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Information and Notices

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EN

[1] Text with EEA relevance

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND BODIES

COMMISSION

Euro exchange rates [1]

8 October 2009

(2009/C 242/01)

1 euro =

	Currency	Exchange rate		Currency	Exchange rate
USD	US dollar	1,4763	AUD	Australian dollar	1,6346
JPY	Japanese yen	130,46	CAD	Canadian dollar	1,5619
DKK	Danish krone	7,4445	HKD	Hong Kong dollar	11,4414
GBP	Pound sterling	0,92000	NZD	New Zealand dollar	1,9954
SEK	Swedish krona	10,3134	SGD	Singapore dollar	2,0533
CHF	Swiss franc	1,5166	KRW	South Korean won	1 723,09
ISK	Iceland króna		ZAR	South African rand	10,8703
NOK	Norwegian krone	8,3533	CNY	Chinese yuan renminbi	10,0777
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,2568
CZK	Czech koruna	25,763	IDR	Indonesian rupiah	13 927,08
EEK	Estonian kroon	15,6466	MYR	Malaysian ringgit	5,0061
HUF	Hungarian forint	270,20	PHP	Philippine peso	68,591
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	43,6939
LVL	Latvian lats	0,7095	THB	Thai baht	49,183
PLN	Polish zloty	4,2335	BRL	Brazilian real	2,5784
RON	Romanian leu	4,2800	MXN	Mexican peso	19,6651
TRY	Turkish lira	2,1580	INR	Indian rupee	68,3820

[1] *Source*: reference exchange rate published by the ECB.

Report from the Commission on food irradiation for the year 2007

(2009/C 242/02)

1. LEGAL BASIS AND BACKGROUND

Article 7(3) of Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation [1] requires the Member States to forward to the Commission every year:

— the results of checks carried out in irradiation facilities, in particular regarding the categories and quantities of food and food ingredients treated and the doses administered,

and

— the results of checks carried out at the product marketing stage and the methods used to detect treatment with ionising radiation.

Article 7(4) of the same Directive imposes on the Commission to publish in the *Official Journal of the European Communities*:

— the details of the approved irradiation facilities in the Member States as well as any changes in their status,

— a report on the information provided by the national supervisory authorities.

The current report covers the period from 1 January 2007 to 31 December 2007. It contains a compilation of the information forwarded to the Commission by 25 Member States.

Information on general aspects of food irradiation is available on the website of the European Commission's Directorate-General for Health and Consumer [2].

1.1. Irradiation facilities

According to Article 3(2) of Directive 1999/2/EC, food and food ingredients may be irradiated only in approved irradiation facilities. For facilities in the EU, approval is given by the competent authorities of the Member States. The Member States have to inform the Commission of their approved irradiation facilities (Article 7(1)).

Irradiation of food and food ingredients may only be carried out by means of the following sources:

— Gamma rays from radionuclides ^{60}Co or ^{137}Cs,

— X-rays generated from machine sources operated at or below a nominal energy (maximum quantum energy) level of 5 MeV,

— Electrons generated from machine sources operated at or below a nominal energy (maximum quantum energy) level of 10 MeV.

The list of approved irradiation facilities in the Member States has been published by the Commission [3] in the *Official Journal of the European Union* and can be found at http://ec.europa.eu/food/food/biosafety/irradiation/approved_facilities_en.pdf

[1] OJ L 66, 13.3.1999, p. 16.
[2] http://ec.europa.eu/food/food/biosafety/irradiation/index_en.htm
[3] OJ C 187, 7.8.2003, p. 13.

1.2. **Irradiated food and food ingredients**

The irradiation of dried aromatic herbs, spices and vegetable seasonings is authorised in the EU at Community level (Directive 1999/3/EC of the European Parliament and of the Council of 22 February 1999 on the establishment of a Community list of food and food ingredients treated with ionising radiation ([1])).

In addition, seven Member States have notified that they maintain national authorisations for certain food and food ingredients in accordance with Article 4(4) of Directive 1999/2/EC. The list of national authorisations has been published by the Commission ([2]).

Any irradiated foodstuff and foodstuff or compound food containing one or more irradiated food ingredient must be labelled with the words 'irradiated' or 'treated with ionising radiation'. In the case of products sold in bulk, these words shall appear together with the name of the product on a display or notice above or beside the container in which the products are placed.

To enforce correct labelling or to detect non-authorised products, several analytical methods have been standardised by the European Committee for Standardisation (CEN), following a mandate given by the European Commission.

2. **RESULTS OF CHECKS CARRIED OUT IN IRRADIATION FACILITIES**

This section of the report deals with the results of the checks carried out in irradiation facilities, in particular regarding the categories and quantities of products treated and the doses administered.

The Member States submitted the following information on approved facilities and checks carried out in those facilities.

2.1. **Belgium**

Inspections by the competent authorities in 2007 confirmed the compliance of the irradiation facility Sterigenics SA with the requirements of Directive 1999/2/EC.

The following table shows the categories and quantities of products irradiated in this facility in 2007.

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Frog legs	1 521	5
Meat	445	6-8
Poultry	282	5
Fish and shellfish	258	3-5
Herbs and spices	139	6-9
Dehydrated blood	16	6-9
Vegetables	12	6
Starch	11	3
Eggs powder	7	3
Others	108	0-10
Total	2 799	

([1]) OJ L 66, 13.3.1999, p. 24.
([2]) OJ C 112, 12.5.2006, p. 6.

2.2. **Bulgaria**

No information has been forwarded by Bulgaria.

2.3. **Czech Republic**

Inspections by the competent authorities in 2007 confirmed the compliance of the irradiation facility Artim Spol SRO with the requirements of Directive 1999/2/EC.

The following table shows the categories and quantities of products irradiated in this facility in 2007.

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Dried aromatic herbs, spices and vegetable seasonings	55	1-10
Total	55	

2.4. **Germany**

During the reporting period, there were four approved irradiation facilities in Germany. Inspections by the competent authorities in 2007 confirmed the compliance of the irradiation facilities with the requirements of Directive 1999/2/EC.

The following tables show the categories and quantities of products irradiated in 2007 for each facility. In total 331 tonnes of products were treated in three irradiation facilities in Germany in 2007.

(a) *Gamma Service Produktbestrahlung GmbH, Radeberg*

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Spices and herbs	206	< 10
Dried vegetables	24	< 10
Total	230	

121 ton of the irradiated products were exported to third countries.

(b) *BGS/Beta-Gamma Service GmbH & Co. KG, Wiehl*

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Spices and herbs	21	10-13
Dried vegetables	18	10-32
Total	39	

All irradiated products were exported to third countries.

(c) *Isotron Deutschland GmbH, Allershausen*

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Vegetables	61	5-10
Spices and herbs	1	5-10
Total	62	

All irradiated products were exported to third countries.

(d) *Beta-Gamma-Service Gmbh & Co. KG, Bruchsal*

No products were irradiated in this facility in 2007.

2.5. **Spain**

In Spain, there are two facilities approved for the irradiation of food and food ingredients. Inspections by the competent authorities in 2007 confirmed the compliance of the irradiation facilities with the requirements of Directive 1999/2/EC.

(a) *Ionmed Esterilización, SA*

The following table shows the categories and quantities of products irradiated in this facility in 2007.

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Dried aromatic herbs, spices and vegetable seasonings	216	< 10
Total	216	

(b) *Aragogamma, SA*

No products were irradiated in this facility in 2007.

2.6. **France**

In France, six facilities are approved for the irradiation of foods. Inspections by the competent authorities in 2007 confirmed the compliance of five irradiation facilities with the requirements of Directive 1999/2/EC. One facility was given comments concerning the control of the irradiation doses and the status of the products before and after treatment.

The facility of Ionisos SA, Domaine de Corbeville, 91400 Orsay, (reference 91471 F) did not irradiate food and food ingredients during 2007. This facility has been closed.

The following table shows the categories and quantities of products irradiated in the facilities in 2007.

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Poultry	1 239	5
Frozen frog legs	687	5
Gum arabic	131	3
Herbs, spices and dried vegetables	60	10
Casein	22	6
Total	2 139	

2.7. **Hungary**

In Hungary, there is one facility approved for the irradiation of foods. According to the official inspection made by the competent authority (Hungarian Agricultural Office) in 2007 the irradiation facility AGROSTER Besugárzó Rt. (Budapest, Jászberényi út 5.) was in compliance with the requirements of Directive 1999/2/EC.

The following table shows the categories and quantities of foods irradiated in this facility in 2007.

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Spices, spice peppers	5,9	4-6
Dehydrated products	0,5	3-4
Herbs	14,5	3-6
Total	20,9	

2.8. **Italy**

The only approved irradiation facility in Italy, Gammarad Italia Spa, was inspected with favourable outcome. During 2007, no food and food ingredients have been irradiated in this irradiation facility.

2.9. **The Netherlands**

The competent authorities confirmed the compliance of the irradiation facilities with the requirements of Directive 1999/2/EC in 2007.

From 1 January 2007 until 31 December 2007, Isotron NL treated a total of 2 323 tonnes of food and food ingredients in their two facilities in the cities of Ede and Etten-Leur. The following tables show the categories and quantities of products irradiated in these two facilities in 2007.

(a) *Isotron NL — irradiation facility in Ede*

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Spices/Herbs	753	NI
Frog legs	197	NI
Poultry meat (frozen)	154	NI
Dehydrated vegetables	88	NI
Egg white	70	NI
Shrimps (frozen)	45	NI
Food Samples	10	NI
Total	1 317	

(NI: no information forwarded on this point).

(b) *Isotron NL — irradiation facility in Etten-Leur*

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Dried vegetables	791	NI
Frog legs	146	NI
Spices/Herbs	48	NI
Poultry meat (frozen)	21	NI
Total	1 006	

(NI: no information forwarded on this point).

2.10. **Poland**

In Poland, there are two approved irradiation facilities. The following table show the category and quantity of foods irradiated in 2007 in one facility.

(a) *Institute of Nuclear Chemistry and Technology, Warsaw*

Category of products	Treated quantity (t)	Average absorbed dose (kGy)
Dry spices, dried flavoured herbs, vegetable spices	269	7-10
Total	269	

(b) *Institute of Applied Radiation Chemistry, Technical University of Lodz*

No information has been forwarded regarding this irradiation facility.

2.11. **Portugal**

No information has been forwarded by Portugal.

2.12. **Romania**

In Romania there is only one approved irradiation facility which is IRASM Center from Horia Hulubei National Institute of Physics and Nuclear Engineering. The source of ionising radiation is Gamma rays ^{60}Co. The facility is authorised by National Commission for Nuclear Activities. The IRASM facility did not irradiate any food/food ingredient during 2007.

2.13. **The United Kingdom**

In the United Kingdom, there is one facility approved for the irradiation of foods. The facility did not irradiate any food under the terms of its licence in 2007.

2.14. **Summarising table for the EU**

The following table summarises the quantities of foodstuffs (in tonnes) treated by ionising radiation in approved irradiation facilities within the European Union.

Category of products	BE	CZ	DE	ES	FR	HU	NL	PL	Total	%
Casein	0	0	0	0	22	0	0	0	22	*0,27*
Dehydrated blood	16	0	0	0	0	0	0	0	16	*0,20*
Egg powder	7	0	0	0	0	0	0	0	7	*0,09*
Egg white	0	0	0	0	0	0	70	0	70	*0,86*
Fish & Shellfish	258	0	0	0	0	0	45	0	303	*3,72*
Food Samples	0	0	0	0	0	0	10	0	10	*0,12*
Frog legs/parts	1 521	0	0	0	687	0	343	0	2 551	*31,29*
Gum arabic	0	0	0	0	131	0	0	0	131	*1,61*
Herbs, Spices	139	55	228	216	60	21	801	269	1 789	*21,94*
Meat	445	0	0	0	0	0	0	0	445	*5,46*
Poultry	282	0	0	0	1 239	0	175	0	1 696	*20,80*
Starch	11	0	0	0	0	0	0	0	11	*0,13*
Vegetables	12	0	103	0	0	0	879	0	994	*12,19*
Other	108	0	0	0	0	1	0	0	109	*1,34*
Total	2 799	55	331	216	2 139	22	2 323	269	8 154	
% of total	*34,33*	*0,67*	*4,06*	*2,65*	*26,23*	*0,27*	*28,49*	*3,30*	*100,00*	

3. RESULTS OF CHECKS CARRIED OUT AT THE PRODUCT MARKETING STAGE AND THE METHODS USED TO DETECT TREATMENT WITH IONISING RADIATION

Regarding the results of the checks carried out at the product marketing stage and the methods used to detect treatment with ionising radiation, the Member States submitted the following information.

3.1. **Austria**

In total, 115 samples were analysed. In none of these samples treatment with ionising radiation could be demonstrated.

Food analysed	Number of samples: 115			CEN method used
	Compliant	Inconclusive	Non-compliant	
Herbs & Spices	39	0	0	EN 1788, EN 13751
Herbal teas	38	0	0	EN 1788, EN 13751
Poultry	38	0	0	EN 1786
Total	115	0	0	
Total in % of analysed samples	100,00 %	00,00 %	00,00 %	

3.2. **Belgium**

In total, 89 samples were analysed. One sample was found to be irradiated.

Food analysed	Number of samples: 89			CEN method used
	Compliant	Inconclusive	Non-compliant	
Instant noodles	21	0	1	EN 1788 (*)
Crustaceans and molluscs	15	0	0	
Frozen herbs	15	0	0	
Shrimps	15	0	0	
Dried vegetables	11	0	0	
Fruit	11	0	0	
Total	88	0	1	
Total in % of analysed samples	98,88 %	00,00 %	1,12 %	

(*) Thermoluminescence derived from EN 1788 is used to detect irradiation.

3.3. **Bulgaria**

No information on checks regarding food irradiation has been forwarded by Bulgaria for 2007.

3.4. **Cyprus**

No analytical checks regarding food irradiation were performed in 2007.

3.5. **Czech Republic**

In total, 60 samples were analysed. Two samples were found to be non-compliant (positive for irradiation and incorrectly labelled).

Food analysed	Number of samples: 60			CEN method used
	Compliant	Inconclusive	Non-compliant	
Fresh fruits	15	0	0	EN 1788/EN 1785
Spices	12	0	0	EN 1788
Food supplements	8	0	1	EN 1788

Food analysed	Number of samples: 60			CEN method used
	Compliant	Inconclusive	Non-compliant	
Fish and shellfish	7	0	0	EN 1785
Herbal tea products	5	0	0	EN 1788
Instant noodles	3	0	1	EN 1788/EN 1785
Poultry	6	0	0	EN 1785
Shrimps	2	0	0	EN 1785
Total	58	0	2	
Total in % of analysed samples	96,67 %	00,00 %	3,33 %	

3.6. **Germany**

In total 3 744 food samples were examined of which 77 were irradiated. Two samples were irradiated and compliant with the EU Directives: one sample belonging to the category 'Spices and herbs' and one sample belonging to the category 'Soups, sauces, instant noodles'. The remaining 75 irradiated samples were non-compliant:

— twenty-one samples belong to categories for which irradiation is authorised but showed non-compliant labelling,

— thirty-four samples belong to categories for which irradiation is not authorised,

— twenty samples (mostly noodles and dried soups) were irradiated, however it could not be determined which of the ingredients in these compound foods were irradiated in order to find out if the irradiation is authorised.

The categories with the highest percentages of non-compliant samples were food supplements, (16 %) and soups and sauces (11 %).

Food analysed	Number of samples: 3744			CEN method used
	Compliant	Inconclusive	Non-compliant	
Spices and herbs	1 022	0	2	EN 1787, EN 1788, EN 13751
Teas, tea-like products	328	3	0	EN 1787, EN 1788, EN 13751
Seasoning	288	0	2	EN 1787, EN 1788, EN 13751
Soups, sauces, instant noodles	239	12	17	EN 1787, EN 1788, EN 13751
Crustaceans, shellfish, other aquatic animals including their products	180	1	2	EN 1786, EN 1788, EN 13751 (*)
Fresh fruits	174	0	2	EN 1784, EN 1787, EN 1788, EN 13751
Pulses, nuts & oil seeds	162	0	0	EN 1784, EN 1787, EN 1788, EN 13751
Mushrooms, dried or mushroom products	149	0	5	EN 1787, EN 1788, EN 13751
Food supplements	147	4	23	EN 1786, EN 1787, EN 1788, EN 13751
Dried fruits or fruit products	134	0	0	EN 1788, EN 13708 (*)
Fish & fisheries products	130	0	0	EN 1786, EN 1788

Food analysed	Number of samples: 3744			CEN method used
	Compliant	Inconclusive	Non-compliant	
Cereals and cereal products	93	0	0	EN 1787, EN 1788, EN 13751
Dried vegetables, vegetable products	88	0	0	EN 1787, EN 1788, EN 13751 (*)
Poultry	75	0	0	EN 1784, EN 1786, EN 1788
Ready-to-serve meals	72	0	1	EN 1786, EN 1788, EN 13751
Sausages	67	0	0	EN 1784, EN 1786, EN 1787, EN 1788
Fresh vegetables	52	0	0	EN 1787, EN 1788, EN 13751
Mushrooms, fresh	47	0	0	EN 1787, EN 1788, EN 13751
Cheese with herbs	46	0	0	EN 1787, EN 1788
Potatoes, parts of plants with high content of starch	42	0	0	EN 1787, EN 1788, EN 13751
Meat products (ex. sausages)	41	0	0	EN 1784, EN 1786
Meat (except poultry, game)	15	0	1	EN 1786
Cheese without herbs	12	0	0	(*)
Butter with herbs	10	0	0	EN 1787, EN 1788
Cacao	10	0	0	EN 1787
Eggs & egg products	9	0	0	EN 1784, EN 1785
Milk/milk products	8	0	0	EN 1787
Coffee	1	0	0	EN 13751
Other	28	0	0	EN 1787, EN 1788
Total	3 669	20	55	
Total in % of analysed samples	98,00%	0,53 %	1,47 %	

(*) Other methods (e.g. electron paramagnetic resonance) are also used to detect irradiation.

3.7. **Denmark**

In 2007 no analytical controls were carried out regarding food irradiation at the marketing stage.

Danish undertakings are, however, obliged to carry out own-checks to ensure that the rules are complied with. The Danish Veterinary and Food Administration have verified these self-monitoring activities through documentary checks.

3.8. **Estonia**

No analytical checks regarding food irradiation were performed in 2007.

In 2007 no analytical controls were carried out regarding food irradiation at the marketing stage in Estonia.

3.9. **Greece**

In total, 92 samples were analysed, none of which tested positive for irradiation.

Food analysed	Number of samples: 92			CEN method used
	Compliant	Inconclusive	Non-compliant	
Herbs and spices	81	0	0	EN 13751 (PPSL)
Cacao	8	0	0	EN 13751 (PPSL)
Cereals	2	0	0	EN 13751 (PPSL)
Dried soup	1	0	0	EN 13751 (PPSL)
Total	92	0	0	
Total in % of analysed samples	100,00 %	00,00 %	00,00 %	

3.10. **Spain**

In total, 130 samples were analysed, tree of which tested positive for irradiation. All non-compliant samples were frog legs.

Food analysed	Number of samples: 130			CEN method used
	Compliant	Inconclusive	Non-compliant	
Herbs and spices	88	0	0	EN 1787, EN 1788
Dried fruits	25	0	0	EN 1786, EN 13708
Fish, crustaceans and other aquatic animals	9	0	3	EN 1786
Vegetables	5	0	0	EN 1787, EN 1788
Total	127	0	3	
Total in % of analysed samples	97,70 %	00,00 %	2,30 %	

3.11. **Finland**

Altogether 94 samples were analysed. Five samples tested positive and were not labelled.

None positive samples were adequately labelled and the irradiation facilities had no EU approval.

Food analysed	Number of samples: 94			CEN method used
	Compliant	Inconclusive	Non-compliant	
Dried spices and herbs	73	0	1	EN 1788, EN 13751
Food supplements	17	0	4	EN 1788, EN 13751
Berries	4	0	0	EN 1788
Total	89	0	5	
Total in % of analysed samples	94,68 %	00,00 %	5,32 %	

3.12. **France**

In total, 117 samples of food were analysed and six samples tested positive for irradiation and were not correctly labelled.

Food analysed	Number of samples: 117			CEN method used
	Compliant	Inconclusive	Non-compliant	
Dried fruits	19	0	0	EN 1788
Potatoes	12	0	0	EN 1788
Dehydrated soups and sauces	11	0	0	EN 1788
Vegetables	10	0	0	EN 1788
Instant noodles	9	0	3	EN 1788
Nuts	9	0	0	EN 1788
Shellfish	7	0	1	EN 1788
Chestnuts	6	0	0	EN 1788
Mechanically recovered poultry meat	6	0	0	EN 1788
Frozen frog legs	5	0	2	EN 1788
Tea	5	0	0	EN 1788
Cereal flakes for dairy products	4	0	0	EN 1788
Ginger	4	0	0	EN 1788
Dried fish	2	0	0	EN 1788
Spices	2	0	0	EN 1788
Total	111	0	6	
Total in % of analysed samples	94,87 %	00,00 %	5,13 %	

3.13. **Hungary**

In total, 139 samples were analysed and one sample tested positive for irradiation.

Food analysed	Number of samples: 139			CEN method used
	Compliant	Inconclusive	Non-compliant	
Spices	49	10	0	EN 1788
Tea	43	2	1 (*)	
Food supplements	26	8	0	
Total	118	20	1	
Total in % of analysed samples	84,89 %	14,39 %	0,72 %	

(*) The sample of tea positive for irradiation was labelled as such, however irradiation of tea is not authorised in Hungary.

3.14. **Ireland**

Analysis of 580 food samples in 2007 identified 21 foods that had been irradiated but were not carrying the required labelling.

Food analysed	Number of samples: 580			CEN method used
	Compliant	Inconclusive	Non-compliant	
Herbs & spices	217	0	5	EN 13751 (screening), EN 1788 (confirmation)
Coffees & teas	115	0	0	
Noodles	66	0	4	
Fruit & vegetables	42	0	2	
Sauces & soups	25	0	0	
Seasonings & Stocks	22	0	2	
Goji berry products	14	0	4	
Seeds	13	0	0	
Food supplements	12	0	1	
Cereals & bakery products	7	0	1	
Miscellaneous	26	0	2	
Total	559	0	21	
Total in % of analysed samples	96,38 %	00,00 %	3,62 %	

3.15. **Italy**

105 samples were analysed. None of these samples were found to be irradiated. The results were inconclusive in 11 cases.

Food analysed	Number of samples: 105			CEN method used
	Compliant	Inconclusive	Non-compliant	
Spices, aromatic herbs & vegetable extracts	79	11	0	EN 13783, EN 1788
Bulb vegetables	7	0	0	EN 13783
Dried fruits	2	0	0	EN 13783
Miscellaneous fruits	2	0	0	EN 13783
Mixtures of herbs	2	0	0	EN 13783
Nuts	2	0	0	EN 13783
Total	94	11	0	
Total in % of analysed samples	89,52 %	10,48 %	0,00 %	

3.16. **Latvia**

Two samples have been taken; both samples were found compliant with EU legislation.

Food analysed	Number of samples: 2			CEN method used
	Compliant	Inconclusive	Non-compliant	
Dry soup for fast preparation	1	0	0	EN 1788
Herbal tea	1	0	0	
Total	2	0	0	
Total in % of analysed samples	100,00 %	0,00 %	0,00 %	

3.17. **Lithuania**

89 samples were tested, all samples were compliant.

Food analysed	Number of samples: 89			CEN method used
	Compliant	Inconclusive	Non-compliant	
Dry aromatic herbs, samples of tea, samples of spices	89	0	0	EN 13783:2004
Total	89	0	0	
Total in % of analysed samples	100,00 %	00,00 %	00,00 %	

3.18. **Luxembourg**

In total, 20 samples of food supplements were analysed. Six samples were found to be irradiated. The results were inconclusive in six cases.

Food analysed	Number of samples: 20			CEN method used
	Compliant	Inconclusive	Non-compliant	
Food supplements	8	6	6	EN 1788
Total	8	6	6	
Total in % of analysed samples	40,00 %	30,00 %	30,00 %	

3.19. **Malta**

In total, 25 samples of herbs and spices were analysed. Twenty-one samples were found to be irradiated but were not labelled as such.

Food analysed	Number of samples: 25			CEN method used
	Compliant	Inconclusive	Non-compliant	
Herbs & Spices	4	0	21	EN 13751
Total	4	0	21	
Total in % of analysed samples	16,00 %	0,00 %	84,00 %	

3.20. **The Netherlands**

In 2007, 416 samples were taken and analysed. 33 samples proved to be irradiated. Three of the irradiated samples, all dietary supplements, were correctly labelled as such.

Food analysed	Number of samples: 416			CEN method used
	Compliant	Inconclusive	Non-compliant	
Food supplements	201	0	29	EN 1788, EN 13751
Herbs and spices	185	0	1	EN 1788, EN 13751
Total	386	0	30	
Total in % of analysed samples	92,79 %	00,00 %	7,21 %	

3.21. **Poland**

In total, 150 samples were analysed and one of these tested positive for irradiation and was not correctly labelled.

Food analysed	Number of samples: 150			CEN method used
	Compliant	Inconclusive	Non-compliant	
Dried herbs, spices and vegetable seasonings	66	0	0	EN 1786, EN 1787, EN 1788, EN 13751
Nuts including peanuts	25	0	0	EN 1786, EN 1787, EN 1788
Vegetables	20	0	1	EN 1786, EN 1787, EN 1788
Fruits	19	0	0	EN 1786, EN 1787, EN 1788
Fish and shellfish	13	0	0	EN 1786, EN 1787, EN 1788
Poultry and poultry products, egg and egg products	7	0	0	EN 1786, EN 1787, EN 1788
Total	149	0	1	
Total in % of analysed samples	99,33 %	00,00 %	0,67 %	

3.22. **Portugal**

No information has been forwarded by Portugal.

3.23. **Romania**

In 2007 documentary checks (including labelling) of foodstuffs (dried aromatic herbs, spices and vegetable seasonings) were performed in 2014 retail shops. All controlled foodstuffs were not labelled as irradiated. No analytical checks regarding food irradiation were performed in 2007.

3.24. **Sweden**

During the year 2007, a total six samples were analysed: meat from bison, ptarmigan, frog, crocodile, and two different kind of cheese. The method used to analyse irradiated food is according to EN 1784. None of the samples were irradiated.

Food analysed	Number of samples: 6			CEN method used
	Compliant	Inconclusive	Non-compliant	
Meat	4	0	0	EN 1784
Cheese	2	0	0	EN 1784
Total	6	0	0	
Total in % of analysed samples	100,00 %	00,00 %	00,00 %	

3.25. **Slovak Republic**

In total, 41 samples were analysed during 2007 in the Slovak republic, none of which tested positive for irradiation.

Food analysed	Number of samples: 41			CEN method used
	Compliant	Inconclusive	Non-compliant	
Peanuts & other nuts	25	0	0	EN 1784
Cheese	12	0	0	EN 1784
Meat (chicken, duck)	3	0	0	EN 1784

Food analysed	Number of samples: 41			CEN method used
	Compliant	Inconclusive	Non-compliant	
Poppy seed	1	0	0	EN 1784
Total	41	0	0	
Total in % of analysed samples	100,00 %	00,00 %	00,00 %	

3.26. **Slovenia**

Twenty samples were checked for ionising radiation treatment. None of the samples were irradiated.

Food analysed	Number of samples: 20			CEN method used
	Compliant	Inconclusive	Non-compliant	
Spices	10	0	0	EN 13751
Food supplements	10	0	0	EN 1788, EN 13751
Total	20	0	0	
Total in % of analysed samples	100,00 %	00,00 %	00,00 %	

3.27. **The United Kingdom**

In 2007, 407 products were sampled. A number of these products were analysed as separate components (e.g. noodles and their accompanying seasoning sachet) and each part treated as an individual sample. Therefore, a total of 429 samples were analysed, of which 48 were found to be irradiated. The samples reported as 'inconclusive' were identified as intermediate using CEN method EN 13751:2002 and were not analysed further; or were samples of 'low sensitivity' such that the mineral grain fraction of the samples was insufficient to carry out accurate analysis.

Food analysed	Number of products sampled: 407 Number of analysed samples: 429			CEN method used
	Compliant	Inconclusive	Non-compliant	
Dried herbs, spices and vegetable seasonings	163	18	6	EN 13751, EN 1778
Food supplements	83	7	31	EN 13751, EN 1778
Noodles and dehydrated Asian meals	30	2	4	EN 13751, EN 1778
Fresh and preserved (other than dried) herbs and spices	27	0	0	EN 13751, EN 1778
Fruit (including fresh and dried)	23	0	1	EN 13751, EN 1778
Teas	14	0	3	EN 13751, EN 1778
Mushrooms	7	0	0	EN 13751
Fish/seafood (dried shrimps)	2	0	0	EN 13751
Sauces (liquid/frozen)	2	0	0	EN 13751
Dried meat	1	0	0	EN 13751
Honey and other bee products	1	0	3	EN 13751, EN 1778
Vegetables (dried onions)	1	0	0	EN 13751
Total	354	27	48	
Total in % of analysed samples	82,52 %	6,29 %	11,19 %	

3.28. **Summary for the EU**

The following table summarises the samples analysed and the results obtained for the EU as a whole:

Member State	Compliant samples	Inconclusive	Non-compliant samples	Total samples	% versus EU total samples
AT	115	0	0	115	1,78
BE	88	0	1	89	1,38
BG	NI	NI	NI	NI	NI
CY	NAC	NAC	NAC	NAC	NAC
CZ	58	0	2	60	0,93
DE	3 669	20	55	3 744	57,93
DK	NAC	NAC	NAC	NAC	NAC
EE	NAC	NAC	NAC	NAC	NAC
EL	92	0	0	92	1,42
ES	127	0	3	130	2,01
FI	89	0	5	94	1,45
FR	111	0	6	117	1,81
HU	118	20	1	139	2,15
IE	559	0	21	580	8,97
IT	94	11	0	105	1,62
LV	2	0	0	2	0,03
LT	89	0	0	89	1,38
LU	8	6	6	20	0,31
MT	4	0	21	25	0,39
NL	383	0	33	416	6,44
PL	149	0	1	150	2,32
PT	NI	NI	NI	NI	NI
RO	NAC	NAC	NAC	NAC	NAC
SE	6	0	0	6	0,09
SK	41	0	0	41	0,63
SI	20	0	0	20	0,31
UK	354	27	48	429	6,64
TOTAL EU	6 176	84	203	6 463	
IN %	95,56	1,30	3,14		

NI: No information has been forwarded by the Member State.
NAC: No analytical checks were performed in 2007.

4. SUMMARY

The current report covers the period from 1 January 2007 to 31 December 2007. It contains a compilation of the information forwarded to the Commission by 25 Member States.

Based on the information received, 22 approved irradiation facilities were operational in 11 Member States in accordance with Article 7(2) of Directive 1999/2/EC. One approved irradiation facility has been closed. No new irradiation facilities were approved during 2007, but one irradiation facility was added to the list due to the accession of Romania and Bulgaria. Six irradiation facilities did not irradiate any food or food ingredients during 2007; information on one irradiation facility was not forwarded.

During 2007, a total quantity of 8 154 tonnes of products was treated with ionising irradiation in 16 approved irradiation facilities in eight Member States. 89,29 % were irradiated in three Member States: Belgium (34,33 %), the Netherlands (28,49 %) and France (26,23 %). The three biggest fractions within the irradiated categories were frog legs (31,29 %), herbs & spices (21,94 %) and poultry (20,80 %).

Regarding the checks carried out at the product marketing stage, 25 out of 27 Member States submitted information. Four Member States performed no analytical checks in official control and inspection. One of these Member States signalled that under its national legislation food business operator should carry out own checks to ensure that rules on food irradiation are complied with.

A total of 6 463 samples were taken by 21 Member States. 6 176 samples (95,56 %) were compliant with the provisions of the Directives. 203 samples (3,14 %) were non-compliant. Reasons for non-compliance most often related to incorrect labelling and irradiation of categories for which this is not authorised. Eighty-four samples (1,30 %) gave inconclusive results. This mainly occurred in mixtures of ingredients where it sometimes impossible to determine which of the ingredients were irradiated in order to find out if the irradiation was authorised.

V

(Announcements)

ADMINISTRATIVE PROCEDURES

COMMISSION

Call for proposals under the 2010 work programme 'People' of the 7th EC Framework Programme for Research, Technological Development and Demonstration Activities

(2009/C 242/03)

Notice is hereby given of the launch of a call for proposals under the 2010 work programme 'People' of the 7th Framework Programme of the European Community for Research, Technological Development and Demonstration Activities (2007 to 2013).

Proposals are invited for the following call. Call deadline and budget are given in the call text, which is published on the CORDIS website.

'People' Specific Programme:

Call Title	Call Identifier
Reintegration grants	FP7-PEOPLE-2010-RG

This call for proposals relates to the 2010 work programme adopted by Commission Decision C(2009) 5892 of 29.7.2009.

Information on the modalities of the call, the work programme, and the guide for applicants on how to submit proposals is available through the CORDIS website: http://cordis.europa.eu/fp7/calls/

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

COMMISSION

Notice published pursuant to Article 27(4) of Council Regulation (EC) No 1/2003 in Case COMP/C-3/39.530 — Microsoft (Tying)

(Text with EEA relevance)

(2009/C 242/04)

1. INTRODUCTION

(1) According to Article 9 of the Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty [1], the Commission may decide — in cases where it intends to adopt a decision requiring that an infringement is brought to an end and the parties concerned offer commitments to meet the concerns expressed to them by the Commission in its preliminary assessment — to make those commitments binding on the undertakings. Such a decision may be adopted for a specified period and shall conclude that there are no longer grounds for action by the Commission. According to Article 27(4) of the same Regulation, the Commission shall publish a concise summary of the case and the main content of the commitments. Interested parties may submit their observations within the time limit fixed by the Commission.

2. SUMMARY OF THE CASE

(2) On 14 January 2009, the European Commission adopted a Statement of Objections against Microsoft, a company incorporated in Washington, USA. The Statement of Objections, which constitutes a preliminary assessment within the meaning of Article 9(1) of Regulation (EC) No 1/2003, outlines the Commission's preliminary view that Microsoft has infringed EC Treaty rules on abuse of a dominant position (Article 82) by tying its web browser Internet Explorer with its dominant client PC operating system Windows.

(3) Operating systems are software products that control the basic functions of a computer. Client Personal Computers (PCs) are general-purpose computers designed for use by one person at a time and that can be connected to a computer network.

(4) Web browsers are software products used by individual users of client PCs or other devices to access and interact with World Wide Web content hosted on servers which are connected to networks such as the internet.

(5) According to the preliminary assessment Microsoft is dominant on the market for client PC operating systems. The Statement of Objections outlines the Commission's preliminary view that Microsoft technically and contractually tied Internet Explorer to Windows at least since 1996 by licensing Windows only with Internet Explorer included. The Commission provisionally considers that this tying conduct amounts to an abuse of a dominant position under Article 82.

3. THE MAIN CONTENT OF THE OFFERED COMMITMENTS

(6) Microsoft, the party subject to the proceedings, does not agree with the Commission's preliminary assessment. It has nevertheless offered commitments pursuant to Article 9 of Regulation (EC) No 1/2003, to meet the Commission's competition concerns.

(7) The commitments are briefly summarized below and published in full in English on the website of the Directorate-General for Competition at: http://ec.europa.eu/competition/index_en.html

(8) The commitments offered are intended to allow for an unbiased choice for both computer manufacturers ('Original Equipment Manufacturers' (OEMs)) and end users between Microsoft's browser and competing browsers. The key elements of the commitments are as follows:

(9) Microsoft will make available a mechanism in Windows Client PC Operating Systems within the European Economic Area (EEA) that enables OEMs and end users to turn Internet Explorer off and on. If Internet Explorer is turned off, the browser frame window and menus will not be accessible to the user or anybody else (nor to software products) in any way.

[1] OJ L 1, 4.1.2003, p. 1.

(10) OEMs will be free to pre-install any web browser(s) of their choice on PCs they ship and set it as default web browser. Microsoft will not circumvent the commitments and shall not retaliate against OEMs for installing competing web browsers or by other means.

(11) Microsoft will distribute a ballot screen software update to users of Windows PC Client Operating Systems within the EEA by means of Windows Update. Users who have Internet Explorer set as their default web browser will be prompted with this ballot screen. The ballot screen will give users an opportunity to choose whether and which competing web browser(s) to install. The ballot screen will display in an unbiased way icons of and basic identifying information on the most widely-used web browsers.

(12) The commitment will be valid for a period of five years from the adoption date of the Article 9 Decision.

4. INVITATION TO MAKE COMMENTS

(13) The Commission intends, subject to market testing, to adopt a decision under Article 9(1) of Regulation (EC) No 1/2003 declaring the commitments summarised above and published on the Internet, on the website of the Directorate-General for Competition, to be binding. If there are substantial changes to the commitments a new market test will be launched.

(14) In accordance with Article 27(4) of Regulation (EC) No 1/2003, the Commission invites interested third parties to submit their observations on the proposed commitments. These observations must reach the Commission not later than one month following the date of this publication. Interested third parties are also asked to submit a non-confidential version of their comments, in which commercial secrets and other confidential passages are deleted and are replaced as required by a non-confidential summary or by the words 'commercial secrets' or 'confidential'. Legitimated requests will be respected.

(15) Observations can be sent to the Commission under reference number COMP/C-3/39.530 — Microsoft (Tying) either by e-mail (COMP-GREFFE-ANTITRUST@ec.europa.eu), by fax +32 22950128 or by post, to the following address:

European Commission
Directorate-General for Competition
Antitrust Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

OTHER ACTS

COMMISSION

MAIN SPECIFICATIONS OF THE TECHNICAL FILE FOR SOMERSET CIDER BRANDY

(2009/C 242/05)

INTRODUCTION

By 26 May 2008 the UK has applied for registration of 'Somerset Cider Brandy' as a geographical indication within Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89.

According to Article 17(5) of Regulation (EC) No 110/2008, the Commission shall verify, within 12 months of the date of submission of the application referred to in paragraph 1, whether that application complies with this Regulation.

This verification has been done and in accordance with Article 17(6), the Commission services have announced that the application complies with the Regulation at the 96th meeting of the Committee for spirit drinks on 8 June 2009.

Therefore, the main specifications of the technical file shall be published in the *Official Journal of the European Union*, C Series.

According to Article 17(7), within six months of the date of publication of the technical file, any natural or legal person that has a legitimate interest may object to the registration of the geographical indication in Annex III on the grounds that the conditions provided for in this Regulation are not fulfilled. The objection, which must be duly substantiated, shall be submitted to the Commission in one of the official languages of the European Union or accompanied by a translation into one of those languages.

MAIN SPECIFICATIONS OF THE TECHNICAL FILE FOR SOMERSET CIDER BRANDY

Name and category of spirit drink including the geographical indication:

Name: Somerset Cider Brandy.

Category of spirit drink: Cider Spirit (category 10 in Annex II to Regulation (EC) No 110/2008).

Description of Somerset Cider Brandy: Produced from distilled cider.

Principal physical, chemical and/or organoleptic characteristics:

Product specification: Minimum ABV: 40 % vol.

Appearance: Golden to deep honey yellow, clear.

Aroma: Hints of caramelised apples, with notes of rich dried fruit, honey and spice.

Flavour profile: Caramelised apples, dried fruit, and vanilla note balanced acidity, silky mouth-feel and mellow alcohol.

Materials allowed for colouring: None.

Volatile substances specification: Volatile substances must equal or exceed 200 g per hectolitre of 100 % vol. alcohol.

Water: None added, except for final reduction prior to bottling and then distilled water is used.

Maximum ABV ex still: 72 % abv.

Minimum ABV: 65 % abv.

Definition of the geographical area concerned:

The county of Somerset in England.

The method for obtaining the spirit drink:

The cider for distillation is obtained by the fermentation of the fresh juice from the pressing of up to 100 recognised traditional varieties of apple grown within Somerset.

No additions are allowed to this juice and there is no chaptalization.

The fermentation is started by the addition of a yeast culture which results in a cider which is characteristic of the region. The cider brandy is obtained by the dual distillation of this cider and maturation in wood.

Any authentic and unvarying local methods:

— matured in oak barrels for a minimum of 3 years,

— ageing time: 3 years minimum,

— method of ageing: oak barrels. This can be oak from Limousin and Allier forests of France and barrels of American white oak which may have previously held sherry, or port.

The traditional cider apple varieties used can be classified as sharp, bitter sharp, bitter sweet and sweet. The raw material cider must be made by pressing at least 20 varieties.

The varieties of cider apple used for distilling are grown without the addition of nitrogen fertilizer at any stage in the growing cycle. The yield must not be more than 25 tons (tonnes) per hectare.

Apple varieties for cider production have been grown in the region since before 1678, and of the 100 varieties, they include:

— Harry Masters Jersey,

— Stoke Red,

— Brown Snout,

— Kingston Black,

— Dabinett,

— Harry Masters,

— Yarlington Mill,

— Stembridge Jersey, and

— Tremlett.

Barrel type: Oak.

Barrel size(s): Not exceeding 700 litre.

Style of still(s): Column and pot stills smaller than 100 hectolitres through put per 24 hours.

Details bearing out the link with the geographical environment or the geographical origin:

Cider brandy has been made in Somerset for approximately 300 years. A combination of the soil and climate in Somerset, together with the traditional apple varieties grown in most Somerset orchards for cider brandy production purposes, results in the production of a quality spirit drink recognized throughout the UK cider industry. It is these conditions that give Somerset Cider Brandy its unique characteristics.

Somerset Cider Brandy is produced in Somerset from traditional varieties of apples grown in Somerset.

The cider brandy is matured in barrels in bonded warehouses in Somerset.

Any requirements laid down by Community and/or national provisions and/or regional:

None except for the general provisions in point 10 of Annex II to Regulation (EC) No 110/2008 relating to cider spirit.

Applicant:

Applicant name: The Association of Somerset Cider Brandy Producers

Address:

c/o The Somerset Cider Brandy Company Limited
Burrow Hill
Kingsbury Episcopi
Martock
Somerse
TA12 6BU
UNITED KINGDOM

Supplemental information:

History:

Apples have been produced in Britain at least since the middle ages around 600-700 years ago. The first written records of Cider Brandy go back to 1678, with the term 'Cider Brandy' being cited in the publication 'Treatise of Cider' by J. Woolridge. The term 'Cider Brandy' has been in continuous use since 1678. All books on cider and apple production in England for the last three hundred years describe the apple distilling process.

The term 'Cider Brandy' has been defined in EC law (directly applicable in the UK) for the last 25 years. The term describes a distinct cask aged product produced in UK that is distilled from cider made by the fermentation of traditional cider apple varieties.

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