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### Legislation

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<sup>(1)</sup> Text with EEA relevance

## I

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

## REGULATIONS

## COMMISSION REGULATION (EC) No 20/2008

of 11 January 2008

**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 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector <sup>(1)</sup>, and in particular Article 138(1) thereof,

Whereas:

- (1) Regulation (EC) No 1580/2007 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 138 of Regulation (EC) No 1580/2007 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 12 January 2008.

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

Done at Brussels, 11 January 2008.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 350, 31.12.2007, p. 1.

## ANNEX

**to Commission Regulation of 11 January 2008 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	IL	147,2
	MA	59,1
	TN	129,8
	TR	121,6
	ZZ	114,4
0707 00 05	JO	190,5
	MA	75,7
	TR	150,2
	ZZ	138,8
0709 90 70	MA	110,4
	TR	126,1
	ZZ	118,3
0709 90 80	EG	313,6
	ZZ	313,6
0805 10 20	CL	64,2
	EG	44,1
	IL	46,8
	MA	64,9
	TR	75,1
	ZA	37,4
	ZZ	55,4
0805 20 10	MA	87,3
	ZZ	87,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	59,1
	IL	61,5
	PK	42,8
	TR	84,9
	ZZ	62,1
0805 50 10	EG	77,2
	IL	149,9
	TR	119,4
	ZA	76,9
	ZZ	105,9
0808 10 80	CA	102,6
	CN	87,5
	MK	35,5
	TR	118,1
	US	114,4
	ZA	89,0
	ZZ	91,2
0808 20 50	CN	83,6
	US	106,9
	ZA	134,7
	ZZ	108,4

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

**COMMISSION REGULATION (EC) No 21/2008****of 11 January 2008****amending Annex X to Regulation (EC) No 999/2001 of the European Parliament and of the Council  
as regards the lists of rapid tests****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies <sup>(1)</sup>, and in particular the first paragraph Article 23 thereof,

Whereas:

- (1) Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in animals. It applies to the production and placing on the market of live animals and products of animal origin and in certain specific cases to exports thereof.
- (2) Annex X, Chapter C, to Regulation (EC) No 999/2001 sets out a list of rapid tests approved for the monitoring of TSEs in bovine, ovine and caprine animals.
- (3) Changes to rapid tests and to test protocols may only be made after prior notification to the Community Reference Laboratory (CRL) for TSEs and provided that

the CRL finds that the changes do not alter the sensitivity, specificity or reliability of the tests. On 13 April 2007, the CRL approved changes made to the currently approved TSE rapid *post-mortem* test 'Enfer TSE Kit version 2.0', and therefore recommended that the amended version (Enfer TSE version 3) should also be listed in Annex X, Chapter C, to Regulation (EC) No 999/2001.

- (4) Regulation (EC) No 999/2001 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex X to Regulation (EC) No 999/2001 is amended in accordance with the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the third 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, 11 January 2008.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

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<sup>(1)</sup> OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 1428/2007 (OJ L 317, 5.12.2007, p. 61).

## ANNEX

In Annex X, Chapter C, to Regulation (EC) No 999/2001, point 4 is replaced by the following:

**4. Rapid tests**

For the purposes of carrying out the rapid tests in accordance with Articles 5(3) and 6(1), the following methods shall be used as rapid tests for the monitoring of BSE in bovine animals:

- immuno-blotting test based on a Western blotting procedure for the detection of the Proteinase K resistant fragment PrP<sup>Res</sup> (Prionics-Check Western test),
- chemiluminescent ELISA test involving an extraction procedure and an ELISA technique, using an enhanced chemiluminescent reagent (Enfer test & Enfer TSE Kit version 2.0, automated sample preparation),
- microplate based immunoassay for the detection of PrP<sup>Sc</sup> (Enfer TSE Version 3),
- sandwich immunoassay for PrP<sup>Res</sup> carried out following denaturation and concentration steps (Bio-Rad Te-SeE test),
- microplate based immunoassay (ELISA) which detects Proteinase K resistant PrP<sup>Res</sup> with monoclonal antibodies (Prionics-Check LIA test),
- conformation-dependent immunoassay, BSE antigen test kit (Beckman Coulter InPro CDI kit),
- chemiluminescent ELISA for qualitative determination of PrP<sup>Sc</sup> (CediTect BSE test),
- immunoassay using a chemical polymer for selective PrP<sup>Sc</sup> capture and a monoclonal detection antibody directed against conserved regions of the PrP molecule (IDEXX HerdChek BSE Antigen Test Kit, EIA),
- microplate based chemiluminescent immunoassay for the detection of PrP<sup>Sc</sup> in bovine tissues (Institut Pourquier Speed'it BSE),
- lateral flow immunoassay using two different monoclonal antibodies to detect Proteinase K resistant PrP fractions (Prionics Check PrioSTRIP),
- two-sided immunoassay using two different monoclonal antibodies directed against two epitopes presented in a highly unfolded state of bovine PrP<sup>Sc</sup> (Roboscreen Beta Prion BSE EIA Test Kit),
- sandwich ELISA for the detection of Proteinase K resistant PrP<sup>Sc</sup> (Roche Applied Science PrionScreen),
- antigen-capture ELISA using two different monoclonal antibodies to detect Proteinase K resistant PrP fractions (Fujirebio FRELISA BSE *post-mortem* rapid BSE Test).

For the purposes of carrying out the rapid tests in accordance with Articles 5(3) and 6(1), the following methods shall be used as rapid tests for the monitoring of TSEs in ovine and caprine animals:

- conformation-dependent immunoassay, BSE antigen test kit (Beckman Coulter InPro CDI kit),
- sandwich immunoassay for PrP<sup>Res</sup> carried out following denaturation and concentration steps (Bio-Rad Te-SeE test),
- sandwich immunoassay for PrP<sup>Res</sup> carried out following denaturation and concentration steps (Bio-Rad Te-SeE Sheep/Goat test),
- chemiluminescent ELISA test involving an extraction procedure and an ELISA technique, using an enhanced chemiluminescent reagent (Enfer TSE Kit Version 2.0),
- microplate based immunoassay for the detection of PrP<sup>Sc</sup> (Enfer TSE Version 3),

- immunoassay using a chemical polymer for selective PrP<sup>Sc</sup> capture and a monoclonal detection antibody directed against conserved regions of the PrP molecule (IDEXX HerdChek BSE-Scrapie Antigen Test Kit, EIA),
- microplate based chemiluminescent immunoassay for the detection of PrP<sup>Sc</sup> in ovine tissues (POURQUIER'S-LIA Scrapie),
- immuno-blotting test based on a Western blotting procedure for the detection of the Proteinase K resistant fragment PrP<sup>Res</sup> (Prionics-Check Western Small Ruminant test),
- microplate based chemiluminescent immunoassay for the detection of Proteinase K resistant PrP<sup>Sc</sup> (Prionics Check LIA Small Ruminants).

In the case of all tests, sample tissue to which the test is to be applied must comply with the manufacturer's instructions for use.

The producer of the rapid tests must have put in place a quality assurance system, approved by the Community Reference Laboratory (CRL) that ensures that the test performance does not change. The producer must provide the test protocol to the CRL.

Changes to rapid tests and to test protocols may be made only after prior notification to the CRL and provided that the CRL finds that the change does not alter the sensitivity, specificity or reliability of the rapid test. That finding shall be communicated to the Commission and to the national reference laboratories.'

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## COMMISSION REGULATION (EC) No 22/2008

of 11 January 2008

## laying down detailed rules for the Community scale for the classification of carcasses of ovine animals

(Codified version)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2529/2001 of 19 December 2001 on the common organisation of the market in sheepmeat and goatmeat <sup>(1)</sup>,

Having regard to Council Regulation (EEC) No 2137/92 of 23 July 1992 concerning the Community scale for the classification of carcasses of ovine animals and determining the Community standard quality of fresh or chilled sheep carcasses and extending Regulation (EEC) No 338/91 <sup>(2)</sup>, and in particular Article 2, Article 4(3), Articles 5 and 6 and Article 7(2) thereof,

Whereas:

(1) Commission Regulation (EEC) No 461/93 of 26 February 1993 laying down detailed rules for the Community scale for the classification of carcasses of ovine animals <sup>(3)</sup> has been substantially amended <sup>(4)</sup>. In the interests of clarity and rationality the said Regulation should be codified.

(2) Regulation (EEC) No 2137/92 provided for a Community-wide carcase classification standard with the object of improving market transparency in the sheepmeat sector. Detailed rules are required for the determination of market prices which are established on the basis of this classification standard. Provision should be made for the establishment of market prices at the appropriate point in the commercialisation process. This point should be at entry to the slaughterhouse. In order to ensure the uniform classification of the carcasses of ovine animals in the Community, it is necessary to make the definitions of conformation classes, fat classes and colour more precise.

(3) A system of price reporting should be established on the basis of the classification made at slaughterhouses immediately after slaughtering. This requires proper identification of carcasses.

(4) Classification should be carried out by sufficiently qualified staff. The reliability of classification must be verified by effective checks to ensure that it is applied in a homogenous manner.

(5) Regulation (EEC) No 2137/92 provides that on-the-spot inspections are to be carried out by a Community inspection group, in order to ensure the uniform application of the Community scale for classification in the Community.

(6) It is necessary to lay down detailed rules for the composition of the group and implementation of the on-the-spot inspections.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The market price to be established on the basis of the Community scale for the classification of carcasses of ovine animals referred to in Article 7(1) of Regulation (EEC) No 2137/92 shall be the price at entry to the slaughterhouse, net of value-added tax paid to the supplier for lamb of Community origin. This price shall be expressed per 100 kg carcase weight presented according to the reference presentation provided for in Article 2 of that Regulation weighed and classified on the hook at the slaughterhouse.

2. The weight to be taken into account shall be the hot weight of the carcase corrected to take account of weight loss on chilling. Member States shall inform the Commission of the corrective factors used.

<sup>(1)</sup> OJ L 341, 22.12.2001, p. 3. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2). Regulation (EC) No 2529/2001 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

<sup>(2)</sup> OJ L 214, 30.7.1992, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1). Regulation (EEC) No 2137/92 will be replaced by Regulation (EC) No 1234/2007 as from 1 January 2009.

<sup>(3)</sup> OJ L 49, 27.2.1993, p. 70. Regulation as amended by Regulation (EC) No 823/98 (OJ L 117, 21.4.1998, p. 2).

<sup>(4)</sup> See Annex II.



3. In the case where the presentation of carcasses after weighing and classifying on the hook differs from the reference presentation, Member States shall adjust the weight of the carcass by the application of corrective factors provided for in Article 2 of Regulation (EEC) No 2137/92. Member States shall notify the Commission of the corrective factors used.

However, for the purposes of the categories referred to in Annex III to that Regulation, Member States may report prices per 100 kg for the customary presentation of these carcasses. In this instance, Member States shall inform the Commission of the differences between this presentation and the reference presentation.

#### Article 2

1. Member States whose sheepmeat production exceeds 200 tonnes per year shall communicate to the Commission the confidential list of the slaughterhouses or other establishments participating for the establishment of prices according to the Community scale (hereinafter referred to as participating establishment) together with an indication of the approximate annual throughput of these participating establishments.

2. The Member States referred to in paragraph 1 shall communicate to the Commission each Thursday at the latest, the average price in euro or in national currency for each quality of lamb within the Community scales for all participation establishments recorded during the week preceding the week in which the information is given, together with an indication of the size of each quality. However, where a quality makes up less than 1 % of the total, prices need not to be reported. Member States shall also communicate to the Commission the average price on a weight basis for all classified lamb in each scale used for price reporting purposes.

However, Member States are authorised to subdivide price reported for each of the classes of conformation and degrees of fat cover provided for in Annex I on the basis of weight. The term 'quality' shall mean the combination of class of conformation and of fat cover.

#### Article 3

The additional provisions referred to in Article 6 of Regulation (EEC) No 2137/92 shall be as listed in Annex I hereto for the classes of conformation and of fat cover. The meat colour, referred to in Annex III to Regulation (EEC) No 2137/92, shall be determined on the flank at the *rectus abdominis* by reference to a standardised colour chart.

#### Article 4

1. Classification shall be made at the latest one hour after slaughtering.

2. The identification, referred to in Article 4(2) of Regulation (EEC) No 2137/92, of carcasses or half-carcasses classified according to the Community scale for the classification of the carcasses of ovine animals in participating establishments shall be carried out by means of a mark indicating the category and the class of conformation and fat cover.

That marking shall be carried out by stamping, using an indelible and non-toxic ink following a method approved by the competent national authorities.

Categories shall be designated as follows:

- (a) L: carcasses of sheep under 12 months old (lamb);
- (b) S: carcasses of other sheep.

3. Member States may authorise the replacement of the marking by the use of an unalterable and firmly attachable label.

#### Article 5

1. Member States shall ensure that classification is carried out by sufficiently qualified technicians. Member States shall determine such persons by means of a procedure of agreement or by designating a body responsible for this purpose.

2. Classification in the participating establishments shall be checked on-the-spot, without prior warning, by a body designated by the Member State and independent of the participating establishment. These checks must be carried out at least once every three months in all participating establishments which operate classification and must relate to at least 50 carcasses selected at random.

However, where the body responsible for checks is the same as that responsible for classification or where it does not fall under the authority of a public body, the checks provided for in the first subparagraph must be carried out under the physical supervision of a public body under the same conditions and at least once a year. The public body shall be informed regularly of the findings of the body responsible for checks.

#### Article 6

The Community inspection Group provided for in Article 5 of Regulation (EEC) No 2137/92 (hereinafter referred to as the Group) shall be responsible for carrying out on-the-spot inspections covering:

- (a) the application of the arrangements relating to the Community classification scale for ovine carcasses;
- (b) the establishment of market prices according to the classification scale.

*Article 7*

The Group shall be chaired by one of the Commission experts. Member States shall appoint experts on the basis of their independence and ability in matters of classification of carcasses and establishment of market prices.

Experts shall not under any circumstances use for personal purposes or divulge information obtained in connection with the work of the Group.

*Article 8*

On-the-spot inspections shall be carried out by a delegation of the Group limited to a maximum of seven members. For this purpose, it shall be composed in accordance with the following rules:

- (a) at least two Commission experts, one of whom shall act as chairman of the delegation;
- (b) one expert of the Member State concerned;
- (c) at most four experts from other Member States.

*Article 9*

1. On-the-spot inspections shall be carried out at regular intervals and their frequency may vary in particular according to the relative volume of sheepmeat production in the Member State visited or to problems linked to the application of the grid.

Where necessary, those inspections may be followed by supplementary visits. On such visits, the size of the delegation may be reduced.

2. The programme of inspection visits shall be drawn up by the Commission after consulting the Member States. Representatives of the Member State visited may attend the inspections.

3. Each Member State shall organise the visits which are to be carried out on its territory according to the requirements

defined by the Commission. To that end, the Member State shall forward, 30 days before the visit, the detailed programme of the proposed inspection visits to the Commission, which may request amendments to the programme.

4. The Commission shall inform Member States, as far in advance of each visit as possible, of the programme and the course thereof.

5. On completion of each visit, the members of the delegation and the representatives of the Member State visited shall meet to consider the results. The members of the delegation shall then draw conclusions from the visit concerning the points referred to in Article 6.

6. The delegation chairman shall draw up a report containing details of the visit and the conclusions referred to in paragraph 5. That report shall be sent to the Member State visited without delay, and to the other Member States thereafter.

*Article 10*

Travel and subsistence expenses of members of the Group shall be borne by the Commission in accordance with the rules applicable to the reimbursement of travel and subsistence expenses of persons not connected with the Commission who are called upon by it to act as experts.

*Article 11*

Regulation (EEC) No 461/93 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

*Article 12*

This Regulation shall enter into force on the 20th 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, 11 January 2008.

For the Commission  
The President

José Manuel BARROSO

## ANNEX I

## 1. Conformation

Development of carcass profiles, and, in particular the essential parts (hindquarter, back, shoulder).

Conformation class	Additional provisions
S Superior	Hindquarter: double muscled. Profiles extremely convex Back: extremely convex, extremely wide, extremely thick Shoulder: extremely convex and extremely thick
E Excellent	Hindquarter: very thick. Profiles very convex Back: very convex, very wide and very thick to the shoulder Shoulder: very convex and very thick
U Very good	Hindquarter: thick. Profiles convex Back: wide and thick to the shoulder Shoulder: thick and convex
R Good	Hindquarter: profiles mainly straight Back: thick but less wide to the shoulder Shoulder: good development, but less thick
O Fair	Hindquarter: profiles tending to slightly concave Back: lacking width and thickness Shoulder: tending to narrow. Lacking thickness
P Poor	Hindquarter: profiles concave to very concave Back: narrow and concave with bones apparent Shoulder: narrow, flat and bones apparent

## 2. Degree of fat cover

Amount of fat on the external and of the internal parts of the carcass.

Class of fat cover	Additional provisions (1)		
1. Low	External	Traces of or no fat visible	
	Internal	Abdominal	Traces of or no fat visible on kidneys
Thoracic		Traces of or no fat visible between ribs	
2. Slight	External	A slight layer of fat covers part of the carcass but may be less evident on the limbs	
	Internal	Abdominal	Traces of fat or slight layer of fat envelops part of the kidneys
Thoracic		Muscle clearly visible between ribs	

Class of fat cover	Additional provisions <sup>(1)</sup>		
3. Average	External	A light layer of fat covering most or all of the carcass. Slightly thickened fat zones of the base of the tail	
	Internal	Abdominal	Light layer of fat envelops part or all of the kidneys
Thoracic		Muscle still visible between ribs	
4. High	External	A thick layer of fat covering most of all of the carcass but may be thinner on limbs and thickening on shoulders	
	Internal	Abdominal	Kidney is enveloped in fat
Thoracic		Muscle between ribs may be infiltrated with fat. Fat deposits may be visible on the ribs	
5. Very high	External	Very thick fat cover Patches of fat sometimes visible	
	Internal	Abdominal	Kidneys enveloped in thick layer of fat
Thoracic		Muscle between ribs infiltrated with fat. Fat deposits visible on ribs.	

<sup>(1)</sup> The additional provisions for the abdominal cavity do not apply for the purposes of Annex III to Regulation (EEC) No 2137/92.

## ANNEX II

### Repealed Regulation with its amendment

Commission Regulation (EEC) No 461/93

(OJ L 49, 27.2.1993, p. 70)

Commission Regulation (EC) No 823/98

(OJ L 117, 21.4.1998, p. 2).

## ANNEX III

## Correlation table

Regulation (EEC) No 461/93	This Regulation
Article 1(1) and (2)	Article 1(1) and (2)
Article 1(3), first and second sentences	Article 1(3), first subparagraph
Article 1(3), third and fourth sentences	Article 1(3), second subparagraph
Articles 2 and 3	Articles 2 and 3
Article 4(1)	Article 4(1)
Article 4(2), first and second subparagraphs	Article 4(2), first and second subparagraphs
Article 4(2), third subparagraph, introductory sentence	Article 4(2), third subparagraph, introductory sentence
Article 4(2), third subparagraph, first indent	Article 4(2), third subparagraph, point (a)
Article 4(2), third subparagraph, second indent	Article 4(2), third subparagraph, point (b)
Article 4(3)	Article 4(3)
Articles 5, 6 and 7	Articles 5, 6 and 7
Article 8(1), introductory part	Article 8, introductory part
Article 8(1), first indent	Article 8(a)
Article 8(1), second indent	Article 8(b)
Article 8(1), third indent	Article 8(c)
Article 8(2)	—
Article 9(1), first subparagraph, first sentence	Article 9(1), first subparagraph
Article 9(1), first subparagraph, second and third sentences	Article 9(1), second subparagraph
Article 9(1), second subparagraph	Article 9(2)
Article 9(2)	Article 9(3)
Article 9(3)	Article 9(4)
Article 9(4)	Article 9(5)
Article 9(5)	Article 9(6)
Article 10	Article 10
—	Article 11
Article 11	Article 12
Annex	Annex I
—	Annex II
—	Annex III

**COMMISSION REGULATION (EC) No 23/2008**  
**of 11 January 2008**  
**amending Commission Regulation (EC) No 622/2003 laying down measures for the implementation**  
**of the common basic standards on aviation security**  
**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2320/2002 of the European Parliament and the Council of 16 December 2002 establishing common rules in the field of civil aviation security<sup>(1)</sup> and in particular Article 4(2) thereof,

Whereas:

- (1) The Commission is required, by virtue of Regulation (EC) No 2320/2002, to adopt measures for the implementation of common basic standards for aviation security throughout the Community. Commission Regulation (EC) No 622/2003 of 4 April 2003 laying down measures for the implementation of the common basic standards on aviation security<sup>(2)</sup> was the first act laying down such measures.
- (2) There is a need for measures to make the common basic standards more precise. As regards Threat Image Projection (TIP) performance requirements should be laid down. It should be considered to review these requirements on a regular basis and at least every 2 years to ensure that they continue to reflect technical developments, in particular as regards the size of the library of virtual images available.
- (3) TIP should be used to enhance the performance of screeners, examining both cabin bags and hold bags, by means of projecting virtual images of threat articles into an x-ray image of a bag. There should be a minimum and maximum percentage of virtual images of threat

articles to be projected into the images of bags. By screeners responding to images of bags, TIP should inform them if they have responded correctly in identifying the virtual image of the threat article. Furthermore, the library of virtual images used for TIP should be enlarged and refreshed on a regular basis, in order to take into account new threat articles and to avoid familiarity with the virtual images.

- (4) Information about the performance requirements of security equipment, including TIP, at airports should not be placed in the public domain as it could potentially be misused to circumvent security controls. The information should only be made available to regulators and equipment manufacturers.
- (5) Regulation (EC) No 622/2003 should be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Civil Aviation Security,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 622/2003 is amended as set out in the Annex to this Regulation.

Article 3 of that Regulation shall apply as regards the confidential nature of this Annex.

*Article 2*

This Regulation shall enter into force on 1 February 2008.

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

Done at Brussels, 11 January 2008.

*For the Commission*  
Jacques BARROT  
Vice-President

<sup>(1)</sup> OJ L 355, 30.12.2002, p. 1. Regulation as amended by Regulation (EC) No 849/2004 (OJ L 229, 29.6.2004, p. 3).

<sup>(2)</sup> OJ L 89, 5.4.2003, p. 9. Regulation as last amended by Regulation (EC) No 1477/2007 (OJ L 329, 14.12.2007, p. 22).

## ANNEX

In accordance with Article 1 the Annex is secret and shall not be published in the *Official Journal of the European Union*.

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**COMMISSION REGULATION (EC) No 24/2008****of 11 January 2008****on the issue of import licences for olive oil under the Tunisian tariff quota**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2000/822/EC of 22 December 2000 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Republic of Tunisia concerning reciprocal liberalisation measures and amendment of the Agricultural Protocols to the EC/Tunisia Association Agreement <sup>(1)</sup>,

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

Whereas:

- (1) Article 3(1) and (2) of Protocol No 1 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part <sup>(3)</sup> opens a tariff quota, at a zero rate of duty, for imports of untreated olive oil falling within CN codes 1509 10 10 and 1509 10 90 wholly obtained in Tunisia and transported directly from Tunisia to the Community, up to the limit laid down for each year.

- (2) Article 2(2) of Commission Regulation (EC) No 1918/2006 of 20 December 2006 opening and providing for the administration of tariff quota for olive oil originating in Tunisia <sup>(4)</sup> lays down monthly quantitative limits for issuing import certificates.

- (3) Applications were submitted to the competent authorities in accordance with Article 3(1) of Regulation (EC) No 1918/2006 for import licences covering a total quantity exceeding the limit of 1 000 tonnes laid down for January.

- (4) Under these circumstances, the Commission must set a percentage allocation to allow the issue of licences in proportion to the quantity available,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for import licences submitted on 7 and 8 January 2008 under Article 3(1) of Regulation (EC) No 1918/2006 shall be accepted for 89,887640 % of the quantity applied for. The limit of 1 000 tonnes laid down for January has been reached.

*Article 2*

This Regulation shall enter into force on 12 January 2008.

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

Done at Brussels, 11 January 2008.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 336, 30.12.2000, p. 92.

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

<sup>(3)</sup> OJ L 97, 30.3.1998, p. 1.

<sup>(4)</sup> OJ L 365, 21.12.2006, p. 84.



## II

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

## DECISIONS

## COMMISSION

## COMMISSION DECISION

of 14 December 2007

**setting up the 'European Research Council Executive Agency' for the management of the specific Community programme 'Ideas' in the field of frontier research in application of Council Regulation (EC) No 58/2003**

(Text with EEA relevance)

(2008/37/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes<sup>(1)</sup>, and in particular Article 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 58/2003 empowers the Commission to set up executive agencies in accordance with the general statute laid down by that Regulation and to entrust them with certain management tasks relating to one or more Community programmes.
- (2) The purpose of empowering the Commission to set up executive agencies is to allow it to focus on core activities and functions which cannot be outsourced, without relinquishing control over, or ultimate responsibility for, activities managed by the said executive agencies.

(3) Decision No 1982/2006/EC of the European Parliament and of the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013)<sup>(2)</sup> provides for the establishment of the European Research Council as a means of implementing the 'Ideas'<sup>(3)</sup> Specific Programme. The European Research Council shall consist of an independent Scientific Council supported by a dedicated implementation structure.

(4) By Decision 2007/134/EC of 2 February 2007 establishing the European Research Council<sup>(4)</sup> the Commission, in addition to setting up the European Research Council (ERC) and the Scientific Council, announced the setting-up of the dedicated implementation structure as an executive agency, to be established by a separate act in compliance with Regulation (EC) No 58/2003.

(5) Management of the 'Ideas' Specific Programme involves implementation of research projects which does not entail political decision-making and requires a high level of scientific and financial expertise throughout the project cycle.

<sup>(1)</sup> OJ L 11, 16.1.2003, p. 1.

<sup>(2)</sup> OJ L 412, 30.12.2006, p. 1.

<sup>(3)</sup> OJ L 54, 22.2.2007, p. 81.

<sup>(4)</sup> OJ L 57, 24.2.2007, p. 14.

- (6) The delegation, to an executive agency, of tasks related to programme execution is possible with a clear separation between the programming stage, this being established by the Scientific Council and adopted by the Commission, and implementation, which would be entrusted to the executive agency, according to the principles and methodology established by the Scientific Council.
- (7) A cost-benefit analysis carried out for that purpose showed that using an executive agency to manage the activities of the European Research Council would be advantageous both in financial and non-financial terms.
- (8) The Agency should implement its operating budget in accordance with Commission Regulation (EC) No 1653/2004 of 21 September 2004 which establishes a standard financial regulation for the executive agencies pursuant to Council Regulation (EC) No 58/2003 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes <sup>(1)</sup>.
- (9) The measures provided for by this Decision are in accordance with the opinion of the Committee for Executive Agencies,

HAS DECIDED AS FOLLOWS:

*Article 1*

**Establishment of the Agency**

1. An executive agency (hereinafter referred to as the Agency) is hereby established for the management of Community activity in the field of research, its statute being governed by Council Regulation (EC) No 58/2003.
2. The name of the Agency shall be 'The European Research Council Executive Agency'.

*Article 2*

**Location**

The Agency shall be located in Brussels.

*Article 3*

**Term**

The Agency is hereby established for a period beginning on 1 January 2008 and ending on 31 December 2017.

*Article 4*

**Objectives and tasks**

1. The Agency is hereby entrusted, within the framework of the Seventh Framework Programme of the European

Community for research, technological development and demonstration activities (2007 to 2013) established by Decision No 1982/2006/EC, with the following tasks:

- management of phases in the lifetime of specific projects — as set out in the decision delegating powers to this Agency — in the context of implementing the Ideas Specific Programme, on the basis of Council Decision No 2006/972/EC <sup>(2)</sup> and the work programme established by the Scientific Council and adopted by the Commission, as well as the necessary checks to that end, adopting the relevant decisions where the Commission has empowered it to do so,
- adoption of the instruments of budget execution for revenue and expenditure and carrying out, where the Commission has empowered it to do so, all the operations necessary for the management of the 'Ideas' Specific Programme and, in particular, those linked to the award of grants and contracts,
- gathering, analysing and passing on to the Commission and the Scientific Council all the information needed to guide the implementation of the Community programme.

2. The Commission decision delegating authority to the Agency shall set out in detail all the tasks entrusted to it and shall be amended should any additional tasks be entrusted to the Agency. It shall be forwarded, for information purposes, to the Committee for Executive Agencies.

*Article 5*

**Organisational structure**

1. The Agency shall be managed by a Steering Committee and a Director appointed by the Commission.
2. The members of the Steering Committee shall be appointed for two years.
3. The Director of the Agency shall be appointed for four years.
4. The appointments of members of the Steering Committee and the Director may be renewed.

*Article 6*

**Grants**

The Agency shall receive grants entered in the general budget of the European Communities taken from the funds allocated to the 'Ideas' Specific Programme.

<sup>(1)</sup> OJ L 297, 22.9.2004, p. 6. Regulation as amended by Regulation (EC) No 1821/2005 (OJ L 293, 9.11.2005, p. 10).

<sup>(2)</sup> OJ L 400, 30.12.2006, p. 243.

*Article 7***Supervision and reporting**

The Agency shall be subject to supervision by the Commission and shall report regularly on progress in implementing the programme for which it is responsible in accordance with the arrangements and at the intervals stipulated in the instrument of delegation.

*Article 8***Implementation of the operating budget**

The Agency shall implement its operating budget in accordance with the provisions of Regulation (EC) No 1653/2004.

Done at Brussels, 14 December 2007.

*For the Commission*  
Janez POTOČNIK  
*Member of the Commission*

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## III

*(Acts adopted under the EU Treaty)*

## ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

## COUNCIL JOINT ACTION 2008/38/CFSP

of 20 December 2007

**amending Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo)**

THE COUNCIL OF THE EUROPEAN UNION,

Head of Mission to the Commission for implementation of the Mission's budget.

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

(4) The Watch-Keeping Capability established within the Council Secretariat should be activated for this Mission.

Whereas:

(5) Joint Action 2007/405/CFSP should be amended accordingly,

(1) On 12 June 2007, the Council adopted Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo) <sup>(1)</sup> for an initial duration of one year. The mission was launched on 1 July 2007.

HAS ADOPTED THIS JOINT ACTION:

*Article 1*

Joint Action 2007/405/CFSP is hereby amended as follows:

1. the following Article 3a shall be inserted:

(2) On 18 June 2007, the Council approved Guidelines for Command and Control Structure for EU Civilian Operations in Crisis Management. Those Guidelines provide, *inter alia*, that a Civilian Operation Commander will exercise command and control at strategic level for the planning and conduct of all civilian crisis management operations under the political control and strategic direction of the Political and Security Committee (PSC) and the overall authority of the Secretary-General/High Representative for the CFSP (SG/HR). Those Guidelines further provide that the Director of the Civilian Planning and Conduct Capability (CPCC) established within the Council Secretariat will, for each civilian crisis management operation, be the Civilian Operation Commander.

*'Article 3a***Civilian Operation Commander**

1. The Civilian Planning and Conduct Capability (CPCC) Director shall be the Civilian Operation Commander for EUPOL RD Congo.

2. The Civilian Operation Commander shall exercise command and control of EUPOL RD Congo at the strategic level under the political control and strategic direction of the Political and Security Committee (PSC) and the overall authority of the SG/HR.

(3) The abovementioned Command and Control Structure is without prejudice to the contractual responsibility of the

3. The Civilian Operation Commander shall ensure proper and effective implementation of the Council's decisions and the PSC's decisions, in particular by issuing instructions at strategic level as required to the Head of Mission.

<sup>(1)</sup> OJ L 151, 13.6.2007, p. 46.

4. All seconded staff shall remain under the full command of the national authorities of the sending State or EU institution. National authorities shall transfer Operational Control (OPCON) of their personnel, teams and units to the Civilian Operation Commander.

5. The Civilian Operation Commander shall have overall responsibility for ensuring that the EU's duty of care is properly discharged.

6. The Civilian Operation Commander and the EUSR shall consult each other as required.;

2. paragraphs 2 to 8 of Article 5 shall be replaced by the following:

'2. The Head of Mission shall assume responsibility and exercise command and control of the mission at theatre level.

3. The Head of Mission shall exercise command and control over personnel, teams and units from contributing States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility over assets, resources and information put at the disposal of the mission.

4. The Head of Mission shall issue instructions to all mission staff for the effective conduct of EUPOL RD Congo in theatre, assuming its coordination and day-to-day management, in accordance with the Civilian Operation Commander's instructions at strategic level.

5. The Head of Mission shall be responsible for the implementation of the Mission's budget. For that purpose the Head of Mission shall sign a contract with the Commission.

6. The Head of Mission shall be responsible for disciplinary control over staff. In the case of seconded staff, disciplinary action shall be exercised by the national or EU authority concerned.

7. The Head of Mission shall represent EUPOL RD Congo in the operations area and shall ensure appropriate visibility of the Mission.

8. The Head of Mission shall coordinate with other EU actors on the ground as appropriate. Without prejudice to the chain of command, the Head of Mission shall receive local political guidance from the EUSR.;

3. paragraph 3 of Article 6 shall be replaced by the following:

'3. All staff shall carry out their duties and act in the interest of the Mission. All staff shall respect the security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations (\*).

(\*) OJ L 101, 11.4.2001, p. 1. Decision as amended by Decision 2007/438/EC (OJ L 164, 26.6.2007, p. 24).;

4. Article 7 shall be replaced by the following:

'Article 7

#### **Chain of Command**

1. EUPOL RD Congo shall have a unified chain of command as a crisis management operation.

2. Under the responsibility of the Council, the Political and Security Committee (PSC) shall exercise political control and strategic direction of EUPOL RD Congo.

3. Under the political control and strategic direction of the PSC and the overall authority of the SG/HR the Civilian Operation Commander shall be the commander of EUPOL RD Congo at strategic level and, as such, shall issue instructions to the Head of Mission and provide him with advice and technical support.

4. The Civilian Operation Commander shall report to the Council through the SG/HR.

5. The Head of Mission shall exercise command and control of EUPOL RD Congo at theatre level and shall be directly responsible to the Civilian Operation Commander.;

5. Article 8 shall be replaced by the following:

*'Article 8*

**Political control and strategic direction**

1. Under the responsibility of the Council, the PSC shall exercise political control and strategic direction of the mission. The Council hereby authorises the PSC to take the relevant decisions for that purpose in accordance with Article 25 of the Treaty on European Union. This authorisation shall include the power to amend the OPLAN. It shall also include powers to take subsequent decisions regarding the appointment of the Head of Mission. The powers of decision with respect to the objectives and termination of the mission shall remain vested in the Council.

2. The PSC shall report to the Council at regular intervals.

3. The PSC shall receive reports by the Civilian Operation Commander and the Head of Mission on a regular basis and as required on issues within their areas of responsibility.;

6. Article 14 shall be replaced by the following:

*'Article 14*

**Security**

1. The Civilian Operation Commander shall direct the Head of Mission's planning of security measures and ensure their proper and effective implementation for EUPOL RD Congo in accordance with Articles 3a and 7 in coordination with the Council Security Office.

2. The Head of Mission shall be responsible for the security of the operation and for ensuring compliance with minimum security requirements applicable to the operation, in line with the policy of the European Union on the security of personnel deployed outside the European Union in an operational capacity under Title V of the Treaty on European Union and its supporting instruments.

3. The Head of Mission shall be assisted by a Mission Security Officer (MSO), who shall report to the Head of Mission and also maintain a close functional relationship with the Council Security Office.

4. EUPOL RD Congo staff shall undergo mandatory security training before their entry into function, in accordance with the OPLAN. They shall also receive regular in theatre refresher training organised by the MSO.;

7. the following Article shall be inserted:

*'Article 14a*

**Watch-Keeping**

The Watch-Keeping Capability shall be activated for EUPOL RD Congo.;

8. the following paragraph shall be added to Article 17:

'The Decisions of the PSC pursuant to Article 8(1), regarding the appointment of the Head of Mission, shall also be published in the *Official Journal of the European Union*.'

*Article 2*

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

*Article 3*

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

Done at Brussels, 20 December 2007.

*For the Council*

*The President*

F. NUNES CORREIA

## ACTS ADOPTED UNDER TITLE VI OF THE EU TREATY

## COUNCIL DECISION

of 6 December 2007

**concerning the accession of Bulgaria and Romania to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations**

(2008/39/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

Having regard to the Treaty of Accession of Bulgaria and Romania,

Having regard to the Act of Accession of Bulgaria and Romania (hereinafter referred to as the 'Act of Accession'), and in particular Article 3(4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Whereas:

- (1) The Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations <sup>(2)</sup> (hereinafter referred to as the Convention) was signed at Brussels on 18 December 1997 and will enter into force 90 days after the notification by the State, Member of the European Union at the time of adoption by the Council of the Act drawing up the Convention, which is last to complete that formality.
- (2) In accordance with Article 32(4) of the Convention until the Convention enters into force, any Member State may, when giving the notification referred to in Article 32(2) of the Convention, or at any other later time, declare that as far as it is concerned the Convention, shall apply to its relations with Member States that have made the same declaration.
- (3) Following their accession to the European Union, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia have deposited their instruments of accession to the Convention.

(4) Article 3(3) of the Act of Accession provides that Bulgaria and Romania are to accede to the conventions and protocols concluded between the Member States and listed in Annex I to the Act of Accession, which includes, *inter alia*, the Convention on mutual assistance and cooperation between customs administrations. Those conventions and protocols are to enter into force in relation to Bulgaria and Romania on the date determined by the Council.

(5) In accordance with Article 3(4) of the Act of Accession, the Council is to make all adjustments required by reason of accession to those conventions and protocols,

HAS DECIDED AS FOLLOWS:

*Article 1*

Article 31(1) of the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations shall be replaced by the following:

'1. This Convention shall apply to the territories of the Member States comprised in the customs territory of the Community as well as, for the Federal Republic of Germany, the Island of Heligoland and the territory of Büsingen (within the framework of and pursuant to the Treaty of 23 November 1964 between the Federal Republic of Germany and the Swiss Confederation on the inclusion of the commune of Büsingen am Hochrhein in the customs territory of the Swiss Confederation, or the current version thereof) and, for the Italian Republic, the municipalities of Livigno and Campione d'Italia, and to the territorial waters, the inland maritime waters and the airspace of the territories of the Member States.'

*Article 2*

The Convention, as amended by this Decision, shall enter into force for Bulgaria and Romania on the date of entry into force of the Convention, without prejudice to Article 32(4) of the Convention.

<sup>(1)</sup> Opinion of 24 October 2007 (not yet published in the Official Journal).

<sup>(2)</sup> OJ C 24, 23.1.1998, p. 2.

*Article 3*

The Convention drawn up in the Bulgarian and Romanian languages <sup>(1)</sup> shall be authentic under the same conditions as the other texts of the Convention.

*Article 4*

This Decision shall take effect on the day following its publication in the *Official Journal of the European Union*.

Done at Brussels, 6 December 2007.

*For the Council*  
*The President*  
A. COSTA

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<sup>(1)</sup> The Bulgarian and Romanian version of the Convention shall be published in the special edition of the OJ at a later date.



## COUNCIL DECISION

of 6 December 2007

**concerning the accession of Bulgaria and Romania to the Convention, drawn up on the basis of Article K.3 of the Treaty on European Union, on the protection of the European Communities' financial interests, the Protocol of 27 September 1996, the Protocol of 29 November 1996 and the Second Protocol of 19 June 1997**

(2008/40/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

Having regard to the 2005 Act of Accession, and in particular Article 3(4) thereof,

Having regard to the recommendation from the Commission,

Having regard to the Opinion of the European Parliament <sup>(1)</sup>,

Whereas:

(1) The Convention, drawn up on the basis of Article K.3 of the Treaty on European Union, on the protection of the European Communities' financial interests <sup>(2)</sup> (hereinafter referred to as the Convention) was done at Brussels on 26 July 1995 and entered into force on 17 October 2002.

(2) The Convention was supplemented by the Protocol, drawn up on the basis of Article K.3 of the Treaty on European Union, to the Convention on the protection of the European Communities' financial interests <sup>(3)</sup> (hereinafter referred to as the Protocol of 27 September 1996), which was done at Brussels on 27 September 1996, and the Protocol, drawn up on the basis of Article K.3 of the Treaty on European Union, on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the protection of the European Communities' financial interests <sup>(4)</sup> (hereinafter referred to as the Protocol of 29 November 1996), which was done at Brussels on 29 November 1996. Both Protocols entered into force on 17 October 2002.

(3) The Convention was further supplemented by the Second Protocol, drawn up on the basis of Article K.3 of the Treaty on European Union, to the Convention on the

protection of the European Communities' financial interests <sup>(5)</sup> (hereinafter referred to as the Second Protocol of 19 June 1997), which was done at Brussels on 19 June 1997 but which has not yet entered into force.

(4) Article 3(3) of the 2005 Act of Accession provides that Bulgaria and Romania accede to the conventions and protocols listed in Annex I to the Act of Accession, which include, *inter alia*, the Convention, the Protocol of 27 September 1996, the Protocol of 29 November 1996 and the Second Protocol of 19 June 1997. The conventions and the protocols listed in Annex I to the 2005 Act of Accession are to enter into force in relation to Bulgaria and Romania on the date determined by the Council,

HAS ADOPTED THIS DECISION:

*Article 1*

The texts of the Convention, the Protocol of 27 September 1996, the Protocol of 29 November 1996 and the Second Protocol of 19 June 1997, drawn up in the Bulgarian and Romanian languages <sup>(6)</sup>, shall be authentic under the same conditions as the other texts thereof.

*Article 2*

1. The Convention, the Protocol of 27 September 1996 and the Protocol of 29 November 1996 shall enter into force in relation to Bulgaria and Romania on the first day of the first month following the date of adoption of this Decision, unless they have already entered into force for Bulgaria or Romania before that date.

2. The Second Protocol of 19 June 1997 shall enter into force in relation to Bulgaria and Romania on the date on which it enters into force in relation to the State which, being a member of the European Union on the date of the adoption by the Council of the act drawing up that Protocol <sup>(7)</sup>, is the last to fulfil the formality of notification referred to in Article 16(2) thereof.

<sup>(1)</sup> Opinion of 23 October 2007 (not yet published in the Official Journal).

<sup>(2)</sup> OJ C 316, 27.11.1995, p. 49.

<sup>(3)</sup> OJ C 313, 23.10.1996, p. 2.

<sup>(4)</sup> OJ C 151, 20.5.1997, p. 2.

<sup>(5)</sup> OJ C 221, 19.7.1997, p. 12.

<sup>(6)</sup> The Bulgarian and Romanian texts of the Convention and of the Protocols thereto shall be published in a special edition of the OJ at a later date.

<sup>(7)</sup> Council Act of 19 June 1997 drawing up the Second Protocol of the Convention on the protection of the European Communities' financial interests (OJ C 221, 19.7.1997, p. 11).

*Article 3*

This Decision shall take effect on the day following its publication in the *Official Journal of the European Union*.

Done at Brussels, 6 December 2007.

*For the Council*  
*The President*  
A. COSTA

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