadium made mainly of plastics on a fibreboard plinth. It has no movable components.	9503 00 95	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 9503 00 and 9503 00 95. The product is not to be classified under heading 9023 because it is not designed for demonstrational purposes. The product is not to be classified according to its constituent material because it is a reduced-size (scale) model for recreational purposes of heading 9503. Such models may be non-working or intended only for display or viewing and need not be designed for playing.

COMMISSION REGULATION (EC) No 653/2007**of 13 June 2007****on the use of a common European format for safety certificates and application documents in accordance with Article 10 of Directive 2004/49/EC of the European Parliament and of the Council and on the validity of safety certificates delivered under Directive 2001/14/EC****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) ⁽¹⁾ and in particular Article 15 thereof,

Having regard to Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004 establishing a European Railway Agency (Agency Regulation) ⁽²⁾ and in particular Article 7 thereof,

Whereas:

(1) Directive 2004/49/EC on safety on the Community's railways elaborates the provisions for the safety certificates of railway undertakings. Article 10 of this Directive states that in order to be granted access to a railway infrastructure, a railway undertaking must hold a safety certificate. The purpose of the safety certificate is to provide evidence that the railway undertaking has established its safety management system and can meet requirements laid down in Technical Specifications for Interoperability, established under Council Directive 96/48/EC of 23 July 1996 on the interoperability of the trans-European high-speed rail system ⁽³⁾, Directive 2001/16/EC of 19 March 2001 of the European Parliament and of the Council on the interoperability of the trans-European conventional rail system ⁽⁴⁾, and other Community legislation, and in national rules in order to control risks and operate safely on the network.

⁽¹⁾ OJ L 164, 30.4.2004, p. 44, as corrected by OJ L 220, 21.6.2004, p. 16.

⁽²⁾ OJ L 164, 30.4.2004, p. 1, as corrected by OJ L 220, 21.6.2004, p. 3.

⁽³⁾ OJ L 235, 17.9.1996, p. 6. Directive as last amended by Directive 2004/50/EC of the European Parliament and of the Council (OJ L 164, 30.4.2004, p. 114, as corrected by OJ L 220, 21.6.2004, p. 40).

⁽⁴⁾ OJ L 110, 20.4.2001, p. 1. Directive as amended by Directive 2004/50/EC.

(2) Member States should make efforts to assist applicants wishing to enter the market as railway undertakings, and in particular they should provide information and act promptly for requests for safety certification. For railway undertakings operating international services it is important that the procedures for safety certification are similar in different Member States; therefore common parts of the safety certificate shall be harmonised in order to provide for a common template. To this end Article 15 of Directive 2004/49/EC provides for the harmonisation of safety certificates. Article 7 of Regulation (EC) No 881/2004 states that the Agency shall draft and recommend a harmonised format for safety certificates, including an electronic version, and a harmonised format for applications for safety certificates including a list of the essential details to be provided.

(3) In accordance with Article 33 of Directive 2004/49/EC, Member States shall bring into force its provisions by 30 April 2006. Hence from this date safety certificates shall be awarded in accordance with the provisions of Directive 2004/49/EC. This makes it necessary to take early action to harmonise the approach to safety certificates such that Member States may apply a harmonised approach as soon as possible.

(4) Article 10 of Directive 2004/49/EC makes provisions for the safety certificate to comprise of two parts: one part confirming acceptance of the railway undertaking's safety management system which shall be accepted throughout the Community (Part A), and the second part confirming the provisions adopted to meet the specific national requirements necessary to operate on the relevant network (Part B). The harmonised safety certificate application and guidelines contained within this Regulation provide guidance for railway undertakings and national safety authorities on what should be contained within an application for each part of the safety certificate.

(5) In accordance with Article 10(6) of Directive 2004/49/EC national safety authorities shall inform the Agency of the safety certificates issued in accordance with the provisions of Article 10(2)(a) of the same Directive (Part A Certificates). However the Agency, in accordance with Article 11(1)(b) of its Regulation (EC) No 881/2004, shall keep a public database of all safety certificates issued in accordance with Article 10 of Directive 2004/49/EC. This obligation requires the Agency to publish both Part A and Part B Certificates.

Therefore in support of Article 11(1)(b) of Regulation (EC) No 881/2004 Member States shall inform the Agency of Part B safety certificates granted under Article 10(2)(b) of Directive 2004/49/EC, as well as Part A certificates.

- (6) National safety authorities may inform the Agency of the issue, renewal, amendment or revocation of safety certificates by three main methods: through the use of the Agency's web based tool, by submitting an electronic file of the safety certificate, or by providing a facsimile of the safety certificate. To facilitate the use of the standard format and to guarantee the use of the latest version of the forms it is recommended that national safety authorities use the web based electronic format on the website of the Agency or download either the electronic file or the master documents provided on the same website. The use of the web based electronic version is highly recommended as it allows for saving the document directly into the Agency's database. Submitting an electronic file is also recommended, as it enables the Agency to save the document as a codified file, which can be sent directly to the Agency's safety database.
- (7) Each safety certificate granted by the Member States shall be given a unique number; this number shall also facilitate the method by which the safety certificate is recorded in the public database to be established by the Agency.
- (8) In order to avoid unnecessary financial and administrative burdens, it is necessary to clarify that railway undertakings having obtained a safety certificate in accordance with Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification⁽¹⁾ are not obliged to apply for a new safety certificate until 1st of January 2011. Existing safety certificates are valid as long as the conditions for their validity are met; as soon as one of the conditions is not met (such as, for example, expiry or change of geographical scope), a new safety certificate shall be requested. This should not preclude the case where a railway undertaking, which already holds a certificate granted under Directive 2001/14/EC, can request a certificate in the new harmonised format. This question has been brought to the attention of the Commission in the context of Article 28(1) of Directive 2004/49/EC.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee as set up under Article 21 of Directive 96/48/EC,

HAS ADOPTED THIS REGULATION:

Article 1

Safety certificates issued in accordance with Article 10(2)(a) of Directive 2004/49/EC (Part A Certificate) shall use the standard format set out in Annex I to this Regulation.

This format shall be used whenever a Part A Certificate is issued, renewed, updated, amended or revoked.

Article 2

Safety certificates issued in accordance with Article 10(2)(b) of Directive 2004/49/EC (Part B Certificate) shall use the standard format set out in Annex II to this Regulation.

This format shall be used whenever a Part B Certificate is issued, renewed, updated, amended or revoked.

Article 3

Applications for Part A and/or Part B Certificates submitted in accordance with Articles 10 and 12 of Directive 2004/49/EC shall be in the standard format set out in Annex III to this Regulation.

The application form shall be filled out according to the guidelines described in Annex III to this Regulation.

Article 4

Each Safety Certificate shall be given a unique number, in accordance with the protocol described in Annex IV of this Regulation.

Article 5

The safety authority shall inform the Agency of the issue, renewal, amendment or revocation of all Part A and Part B safety certificates issued in accordance with Article 10(2) of Directive 2004/49/EC.

Article 6

All safety certificates issued in accordance with Directive 2001/14/EC shall be replaced with safety certificates to be delivered in accordance with Directive 2004/49/EC and this Regulation, at the latest by 1st January 2011.

⁽¹⁾ OJ L 75, 15.3.2001, p. 29. Directive as last amended by Directive 2004/49/EC.

The amendment, updating or renewal of a safety certificate issued under Directive 2001/14/EC shall be done in accordance with the present Regulation and Directive 2004/49/EC.

Any railway undertaking which already holds a safety certificate granted under Directive 2001/14/EC has the right to request a new safety certificate issued in accordance with this Regulation and Directive 2004/49/EC from the national safety authority.

Article 7

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, 13 June 2007.

For the Commission

Jacques BARROT

Vice-President

ANNEX I

**SAFETY CERTIFICATE — PART A**

Safety Certificate confirming acceptance of the Safety Management System within the European Union in conformity with Directive 2004/49/EC and applicable national legislation

EU IDENTIFICATION NUMBER

1. CERTIFIED RAILWAY UNDERTAKING

Legal denomination:	
Railway undertaking name:	Acronym:
National registration number:	VAT No:

2. CERTIFICATE ISSUING ORGANISATION

Organisation:
Country:

3. CERTIFICATE INFORMATION

This is a — new certificate ☐ — renewed certificate ☐ — updated/amended certificate ☐	EU Identification Number of the previous certificate:
Validity from: _____ to: _____	
Type(s) of service(s): _____	
Transportation volume: _____	
Railway undertaking size: _____	

4. APPLICABLE NATIONAL LEGISLATION

--

5. ADDITIONAL INFORMATION

--

Date issued

Signature _____

Internal reference number

Authority's stamp

ANNEX II

**SAFETY CERTIFICATE — PART B**

Safety Certificate confirming acceptance of the Provisions adopted by the railway undertaking to meet specific requirements necessary for the safe operation on the relevant network in conformity with Directive 2004/49/EC and applicable national legislation

EU IDENTIFICATION NUMBER

1. CERTIFIED RAILWAY UNDERTAKING

Legal denomination:	
Railway undertaking name:	Acronym:
National registration number:	VAT No:

2. CERTIFICATE ISSUING ORGANISATION

Organisation:
Country:

3. CERTIFICATE INFORMATION

This is a — new certificate ☐ — renewed certificate ☐ — updated/amended certificate ☐	EU Identification Number of the previous certificate:
Validity from:	to:
Type(s) of service(s):	

4. SAFETY CERTIFICATE — PART A (acceptance of the Safety Management System)

EU Identification Number:

5. LINES OPERATED

--

6. SPECIFIC CONDITIONS AND OBLIGATIONS

--

7. APPLICABLE NATIONAL LEGISLATION

--

Date issued

--

Signature _____

Internal reference number

--

Authority's stamp

--

ANNEX III

Standard Application Form and Guidelines



SAFETY CERTIFICATE APPLICATION

Application for Safety Certificates confirming acceptance of the railway undertaking's Safety Management System — Safety Certificate (Part A) — and/or confirming acceptance of provisions adopted by the railway undertaking to meet specific requirements necessary for safe operation on the relevant network — Safety Certificate (Part B) — in conformity with Directive 2004/49/EC and applicable national legislation

SAFETY AUTHORITY REFERENCE NUMBER

SAFETY ORGANISATION/AUTHORITY CONTACT INFORMATION

- 1.1. Safety organisation/authority addressed for the request _____
- 1.2. Complete postal address (street, postal code, city, country) _____

2.1. This application is for a PART A CERTIFICATE ☐

2.2. New certificate ☐ 2.4. Updated/amended certificate ☐

2.3. Renewed certificate ☐ 2.5. EU Identification Number of the previous Part A Certificate _____

Type(s) of service(s) requested (select one or more) and estimated total volume of goods/passengers

- | | | |
|--|---|---|
| Passenger transport | 2.6. including high-speed services ☐ | 2.8. Less than 200 million passenger-km per year ☐ |
| | 2.7. excluding high-speed services ☐ | 2.9. 200 million or more passenger-km per year ☐ |
| Freight transport | 2.10. including dangerous goods services ☐ | 2.12. Less than 500 million tonne-km per year ☐ |
| | 2.11. excluding dangerous goods services ☐ | 2.13. 500 million or more tonne-km per year ☐ |
| 2.14. Shunting only ☐ | | |
| 2.15. Service to begin in _____ | | |

The applying railway undertaking belongs to the following categories for estimated number of employees

- | | |
|---|--|
| 2.16. Micro enterprise ☐ | 2.18. Medium sized enterprise ☐ |
| 2.17. Small enterprise ☐ | 2.19. Large enterprise ☐ |

3.1. This application is for a PART B CERTIFICATE ☐

3.2. New certificate ☐ 3.4. Updated/amended certificate ☐

3.3. Renewed certificate ☐ 3.5. EU Identification Number of the previous Part B Certificate _____

Type(s) of service(s) requested and estimated volume of goods/passengers on the network where Part B will apply (one or more to be selected)

- | | | | | |
|---------------------|--|--------------------------|--|--------------------------|
| Passenger transport | 3.6. including high-speed services | ☐ | 3.8. Less than 200 million passenger-km per year | ☐ |
| | 3.7. excluding high-speed services | ☐ | 3.9. 200 million or more passenger-km per year | ☐ |
| Freight transport | 3.10. including dangerous goods services | ☐ | 3.12. Less than 500 million tonne-km per year | ☐ |
| | 3.11. excluding dangerous goods services | ☐ | 3.13. 500 million or more tonne-km per year | ☐ |

3.14. Shunting only ☐

3.15. Service to begin in _____

3.16. Lines intended to be operated

If the applicant already holds a valid Part A Certificate (acceptance of the Safety Management System) it should provide the following information

3.17. EU Identification Number of Safety Certificate — Part A _____

3.18. State that has issued the Safety Certificate — Part A _____

IF THE APPLICANT ALREADY HOLDS ONE (OR MORE) VALID PART B CERTIFICATE(S) IT SHOULD PROVIDE THE FOLLOWING INFORMATION

4.1. EU Identification Number(s) of issued Safety Certificate(s) — Part B _____

IF THE APPLICANT HAS A LICENCE AND IS APPLYING FOR PART A AND/OR PART B CERTIFICATE(S) IT SHOULD PROVIDE THE FOLLOWING INFORMATION

4.2. EU Notification Number of the Licence _____

4.3. State that has issued the Licence _____

APPLICANT'S INFORMATION

5.1. Legal denomination _____

5.2. Railway undertaking name _____ 5.3. Acronym _____

5.4. Complete postal address (street, postal code, city, country) _____

5.5. Phone number _____ 5.6. Fax number _____

5.7. Email address _____ 5.8. Website _____

5.9. National registration number _____ 5.10. VAT No _____

5.11. Other information _____

Contact person information

6.1. Family name and first name _____

6.2. Complete postal address (street, postal code, city, country) _____

6.3. Phone number _____ 6.4. Fax number _____

6.5. Email address _____

Applicant _____
(first name, family name)

Date _____ Signature _____

Internal reference number

_____ Date application received _____

SPACE RESERVED FOR THE ADDRESSED
OFFICE/AUTHORITY



FRONT PAGE FOR ANNEXES TO THE APPLICATION FORM

DOCUMENTS SUBMITTED FOR

PART A

7.1. ☐ Summary of the manual of the Safety Management System as referred to in Art. 9 and Annex III of Directive 2004/49/EC

7.2. ☐ Copy of the Licence (if applicable)

7.3. ☐ Not applicable

PART B

8.1. ☐ Copy of the Part A Certificate

8.2. ☐ Copy of the Licence (if applicable)

8.3. ☐ Not applicable

8.4. ☐ Copy of insurance or financial cover for liability, annexed to the Licence

8.5. ☐ List of necessary rules and TSI's with reference to the processes in the Safety Management System and documents how they are implemented

8.6. ☐ List of different categories of staff, either employed or contracted

8.7. ☐ Description of staff related processes of the Safety Management System required by national rules or TSI's and reference to the national relevant certificates where necessary

8.8. ☐ List of different types of rolling stock

8.9. ☐ Description of rolling stock related processes in the Safety Management System required by national rules or TSI's and reference to the national relevant certificates where necessary

8.10. ☐ Other (specify)

Internal reference number

Date application received

SPACE RESERVED FOR THE ADDRESSED
OFFICE/AUTHORITY



GUIDELINES FOR COMPILATION

Information to be entered into the Application Form for Safety Certificates Part A and Part B

INTRODUCTION

This Application Form is to be used by railway undertakings (also referred to as 'the applicant') applying for a Safety Certificate Part A and/or Part B (Article 10(1) — Directive 2004/49/EC). References in this document are made, unless otherwise mentioned, to Articles in Directive 2004/49/EC.

A railway undertaking applying for either one of these certificates or for both may use this Application Form to forward its request to the competent issuing safety authority/organisation. Its use will enable the authority to process the request without undue delay and however within the terms fixed in Article 12(1).

All fields in the form should be completed and applicable information provided by the railway undertaking.

Safety Certificates Part A and Part B

This document allows a railway undertaking to apply, at the same time, both for Part A and Part B Certificates or just for one of them using the same form; it can be used to request either a new, renewed or updated/amended Part A and/or Part B Certificate (as defined in Article 10(5)).

It is possible to apply only for a new Part A Certificate and, with a second application, later for the first Part B Certificate.

If applying only for a Part B Certificate, it is necessary to hold a valid Part A Certificate.

Type and extent of railway operations

According to Article 10(5), a Safety Certificate shall be wholly or partly updated whenever the type or extent of the operation is substantially altered and the holder shall without delay inform the competent safety authority of all major changes in the conditions of the relevant part of the Safety Certificate. Therefore it is important, for the safety authority to know and for the railway undertaking to establish 'type' and 'extent' of railway services.

'Type' and 'extent', form the basis for the Community validity of the Part A Certificate and provide reference to define 'equivalent rail transport operations' (Article 10(3)) throughout the Community.

'Type' of service is characterised by passenger transport, including and excluding high-speed services, freight transport, including and excluding dangerous goods services, and shunting services only.

'Extent' of service and of the railway undertaking is characterised by volume of passenger/goods and the estimated size of the railway undertaking in terms of employees working in the railway sector (micro, small, medium sized, large enterprise).

'Type' and 'extent' of services for all Part B Certificates, carried out globally by the same railway undertaking in one or more States, must be covered by 'type' and 'extent' of services of the Part A Certificate.

All information contained in fields 2.6 to 2.19 and 3.6 to 3.16 is necessary to establish if services intended to be operated with the requested Safety Certificate are equivalent or not to other rail transport operations already carried out by the applicant under previously held valid certificate(s).

ADDITIONAL INFORMATION

Page 3 of the Application Form is intended as a reminder of the documents that must accompany each application. It shall be used as a reference list both for the applicant and for the issuing organisation/authority and therefore be used as the front page of the annexes to the application form (each box must be checked according to the specific cases).

For easy reference and guidance, each field in the Application Form has been numbered and explained in the following pages.

A person authorised to approve the request submitted with the Application Form shall sign the document, in the appropriate space, delivered to the safety organisation/authority. The name of the signing person shall also be spelled out.

EXPLANATIONS AND INSTRUCTIONS FOR USE

- 1.1.-1.2. Name and address of the safety authority/organisation to which the application is being sent. Updated information may be found, by other means, also by checking the European Railway Agency website (www.era.eu.int) or the website of the issuing Safety Organisation/Authority (if applicable).
- 2.1. This field is to specify if the Application Form submitted is for a Safety Certificate Part A. In this case additional information must be provided, selecting the following tick-boxes, to identify type and extent of the railway undertaking's services.
- 2.2. The applicant must select this box in the following cases:
 - A) if applying for the first time for a Safety Certificate Part A;
 - B) if the previous Safety Certificate, for the same type and extent of service, has been revoked;
 - C) in any other case not covered by the following fields 2.3 and 2.4.

- 2.3. A Safety Certificate shall be renewed upon application by the railway undertaking at intervals not exceeding five years (Article 10(5)).
- 2.4. Whenever the type or extent of the operation of a railway undertaking is substantially altered, a Safety Certificate shall be wholly or partly updated and it is therefore necessary to request an updated/amended certificate; in addition, the holder of the Safety Certificate shall without delay inform the competent authority of all major changes in the conditions of the relevant part of the Safety Certificate and whenever new categories of staff or new types of rolling stock are introduced (Article 10(5)).
- 2.5. If applicable, specify the complete EU Identification Number of the previous Part A Certificate in relation to which the Application Form is being submitted to the safety authority/organisation addressed in fields 1.1 and 1.2.
- 2.6.-2.7. When applying also/only for passenger services, it has to be specified, by ticking the appropriate box, if the operations will include or exclude high-speed services: only one option may be selected. However, services referred to the selected option 2.6 or 2.7, are also comprehensive of any other type of passenger transport (i.e. regional, short, medium, long distance etc.) as well as of any other service necessary to carry out the passenger services applying for (shunting operations, etc.). For definitions of high-speed services, it is referred to Annex I of Directive 96/48/EC.
- 2.8.-2.9. When applying for passenger services 2.6 or 2.7, it has to be specified, by ticking the appropriate box, the estimated current or planned volume, in terms of passenger-km per year, of the services. Only one option may be selected. The categories considered are compliant and in accordance with Regulation (EC) No 1192/2003 on rail transport statistics.
- 2.10.-2.11. When applying also/only for freight services, it has to be specified, by ticking the appropriate box, if the operations will include or exclude transport of dangerous goods: only one option may be selected. However, services referred to the selected option 2.10 or 2.11, are also comprehensive of any other type of freight transport not explicitly mentioned as well as of any other service necessary to carry out the freight services applying for (shunting operations, etc.). For definitions relating to dangerous goods, it is referred to Directive 96/49/EC and its annexes.
- Operators carrying out rail transport services for internal railway needs are deemed to be within the scope of the freight category (e.g. track maintenance companies transferring working machines from one site to another or companies operating measurement trains).
- 2.12.-2.13. When applying for freight services 2.10 or 2.11, it has to be specified, by ticking the appropriate box, the estimate current or planned volume, in terms of tonne-km per year, of the services. Only one option may be selected. The categories considered are compliant and in accordance with Regulation (EC) No 1192/2003 on rail transport statistics.
- 2.14. If the applicant intends to carry out only shunting services without performing passenger or freight transport, this box shall be selected.
- 2.15. Referring to the services applied for (passenger, freight, shunting only), the date on which operational service is intended to begin or, in case of a renewed or updated/amended certificate, the date on which the certificate is intended to become effective and replace the previous one has to be specified.
- 2.16. If the number of employees working in the railway sector or involved in railway operations and related matters, including the contractors, is between 0 (thus providing only a job for the entrepreneur) and 9 occupied persons, then option 'Micro enterprise' has to be selected. The definition on the size of enterprises refers to that applied by the Directorate General for Enterprise and Industry. Only one option can be chosen among those available (2.16, 2.17, 2.18, 2.19).
- 2.17. If the number of employees working in the railway sector or involved in railway operations and related matters, including the contractors, is between 10 and 49 occupied persons, then option 'Small enterprise' has to be selected. The definition on the size of enterprises refers to that applied by the Directorate General for Enterprise and Industry. Only one option can be chosen among those available (2.16, 2.17, 2.18, 2.19).

- 2.18. If the number of employees working in the railway sector or involved in railway operations and related matters, including the contractors, is between 50 and 249 occupied persons, then option 'Medium sized enterprise' has to be selected. The definition on the size of enterprises refers to that applied by the Directorate General for Enterprise and Industry. Only one option can be chosen among those available (2.16, 2.17, 2.18, 2.19).
- 2.19. If the number of employees working in the railway sector or involved in railway operations and related matters, including the contractors, is 250 or more occupied persons, then option 'Large enterprise' has to be selected. The definition on the size of enterprises refers to that applied by the Directorate General for Enterprise and Industry. Only one option can be chosen among those available (2.16, 2.17, 2.18, 2.19).
- 3.1. This field is to specify if the Application Form submitted is for a Safety Certificate Part B. In this case additional information must be provided, selecting the following tick-boxes, to identify type and extent of the railway undertaking's services.
- 3.2. The applicant must select this box in the following cases:
- A) if applying for the first or any other new Safety Certificate Part B;
 - B) if the previous Safety Certificate, for the same type and extent of service, has been revoked;
 - C) in any other case not covered by the following fields 3.3 and 3.4.
- 3.3. A Safety Certificate shall be renewed upon application by the railway undertaking at intervals not exceeding five years (Article 10(5)).
- 3.4. Whenever the type or extent of the operation of a railway undertaking is substantially altered, a Safety Certificate shall be wholly or partly updated and it is therefore necessary to request an updated/amended certificate; in addition, the holder of the Safety Certificate shall without delay inform the competent authority of all major changes in the conditions of the relevant part of the Safety Certificate and whenever new categories of staff or new types of rolling stock are introduced (Article 10(5)).
- 3.5. If applicable, specify the complete EU Identification Number of the previous Part B Certificate in relation to which the Application Form is being submitted to the safety authority/organisation addressed in fields 1.1 and 1.2.
- 3.6.-3.7. Same as 2.6, 2.7 (see above).
- 3.8.-3.9. Same as 2.8, 2.9 (see above).
- 3.10.-3.11. Same as 2.10, 2.11 (see above).
- 3.12.-3.13. Same as 2.12, 2.13 (see above).
- 3.14. Same as 2.14 (see above).
- 3.15. Same as 2.15 (see above).
- 3.16. A Safety Certificate Part B may cover the whole railway network of a Member State or only a defined part thereof (Article 10(1)), it is therefore necessary to specify clearly all the lines where services (passenger, freight or shunting only) are intended to be operated. The denomination/name of the lines are those given in the 'Network Statement' (refer to Article 3 and Annex I of Directive 2001/14/EC): railway undertakings must refer to the lines using these denominations/names. If the available space is not sufficient, the applicant shall provide annexes to the Application Form and use this field to specify them.
- 3.17. This information is to be provided only if the applicant is applying for a new, renewed or updated/amended Safety Certificate Part B and already holds a valid Safety Certificate Part A. The EU Identification Number is given by each issuing authority/organisation on the basis of fixed rules, regarding the codification that will be made available through the European Railway Agency. The information provided here does not exempt the applicant from submitting a copy of the Safety Certificate Part A together with the application (8.1). If an EU Identification Number is still not available, write 'NOT APPLICABLE' in the box.

- 3.18. Here the State has to be specified that issued the Safety Certificate Part A (i.e. the State which the issuing authority/organisation belongs to). The information provided here does not exempt the applicant from submitting a copy of the Safety Certificate Part A together with the application (8.1).
- 4.1. This information is to be provided only in case the applicant holds one or more valid Safety Certificate(s) Part B. The EU Identification Number(s) of the already issued Part B Certificate(s) has(ve) to be specified, separating them with '/' if the case applies. It is not necessary for the applicant to submit a copy of the Safety Certificate(s) Part B together with the application.
- 4.2. This information is to be provided only if applying for either Part A and/or Part B in case the railway undertaking already has a valid Licence (Council Directive 95/18/EC as amended by Directive 2001/13/EC). The information provided does not exempt the applicant from submitting a copy of the Licence together with the application (7.2 and 8.2).
- NOTE: A railway undertaking, as defined in Directive 2001/14/EC, must be licensed according to applicable Community legislation, nevertheless a railway undertaking, as defined in Directive 2004/49/EC, is not always required to have a licence.
- 4.3. Here the State has to be specified that issued the Licence (i.e. the State which the issuing authority/organisation belongs to). The information provided here does not exempt the applicant from submitting a copy of the Licence together with the application (7.2 and 8.2).
- 5.1. If 'Legal Denomination' and 'Railway undertaking name' differ, then both shall be included.
- 5.2.-5.8. Each applicant shall provide the necessary information to allow the issuing body to contact the railway undertaking (telephone numbers should indicate the number to the switchboard, where applicable, and not to the person in charge of the certification process; telephone and fax numbers should include the country code; the e-mail address should refer to the general mail box of the railway undertaking). The railway undertaking contact information should indicate the general address avoiding references to a specific person as this information may be entered in points 6.1 to 6.5. Specification of the website (5.8) is not compulsory.
- 5.9.-5.10. If several registration numbers are attributed under national law to the applying railway undertaking, there are possibilities in the form to enter both the VAT number (5.10) and a second registration number (5.9) (e.g. trade register).
- 5.11. Information, other than that clearly requested in the other fields, can be added if necessary.
- 6.1.-6.5. During all the certification process, the contact person is the interface between the railway undertaking submitting the request and the issuing organisation/authority. He/she provides support, assistance, information, clarifications, where necessary, and is the reference point for the issuing body dealing with the application. Telephone and fax numbers should include the country code; e-mail address is not compulsory.
- 7.1. This document should be submitted if applying for a Safety Certificate Part A (new, renewed or updated/amended certificate); 'Summary of the Safety Management System (SMS) manual' is here intended as a document reviewing and underlining the main elements of the railway undertaking's SMS. It must detail and give supporting information and evidence of the different processes or company standards/rules implemented (or in the phase of implementation), cross referencing or linked to the items identified in Article 9 and Annex III.
- 7.2. A railway undertaking, as defined in Directive 2001/14/EC, must be licensed according to applicable Community legislation; in Directive 2004/49/EC, however, a railway undertaking is defined as not being required to have a licence, therefore it must submit a copy of a valid licence only if the case applies. If it does not apply the option 'Not applicable' should be picked (7.3 and/or 8.3).
- 7.3. Refer to 7.2.
- 8.1. If in this Application Form applying only for a Safety Certificate Part B (new, renewed or updated/amended certificate) but not also for a Safety Certificate Part A, then the copy of a valid Safety Certificate Part A should be submitted.
- 8.2. Same as 7.2 (see above).
- 8.3. Same as 7.3 (see above).

- 8.4. According to Article 9 of Directive 95/18/EC a railway undertaking shall be adequately insured or make equivalent arrangements (e.g. a financial guarantee) for cover, in accordance with national and international law, of its liabilities in the event of accidents. The proof that a licensed railway undertaking complies with national requirements concerning insurance or has made equivalent arrangements for cover for its liabilities is annexed to the licence (Commission Recommendation 2004/358/EC). A copy of the insurance or financial cover for liability annexed to the licence must be submitted with the Application Form.
- 8.5. The applicant shall list or submit documentation on the TSIs or parts of the TSIs and, where relevant, of the national safety rules and other rules applicable to staff, rolling stock and, in general, to the services intended to be operated with the requested certificate. Clear reference should be made to the processes and documents where the TSIs are applicable and implemented. To avoid duplication of work and to reduce the amount of information, only summary documentation should be submitted concerning elements that comply with TSIs and other requirements of Directives 96/48/EC and 2001/16/EC.
- 8.6. The applicant shall submit a complete list of the different CATEGORIES OF STAFF employed or contracted for services intended to be operated with the requested certificate. The list of CATEGORIES OF STAFF shall comply with national and network specific rules that apply for their categorisation.
- 8.7. The applicant shall submit a description or evidence of those processes within the Safety Management System that are related to STAFF, including evidence that they meet the requirements of the national rules and/or relevant TSIs and that the staff has been duly certified.
- 8.8. The applicant shall submit a complete documentation on the different TYPES OF ROLLING STOCK intended to be operated with the requested certificate. The TYPES OF ROLLING STOCK shall comply with national and network specific rules that apply for their categorisation.
- 8.9. The applicant shall submit a description or evidence of those processes within the Safety Management System that are related to ROLLING STOCK, including evidence that they meet requirements of the national rules and/or relevant TSIs and that the rolling stock has been duly certified.
- 8.10. Available space to specify other documents submitted with the application. Please identify number and type, together with a short description of the content of the document.
-

ANNEX IV

Code for the harmonised numbering system, called European Identification Number (EIN), for Safety Certificates

Country code (2 letters)		Type of document (2 digits)		Issue year (4 digits)				Counter (4 digits)			

Example:

I	T	1	1	2	0	0	6	0	0	0	5
---	---	---	---	---	---	---	---	---	---	---	---

Explanation of the structure of the European Identification Number (EIN)

I	T	1	1	2	0	0	6	0	0	0	5
Country code (2 letters)		Type of document (2 digits)		Issue year (4 digits)				Counter (4 digits)			
Field 1		Field 2		Field 3				Field 4			

FIELD 1 — Country code (2 letters)

The country codes are those officially published and updated on the European website in the *Interinstitutional style guide* and are based on the standard ISO 3166 alpha-2.

State	Code	State	Code	State	Code
Austria	AT	Hungary	HU	Poland	PL
Belgium	BE	Iceland	IS	Portugal	PT
Bulgaria	BG	Ireland	IE	Romania	RO
Cyprus	CY	Italy	IT	Slovak Republic	SK
Czech Republic	CZ	Latvia	LV	Slovenia	SI
Denmark	DK	Liechtenstein	LI	Spain	ES
Estonia	EE	Lithuania	LT	Sweden	SE
Finland	FI	Luxembourg	LU	Switzerland	CH
France	FR	Norway	NO	United Kingdom	UK
Germany	DE	Malta	MT		
Greece	EL	Netherlands	NL		

The Channel Tunnel Safety Authority, currently the only existing multinational safety authority, will be identified through the following two letter code:

MULTINATIONAL SAFETY AUTHORITY	Code
Channel Tunnel Safety Authority	CT

FIELD 2 — Type of document (2 digit number)

Two digits allow identifying the type of document: the first digit identifies the general classification of the document, whether it is a Safety Certificate (number 1) or any other kind of document (number different from 1); the second digit specifies the subtype of document, whether it is a Part A (number 1) or Part B (number 2) Certificate. For now, possible combinations in the numbers would reflect just two cases of interest and use:

[1 1] for Safety Certificates — Part A;

[1 2] for Safety Certificates — Part B.

With the need for other codes this numbering system can be extended. Following is the proposed list of known, possible combinations of two digit numbers in relation to the type of document considered:

Number combination for field 2	Document Type	Subtype of document
[0 1]	Licences	Not applicable to this Regulation
[0 x]	Licences	Not applicable to this Regulation
[1 1]	Safety Certificate	Part A
[1 2]	Safety Certificate	Part B
[1 x]	Safety Certificate	Not applicable to this Regulation
[2 1]	Safety Authorisation	Not applicable to this Regulation
[2 2]	Safety Authorisation	Not applicable to this Regulation
[2 x]	Safety Authorisation	Not applicable to this Regulation
[3 x]	Certificates for maintenance workshops	Not applicable to this Regulation
[4 x]	Certificates for Notified Bodies	Not applicable to this Regulation
[5 x] ... [9 x]	Reserve (5 document types)	Not applicable to this Regulation

FIELD 3 — Issue year (4 digit number)

This field indicates the year (in the specified format yyyy, i.e. 4 digits) in which the certificate has been issued.

FIELD 4 — Counter

The counter shall be a progressive number to be incremented by one unit each time a certificate is issued, regardless if it is a new, renewed or updated/amended certificate. Even in case a certificate is revoked, the number to which it refers cannot be used again.

Every year the counter shall restart from zero.

COMMISSION REGULATION (EC) No 654/2007**of 13 June 2007****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat ⁽²⁾,

Whereas:

- (1) Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f).
- (2) Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal meeting the definition laid down therein which may

be imported on special terms for the period 1 July 2006 to 30 June 2007 at 11 500 t.

- (3) It should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences from 1 to 5 June 2007 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.

Article 2

This Regulation shall enter into force on 14 June 2007.

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

Done at Brussels, 13 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 137, 28.5.1997, p. 10. Regulation as last amended by Regulation (EC) No 317/2007 (OJ L 84, 24.3.2007, p. 4).

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 12 June 2007

on a harmonised monitoring of antimicrobial resistance in *Salmonella* in poultry and pigs

(notified under document number C(2007) 2421)

(Text with EEA relevance)

(2007/407/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC ⁽¹⁾, and in particular Article 7(3) thereof,

Whereas:

- (1) Pursuant to Directive 2003/99/EC, Member States shall ensure that monitoring provides comparable data on the occurrence of antimicrobial resistance in zoonotic agents and, in so far as they present a threat to public health, other agents.

- (2) A FAO/OIE/WHO workshop on scientific assessment on non-human usage of antimicrobials and antimicrobial resistance in 2003 concluded that there is clear evidence of adverse human health consequences due to resistant organisms resulting from non-human usage of antimicrobials: increased frequency of infections, increased frequency of treatment failures (in some cases death) and increased severity of infections, as documented for instance by fluoroquinolone-resistant human *Salmonella* infections. Evidence shows that the amount and pattern of non-human usage of antimicrobials affect the occurrence of resistant bacteria in animals and food and thereby human exposure to these resistant bacteria (Joint FAO/OIE/WHO Expert Workshop, 2003). However, it should be noted that most of the resistance problems in human medicine are caused by human usage and over usage of antimicrobial agents for therapy and prophylaxis (European Parliament, October 2006).

- (3) The European Food Safety Authority (EFSA) indicates in its 'Community Summary Report on Trends and Sources of Zoonoses, Zoonotic agents, Antimicrobial Resistance and Foodborne Outbreaks in the European Union in 2005' ⁽²⁾ that a relatively high proportion of *Campylobacter* and *Salmonella* isolates from animals and food were resistant to antimicrobials commonly used in treatment of human diseases. Food-borne infections caused by these resistant bacteria pose a particular risk to humans due to possible treatment failure.

⁽¹⁾ OJ L 325, 12.12.2003, p. 31. Directive amended by Council Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁽²⁾ *The EFSA Journal* (2006), 94.

- (4) The Scientific Panel on Biological Hazards and of the Scientific Panel on Animal Health and Welfare of the EFSA, adopted an Opinion on 'Review of the Community Summary Report on Trends and Sources of Zoonoses, Zoonotic Agents and Antimicrobial Resistance in the European Union in 2004' ⁽¹⁾ during its meeting on respectively 7 and 8 September 2006. With regard to antimicrobial resistance testing, the Opinion indicates the importance to provide detailed information on the *Salmonella* serovar for each isolate and to harmonise the breakpoints applied for resistance assessment and reporting.
- (5) The Task Force on Zoonoses Data Collection of the EFSA adopted a 'Report including a proposal for a harmonised monitoring scheme of antimicrobial resistance in *Salmonella* in fowl (*Gallus gallus*), turkeys and pigs and *Campylobacter jejuni* and *C. coli* in broilers' ⁽²⁾ on 20 February 2007. The report makes recommendations on a harmonised monitoring scheme and harmonised methodology for susceptibility testing.
- (6) In view of the increasing public health risk posed by antimicrobial resistance and the evidence that use of antibiotics affects this risk, comparable information should be collected from all Member States on the antimicrobial resistance occurrence in zoonotic agents in animals by implementing Article 7 of Directive 2003/99/EC. This implementation should be based on the proposal of the EFSA Task Force but is without prejudice to further implementation rules in the future.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

Member States. It shall cover *Salmonella* spp. in fowl (*Gallus gallus*), turkeys, and slaughter pigs without prejudice to additional antimicrobial resistance monitoring in accordance with the requirements in Article 7(1) of Directive 2003/99/EC.

Article 2

Collection and analyses of isolates

The collection of isolates of *Salmonella* spp. referred to in Article 1 and the analysis thereof shall be performed by the competent authority or under its supervision in accordance with the technical specifications set out in the Annex.

Article 3

Confidentiality of the data

National aggregated data and results of the analyses shall be made available publicly in a form that ensures confidentiality.

Article 4

Application

This Decision shall apply from 1 January 2008.

Article 5

This Decision is addressed to the Member States.

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

This Decision lays down detailed rules for monitoring antimicrobial resistance in accordance with Article 7(3) and Annex II(B) of Directive 2003/99/EC to be carried out in the

Done at Brussels, 12 June 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ The EFSA Journal (2006), 403, pp. 1 to 62.

⁽²⁾ The EFSA Journal (2007) 96, pp. 1 to 46.

ANNEX

TECHNICAL SPECIFICATIONS REFERRED TO IN ARTICLE 2

1. Origin of isolates

Salmonella isolates collected through control and monitoring programmes, set up in accordance with Article 5 of Regulation (EC) No 2160/2003 of the European Parliament and of the Council ⁽¹⁾ and/or Commission Decisions 2006/662/EC ⁽²⁾, 2006/668/EC ⁽³⁾, shall be collected for antimicrobial resistance monitoring in accordance with Table 1.

Table 1:

Years in which certain zoonotic agents isolated from the indicated animal populations shall be selected for antimicrobial resistance testing

Year	<i>All Salmonella serovars</i>			
	Laying hens	Broilers	Turkeys	Slaughter pigs
2007			X (*)	X (**)
2008	X			
2009	X	X		
2010	X	X	X	
2011	X	X	X	X
2012	X	X	X	X

(*) Isolates from samples collected in 2007 and stored in accordance with the provisions in Decision 2006/662/EC.

(**) Isolates from samples collected in 2007 and stored in accordance with the provisions in Decision 2006/668/EC.

Not more than one isolate per *Salmonella* serovar from the same epidemiological unit per year shall be included in the monitoring. The epidemiological unit for laying hens, broilers, and turkeys is the flock. For pigs, the epidemiological unit is the holding.

2. Number of isolates to be tested

The number of *Salmonella* isolates to be included in the antimicrobial resistance monitoring per Member State per year shall be 170 for each study population (i.e. laying hens, broilers, turkeys and slaughter pigs).

In those Member States where, in any given year, a lower number of isolates than the target sample size is available from the monitoring or control programmes, all these isolates shall be included in the antimicrobial resistance monitoring.

In those Member States where a higher number of isolates is available all isolates, or a representative random selection equal or larger than the target sample size, shall be included.

3. Antimicrobial susceptibility testing

Member States shall test at least the antimicrobials that are specified in Table 2, using the cut-off values given and an appropriate concentration range to determine the susceptibility of *Salmonella*.

⁽¹⁾ OJ L 325, 12.12.2003, p. 1.

⁽²⁾ OJ L 272, 3.10.2006, p. 22.

⁽³⁾ OJ L 275, 6.10.2006, p. 51.

Dilution methods shall be performed according to the methods described by the European Committee on Antimicrobial Susceptibility Testing (EUCAST) and the Clinical and Laboratory Standards Institute (CLSI), accepted as international reference method (ISO standard 20776-1:2006). It is recommended that the selected isolates of *S. Enteritidis* and *S. Typhimurium* are phage typed.

4. Collection of the data and reporting

The results of the antimicrobial resistance monitoring shall be assessed and reported, in accordance with Article 9 of Directive 2003/99/EC, in the yearly report on trends and sources of zoonoses, zoonotic agents and antimicrobial resistance.

Without prejudice to the provisions of Annex IV of Directive 2003/99/EC the following information shall be reported for *Salmonella* in laying hens, broilers, turkeys and pigs:

- Origin of isolates i.e. baseline study, control programme, passive surveillance,
- number of isolates susceptibility tested,
- number of isolates found to be resistant per antimicrobial, and
- number of fully-susceptible isolates and number of isolates resistant to 1, 2, 3, 4 and > 4 antimicrobials listed in Table 2.

Table 2:

Antimicrobials to be at least included for *Salmonella* and the cut-off values to be used to determine susceptibility

	Antimicrobial	Cut-off value (mg/L) R >
<i>Salmonella</i>	Cefotaxime	0,5
	Nalidixic acid	16
	Ciprofloxacin	0,06
	Ampicillin	4
	Tetracycline	8
	Chloramphenicol	16
	Gentamicin	2
	Streptomycin	32
	Trimethoprim	2
	Sulphonamides	256

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE VI OF THE EU TREATY

COUNCIL DECISION

of 12 June 2007

adjusting the basic salaries and allowances applicable to Europol staff

(2007/408/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Council Act of 3 December 1998 laying down the Staff Regulations applicable to Europol employees ⁽¹⁾, (hereinafter referred to as Staff Regulations), and in particular Article 44 thereof,

Having regard to the initiative of the Republic of Finland ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the review of remuneration of officials of Europol by the Management Board of Europol,

Whereas:

- (1) In the review of remuneration of officials of Europol, the Management Board took account of the changes in the cost of living in the Netherlands, as well as of the changes in salaries in the public service in the Member States.
- (2) The review period from 1 July 2005 to 30 June 2006 justifies an increase of 1,5 % of remuneration for the period from 1 July 2006 to 30 June 2007.
- (3) It is for the Council, acting unanimously, to adjust the basic salaries and allowances of officials of Europol, on the basis of the review,

HAS DECIDED AS FOLLOWS:

Article 1

The Staff Regulations are hereby amended as follows:

⁽¹⁾ OJ C 26, 30.1.1999, p. 23. Act as last amended by Act of 29 November 2006 (OJ L 8, 13.1.2007, p. 66).

⁽²⁾ OJ C 41, 24.2.2007, p. 3.

⁽³⁾ Opinion delivered on 11 April 2007 (not yet published in the Official Journal).

With effect from 1 July 2006:

(a) in Article 45, the table of basic monthly salaries shall be replaced by the following:

	1	2	3	4	5	6	7	8	9	10	11
1	15 136,93										
2	13 592,32										
3	9 329,29	9 570,24	9 811,20	10 070,70	10 330,19	10 602,01	10 872,61	11 158,08	11 445,37	11 748,12	12 047,75
4	8 124,50	8 340,75	8 553,91	8 779,42	9 004,93	9 242,78	9 477,56	9 727,80	9 978,00	10 240,60	10 503,18
5	6 694,23	6 870,30	7 043,29	7 228,65	7 414,01	7 611,71	7 806,32	8 013,30	8 217,19	8 433,42	8 649,68
6	5 736,61	5 887,94	6 039,33	6 199,97	6 357,50	6 524,33	6 691,14	6 867,23	7 043,29	7 228,65	7 414,01
7	4 782,03	4 908,69	5 032,25	5 165,09	5 297,91	5 436,94	5 575,94	5 724,23	5 869,42	6 023,88	6 178,34
8	4 065,35	4 173,47	4 278,49	4 392,80	4 503,99	4 621,40	4 738,78	4 865,45	4 989,01	5 121,84	5 251,57
9	3 583,44	3 679,19	3 774,98	3 873,80	3 972,67	4 077,70	4 182,73	4 293,94	4 402,10	4 519,46	4 633,76
10	3 107,71	3 191,13	3 271,43	3 357,91	3 441,34	3 534,01	3 626,68	3 722,44	3 815,11	3 917,07	4 015,92
11	3 011,95	3 092,27	3 169,48	3 252,90	3 336,29	3 425,88	3 512,39	3 605,06	3 697,74	3 796,61	3 892,33
12	2 391,04	2 455,87	2 517,65	2 582,55	2 647,42	2 718,46	2 789,52	2 863,66	2 934,70	3 011,95	3 089,17
13	2 054,29	2 109,90	2 162,42	2 221,12	2 276,73	2 338,50	2 397,20	2 462,06	2 523,87	2 591,82	2 656,68

(b) in Article 59(3), the amount 'EUR 1 004,36' shall be replaced by: 'EUR 1 019,43';

(c) in Article 59(3), the amount 'EUR 2 008,72' shall be replaced by: 'EUR 2 038,85';

(d) in Article 60(1), the amount 'EUR 267,84' shall be replaced by: 'EUR 271,86';

(e) in Article 2(1) of Appendix 5, the amount 'EUR 280,00' shall be replaced by: 'EUR 284,20';

(f) in Article 3(1) of Appendix 5, the amount 'EUR 12 174,06' shall be replaced by: 'EUR 12 356,67';

(g) in Article 3(1) of Appendix 5, the amount 'EUR 2 739,17' shall be replaced by: 'EUR 2 780,26';

(h) in Article 3(2) of Appendix 5, the amount 'EUR 16 434,98' shall be replaced by: 'EUR 16 681,50';

(i) in Article 4(1) of Appendix 5, the amount 'EUR 1 217,41' shall be replaced by: 'EUR 1 235,67';

(j) in Article 4(1) of Appendix 5, the amount 'EUR 913,07' shall be replaced by: 'EUR 926,77';

(k) in Article 4(1) of Appendix 5, the amount 'EUR 608,70' shall be replaced by: 'EUR 617,83';

(l) in Article 4(1) of Appendix 5, the amount 'EUR 486,96' shall be replaced by: 'EUR 494,26';

(m) in Article 5(3) of Appendix 5, the amount 'EUR 1 718,01' shall be replaced by: 'EUR 1 743,78';

(n) in Article 5(3) of Appendix 5, the amount 'EUR 2 290,68' shall be replaced by: 'EUR 2 325,04';

(o) in Article 5(3) of Appendix 5, the amount 'EUR 2 863,34' shall be replaced by: 'EUR 2 906,29'.

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

Article 3

This Decision shall take effect on the day following that of its adoption.

Done at Luxembourg, 12 June 2007.

For the Council
The President
W. SCHÄUBLE
