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Contents

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

REGULATIONS

Commission Regulation (EC) No 25/2008 of 14 January 2008 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

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

DECISIONS

Council

2008/41/EC, Euratom:

★ **Council Decision of 10 December 2007 appointing seven members of the Court of Auditors** 3

2008/42/EC, Euratom:

★ **Council Decision of 10 December 2007 appointing an Italian member to the European Economic and Social Committee** 5

2008/43/EC:

★ **Council Decision of 20 December 2007 appointing a Lithuanian member and a Lithuanian alternate member of the Committee of the Regions** 6

2008/44/EC:
★ **Council Decision of 20 December 2007 appointing a Greek member of the Committee of the Regions** 7

2008/45/EC:
★ **Council Decision of 20 December 2007 appointing a German member and a German alternate member of the Committee of the Regions** 8

Commission

2008/46/EC:
★ **Commission Decision of 14 December 2007 setting up the ‘Research Executive Agency’ for the management of certain areas of the specific Community programmes People, Capacities and Cooperation in the field of research in application of Council Regulation (EC) No 58/2003 ⁽¹⁾** 9

2008/47/EC:
★ **Commission Decision of 20 December 2007 approving the pre-export checks carried out by the United States of America on peanuts and derived products thereof as regards the presence of aflatoxins (notified under document number C(2007) 6451) ⁽¹⁾**..... 12

2008/48/EC:
★ **Commission Decision of 20 December 2007 amending Decision 2004/407/EC on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards import from certain third countries of photographic gelatine (notified under document number C(2007) 6487)**..... 17

Corrigenda

★ **Corrigendum to Commission Regulation (EC) No 1359/2007 of 21 November 2007 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals (Codified version) (OJ L 304, 22.11.2007)** 23



⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 25/2008

of 14 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 ⁽¹⁾, 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 15 January 2008.

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

Done at Brussels, 14 January 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

to Commission Regulation of 14 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 ⁽¹⁾	Standard import value
0702 00 00	IL	148,6
	MA	56,2
	TN	129,8
	TR	110,2
	ZZ	111,2
0707 00 05	JO	190,5
	MA	68,3
	TR	108,1
	ZZ	122,3
0709 90 70	MA	107,0
	TR	127,7
	ZZ	117,4
0709 90 80	EG	63,7
	ZZ	63,7
0805 10 20	EG	42,8
	IL	46,8
	MA	62,1
	TR	65,9
	ZA	15,3
	ZZ	46,6
0805 20 10	MA	78,8
	TR	101,8
	ZZ	90,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	60,5
	IL	64,3
	JM	97,0
	PK	42,8
	TR	86,2
	ZZ	70,2
0805 50 10	EG	86,2
	IL	149,9
	TR	126,7
	ZA	76,9
	ZZ	109,9
0808 10 80	CA	96,2
	CN	88,1
	MK	42,9
	TR	118,1
	US	112,6
	ZA	159,1
	ZZ	102,8
0808 20 50	CN	62,2
	US	103,6
	ZZ	82,9

⁽¹⁾ 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'.

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 10 December 2007

appointing seven members of the Court of Auditors

(2008/41/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 247(3) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 160b(3) thereof,

Having regard to the opinions of the European Parliament ⁽¹⁾,

Whereas:

(1) The terms of office of Mr Jean-François BERNICOT, Mr David BOSTOCK, Mr François COLLING, Mr Maarten B. ENGWIRDA, Mr Ioannis SARMAS, Ms Hedda VON WEDEL and Mr Hubert WEBER expire on 31 December 2007.

(2) New appointments should therefore be made,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed members of the Court of Auditors for the period from 1 January 2008 to 31 December 2013:

— Mr David BOSTOCK,

— Mr Michel CRETIN,

— Mr Maarten B. ENGWIRDA,

— Mr Henri GRETHEN,

— Mr Harald NOACK,

⁽¹⁾ Opinions of 28 and 29 November 2007 (not yet published in the Official Journal).

— Mr Ioannis SARMAS,

— Mr Hubert WEBER.

Article 2

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

Done at Brussels, 10 December 2007.

For the Council
The President
L. AMADO

COUNCIL DECISION
of 10 December 2007
appointing an Italian member to the European Economic and Social Committee
(2008/42/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 259 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 167 thereof,

Having regard to Council Decision 2006/524/EC, Euratom of 11 July 2006 appointing Czech, German, Estonian, Spanish, French, Italian, Latvian, Lithuanian, Luxembourg, Hungarian, Maltese, Austrian, Slovenian and Slovak members of the European Economic and Social Committee ⁽¹⁾,

Having regard to the proposal submitted by the Italian Government,

Having obtained the opinion of the Commission,

Whereas an Italian member's seat on the Committee has fallen vacant following the resignation of Mr Paolo BEDONI,

HAS DECIDED AS FOLLOWS:

Article 1

Mr Maurizio REALE is hereby appointed a member of the European Economic and Social Committee in place of Mr Paolo BEDONI for the remainder of the latter's term of office, which runs until 20 September 2010.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Brussels, 10 December 2007.

For the Council
The President
L. AMADO

⁽¹⁾ OJ L 207, 28.7.2006, p. 30.

COUNCIL DECISION**of 20 December 2007****appointing a Lithuanian member and a Lithuanian alternate member of the Committee of the Regions**

(2008/43/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Lithuanian Government,

Whereas:

- (1) On 24 January 2006 the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) A seat as a member of the Committee of the Regions has fallen vacant following the end of the mandate of Mr Gediminas PAVIRŽIS. A seat as an alternate member has fallen vacant following the resignation of Mr Edmundas ČESNA,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which ends on 25 January 2010:

(a) as a member:

Mr Gediminas PAVIRŽIS, member of the council of Vilnius district municipality (change of mandate),
and

(b) as an alternate member:

Mr Andrius KUPČINSKAS, mayor of Kaunas city municipality.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Brussels, 20 December 2007.

For the Council
The President
F. NUNES CORREIA

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COUNCIL DECISION
of 20 December 2007
appointing a Greek member of the Committee of the Regions
(2008/44/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal of the Greek Government,

Whereas:

- (1) On 24 January 2006, the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) A member's seat on the Committee of the Regions has become vacant following the resignation of Ms Fofi GENNIMATA,

HAS DECIDED AS FOLLOWS:

Article 1

The following is hereby appointed to the Committee of the Regions as a member for the remainder of the current term of office, which runs until 25 January 2010:

Ms Evangelia SCHINARAKI-ILIAKI, prefect of the city of Heraklion in Crete.

Article 2

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

Done at Brussels, 20 December 2007.

For the Council
The President
F. NUNES CORREIA

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COUNCIL DECISION
of 20 December 2007
appointing a German member and a German alternate member of the Committee of the Regions
(2008/45/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the German Government,

Whereas:

- (1) On 24 January 2006 the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) A seat as a member of the Committee of the Regions has fallen vacant following the resignation of Ms Emilia MÜLLER. A seat as an alternate member of the Committee of the Regions has fallen vacant following the resignation of Mr Edmund STOIBER,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which ends on 25 January 2010:

(a) as a member:

Mr Markus SÖDER, Minister of State for Federal and European Affairs in the State Chancellery of Bavaria,
and

(b) as an alternate member:

Mr Günther BECKSTEIN, First Minister of Bavaria.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Brussels, 20 December 2007.

For the Council
The President
F. NUNES CORREIA

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COMMISSION

COMMISSION DECISION

of 14 December 2007

setting up the 'Research Executive Agency' for the management of certain areas of the specific Community programmes People, Capacities and Cooperation in the field of research in application of Council Regulation (EC) No 58/2003

(Text with EEA relevance)

(2008/46/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 ⁽¹⁾, 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) ⁽²⁾ involves implementation of research, technological development and demonstration projects within the framework of the specific programmes People, Capacities and Cooperation which does not entail political decision-making and requires a high level of technical and financial expertise throughout the project cycle.

(4) Grant agreements made under the Seventh Framework programme may run for several years with significant numbers of grants entering into force in 2014 and remaining under active management in 2017 and beyond.

(5) The delegation, to an executive agency, of tasks related to programme implementation is possible with a clear separation between the programming stage, which will be carried out by the Commission, and project implementation, which will be entrusted to the executive agency.

(6) The People Specific Programme and the Research for the Benefit of SMEs part of the Capacities Specific Programme are characterised by projects which generate a large number of small operations.

(7) Security and Space from the Cooperation Specific Programme are new areas for which the Commission has not already a significant in-house expertise and which could serve as a pilot for the implementation by an executive agency of more complex collaborative research projects.

(8) An executive agency could also perform centrally administrative and logistical support tasks across other areas of the Framework Programme.

(9) 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 ⁽³⁾.

⁽¹⁾ OJ L 11, 16.1.2003, p. 1.

⁽²⁾ OJ L 412, 30.12.2006, p. 1.

⁽³⁾ 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).

- (10) A cost-benefit analysis carried out for that purpose showed that the creation of an executive agency for research would be advantageous both in financial and non-financial terms.
- (11) 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 'Research 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 (hereinafter referred to as the Framework Programme), with the following tasks:

- (a) management of phases in the lifetime of specific projects in the context of implementing certain areas of the People Specific Programme on the basis of Council Decision 2006/973/EC ⁽¹⁾ and the work programme 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;

- (b) management of phases in the lifetime of specific projects in the context of implementing the schemes within the Research for the Benefit of SMEs part of the Capacities Specific Programme on the basis of Council Decision 2006/974/EC ⁽²⁾ and the work programme 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;

- (c) management of phases in the lifetime of specific projects in the context of implementing certain areas within the Space and Security themes of the Cooperation Specific Programme on the basis of Council Decision 2006/971/EC ⁽³⁾ and the work programme 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;

- (d) 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 Community programme parts mentioned under points (a), (b) and (c), in particular those linked to the award of grants and contracts;

- (e) gathering, analysing and passing on to the Commission all the information needed to guide the implementation of the Community programme parts mentioned above in points (a), (b) and (c);

- (f) provision of logistical and administrative support to the Capacities, Cooperation and People Specific Programmes particularly in the areas of call publication, proposal reception and evaluation, contracting of evaluators, preparation of evaluator payments and financial viability checking.

2. The Agency may be empowered by the Commission, after receiving the opinion of the Committee for Executive Agencies established under Article 24 of Regulation (EC) No 58/2003, to carry out tasks of the same type under the Framework Programme, other than those referred to in paragraph 1.

3. 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.

⁽¹⁾ OJ L 400, 30.12.2006, p. 272.

⁽²⁾ OJ L 400, 30.12.2006, p. 299.

⁽³⁾ OJ L 400, 30.12.2006, p. 86.

*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 programmes referred to in Article 4(1) and, where appropriate, from the funds allocated to other parts of the Framework Programme the implementation of which has been entrusted to the Agency by virtue of Article 4(2).

*Article 7***Supervision and reporting**

The Agency shall be subject to supervision by the Commission and shall report regularly on progress in implementing the programmes 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

COMMISSION DECISION

of 20 December 2007

approving the pre-export checks carried out by the United States of America on peanuts and derived products thereof as regards the presence of aflatoxins

(notified under document number C(2007) 6451)

(Text with EEA relevance)

(2008/47/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

with a view of verifying that the exported products comply with the Community requirements may be approved.

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽¹⁾, and in particular Article 23 thereof,

- (4) Such an approval may only be granted to a third country after a Community audit has shown that feed or food exported to the Community meets Community requirements or equivalent requirements and that the controls carried out in the third country prior to dispatch are considered sufficiently effective and efficient as to replace or reduce the documentary, identity and physical checks laid down in Community law.

Whereas:

- (1) Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs ⁽²⁾ lays down permitted maximum levels of aflatoxins in foodstuffs. Only foodstuffs complying with the maximum level may be placed on the market.
- (2) Regulation (EC) No 882/2004 provides that Member States shall ensure that official controls are carried out regularly, on a risk basis and with appropriate frequency as to achieve the objectives of the Regulation, that is, *inter alia*, preventing, eliminating or reducing to acceptable levels risks to humans and animals.
- (3) Article 23 of Regulation (EC) No 882/2004 provides that pre-export checks carried out by a third country on feed and food immediately prior to export to the Community

- (5) The United States of America have submitted to the Commission in April 2005 an application for obtaining an approval of the pre-export checks performed by the competent authorities of the United States of America on the aflatoxin contamination in peanuts and derived products intended for export to the Community.
- (6) The Commission Food and Veterinary Office (FVO) carried out a mission in the United States of America from 18 to 22 September 2006 in order to assess the control systems in place to prevent aflatoxin contamination levels in peanuts and derived products and to verify that pre-export checks for these products exported to the Community ensure that these products comply with Community requirements. It was concluded that the United States of America have a well defined control system for aflatoxins levels in peanuts and well performing approved laboratories. The competent authorities of the United States of America have committed and taken action to address the minor deficiencies observed.

⁽¹⁾ OJ L 165, 30.4.2004. Regulation as last amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 364, 20.12.2006, p. 5. Regulation as amended by Regulation (EC) No 1126/2007 (OJ L 255, 29.9.2007, p. 14).

- (7) It is therefore appropriate to grant approval of pre-export checks carried out by the United States of America on peanuts and derived products ensuring compliance with the Community maximum levels of aflatoxins.

- (8) Member States are required by Article 16(2) of Regulation (EC) No 882/2004 to adjust the frequency of physical checks on imports to the risk associated with different categories of food and taking into account, among other things, the guarantees provided by the competent authorities of the third country of origin of the food in question. Systematic pre-export checks carried out under the authority of the USDA in conformity with the Community approval in accordance with Article 23 of Regulation (EC) No 882/2004 provide to the Member States' authorities strong guarantees. As a consequence, Member States should reduce the frequency of physical checks performed on those commodities to a level appropriate to those guarantees.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Approval of pre-export checks

The pre-export checks as regards aflatoxins carried out by the United States Department of Agriculture (USDA) of the United States of America immediately prior to export to the Community, are approved for the following foodstuffs and derived products thereof (hereafter referred to as foodstuffs):

- (a) peanuts falling within CN code 1202 10 90 or 1202 20 00;
- (b) peanuts falling within CN code 2008 11 94 (in immediate packings of a net content exceeding 1 kg) or 2008 11 98 (in immediate packings of a net content not exceeding 1 kg);
- (c) roasted peanuts falling within CN codes 2008 11 92 (in immediate packings of a net content exceeding 1 kg) or 2008 11 96 (in immediate packings of a net content not exceeding 1 kg).

The approval of pre-export checks applies only to peanuts listed in the first paragraph, which were produced on the territory of the United States of America.

Article 2

Conditions for approval of pre-export checks

1. The consignment shall be accompanied by:
 - (a) the results of sampling and analysis performed by a USDA approved laboratory carried out in accordance with or equivalent to the provisions of Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of mycotoxins in foodstuffs ⁽¹⁾;
 - (b) a certificate ⁽²⁾ set out in the Annex, completed, signed and verified by an authorised representative of the USDA for foodstuffs from the United States of America.
2. Each consignment of foodstuffs shall be identified with a code which corresponds to the code on the report of the results of the sampling and analysis and on the certificate referred to in point (b) of the first paragraph. Each individual bag, or other packaging form, of the consignment shall be identified with that code.
3. The certificate provided for in point (b) of the first paragraph shall only be valid for imports of foodstuffs into the Community no later than four months from the date of issue of the certificate.

Article 3

Splitting of a consignment

If a consignment is split, copies of the certificate provided for in Article 2(1)(b) and certified by the competent authority of the Member State on whose territory the splitting has taken place, shall accompany each part of the split consignment up to and including the wholesale stage. Certified copies of the certificate can also be provided by the competent authority at the moment of the release for free circulation in case the food business operator indicates to have the intention to split the consignment.

Article 4

Official controls

The documentary check, as referred to in Article 16(1) of Regulation (EC) No 882/2004, shall be performed at the point of first arrival in the Community and evidence of this check will accompany the consignment.

⁽¹⁾ OJ L 70, 9.3.2006, p. 12.

⁽²⁾ Certificate based on the standard model laid down in Annex I to Commission Decision 2007/240/EC of 16 April 2007 laying down new veterinary certificates for importing live animals, semen, embryos, ova and products of animal origin into the Community (OJ L 104, 21.4.2007, p. 37). The explanatory notes on the certificate mentioned in Annex I of the abovementioned Decision are also relevant for the certificate laid down in the Annex to this Decision. In accordance with the provisions of Regulation (EC) No 882/2004, the certification may be provided in future electronically, after the practical modalities have been agreed upon.

In accordance with the provisions of Article 16 paragraph 2(d) and Article 23 paragraph 2 of Regulation (EC) No 882/2004, the frequency of the physical checks on the consignments of foodstuffs referred to in Article 1 of this Regulation to be carried out by the Member States shall be significantly reduced on the condition that the provisions of Article 2 of this Regulation are complied with.

Article 5

This Decision shall apply from 1 December 2007.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 20 December 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

COUNTRY:

Certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel. No		I.2. Certificate reference number	I.2.a	
			I.3. Central Competent Authority		
			I.4. Local Competent Authority		
	I.5. Consignee Name Address Postal code Tel. No		I.6. Person responsible for the consignment in EU Name Address Postal code Tel. No		
	I.7. Country of origin	ISO code	I.8.		
			I.9. Country of destination	ISO code	I.10.
	I.11. Place of origin Name Address		I.12.		
	I.13. Place of loading		I.14. Date of departure		
I.15. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/>		I.16. Point of import in EU			
Identification: Documentary references:		I.17.			
I.18. Description of commodity		I.19. Commodity code (HS code)		I.20. Quantity	
I.21. Temperature of product Ambient <input type="checkbox"/> Chilled <input type="checkbox"/> Frozen <input type="checkbox"/>		I.22. Number of packages			
I.23. Identification of container/seal number		I.24. Type of packaging			
I.25. Commodities certified for: Human consumption <input type="checkbox"/> Animal feedingstuff <input type="checkbox"/> Further process <input type="checkbox"/>					
I.26.		I.27. For import into EU <input type="checkbox"/>			
I.28. Identification of the commodities Batch number Treatment type					

EUROPEAN COMMUNITY

PEANUTS — PRE-EXPORT CHECK

II. Health information

II.a. Certificate reference number

II.b.

According to the provisions of European Commission Decision 2008/47/EC approving the pre-export checks carried out by the United States of America on peanuts and derived products thereof as regards the presence of aflatoxins, I undersigned, , authorised representative of the competent authority referred to in Article 1 certifies that the commodities described in the Part I of the certificate have been produced, sorted, handled, processed, packaged and transported in line with good hygiene practices and have been subject to a pre-export check, as approved by Commission Decision 2008/47/EC and ensures that the commodities covered by this certificate will be transported to the European Community in a container, which is in line with good hygiene practices.

From this consignment samples for aflatoxin analysis were taken on (date), subjected to laboratory analysis on (date) in the (name of laboratory), and the details of sampling, methods of analysis used and all results are attached.

Part II: Certification

Notes

This certificate is valid for 4 months after issuance.

Part I:

- Box reference I.11: *Approval number*: only if applicable.
- Box reference I.19: Use the appropriate HS code of WCO: 12.02.10, 12.02.20 or 20.08.11.
- Box reference I.20: Indicate total gross weight and total net weight.
- Box reference I.25: *Further process* means 'subject to sorting or other physical treatment before human consumption'.
- Box reference I.28: *Treatment type*: Select amongst roasted, otherwise processed, shelled or in shell.

Official inspector

Name (in capital letters):

Qualification and title:

Date:

Signature:

Stamp:

COMMISSION DECISION

of 20 December 2007

amending Decision 2004/407/EC on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards import from certain third countries of photographic gelatine*(notified under document number C(2007) 6487)***(Only the English, French and Dutch texts are authentic)**

(2008/48/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

compatible with the integrated computerised veterinary system TRACES, introduced by Commission Decision 2004/292/EC ⁽³⁾.

Having regard to the Treaty establishing the European Community,

(5) Decision 2004/407/EC should therefore be amended accordingly.

Having regard to Regulation (EC) No 1774/2002 of European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽¹⁾, and in particular Articles 4(4) and 32(1) thereof,

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

Whereas:

HAS ADOPTED THIS DECISION:

Article 1

(1) Regulation (EC) No 1774/2002 prohibits the importation and transit of animal by-products and processed products into the Community, unless they are authorised in accordance with that Regulation.

Decision 2004/407/EC is amended as follows:

1. Article 1 is replaced by the following:

(2) Commission Decision 2004/407/EC ⁽²⁾ provides, by way of derogation from that prohibition in Regulation (EC) No 1774/2002, that Belgium, France, Luxembourg, the Netherlands and the United Kingdom are to authorise the import of gelatine produced from materials containing bovine vertebral column classified as Category 1 material under that Regulation, exclusively intended for the photographic industry (photographic gelatine), in compliance with that Decision.*'Article 1***Derogation regarding the import of photographic gelatine**

By way of derogation from Article 29(1) of Regulation (EC) No 1774/2002, Belgium, Luxembourg, the Netherlands and the United Kingdom shall authorise the import of gelatine produced from materials containing bovine vertebral column classified as Category 1 material under that Regulation, exclusively intended for the photographic industry (photographic gelatine), in compliance with this Decision.;

(3) France has informed the Commission that the Kodak factory in Châlon-sur-Saône no longer imports photographic gelatine from Japan and the USA in accordance with Decision 2004/407/EC.

2. Article 7 is replaced by the following:

*'Article 7***Compliance with this Decision by the concerned Member State**

The Member States concerned shall immediately take the necessary measures to comply with this Decision and shall publish those measures. They shall immediately inform the Commission thereof.;

(4) In addition, the format of the model veterinary certificate set out in Decision 2004/407/EC should be made

⁽¹⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 1432/2007 (OJ L 320, 6.12.2007, p. 13).⁽²⁾ OJ L 151, 30.4.2004, p. 11; corrected version (OJ L 208, 10.6.2004, p. 9). Decision as amended by Decision 2006/311/EC (OJ L 115, 28.4.2006, p. 40).⁽³⁾ OJ L 94, 31.3.2004, p. 63. Decision as last amended by Decision 2005/515/EC (OJ L 187, 19.7.2005, p. 29).

3. Annexes I and III are amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from 1 January 2008.

Article 3

This Decision is addressed to the Kingdom of Belgium, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 20 December 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

Annexes I and III are amended as follows:

1. Annex I is replaced by the following:

'ANNEX I

THIRD COUNTRIES AND PLANTS OF ORIGIN, MEMBER STATES OF DESTINATION, BORDER INSPECTION POSTS OF FIRST ENTRY AND APPROVED PHOTOGRAPHIC FACTORIES

Third country of origin	Plants of origin	Member State of destination	Border inspection post of first entry	Approved photographic factories
Japan	Nitta Gelatin Inc. 2-22 Futamata Yao-City, Osaka 581 – 0024 Japan, Jellie Co. Ltd 7-1, Wakabayashi 2-Chome, Wakabayashi-ku, Sendai-city, Miyagi, 982 Japan, NIPPI Inc. Gelatin Division 1 Yumizawa-Cho Fujinomiya City Shizuoka 418 – 0073 Japan,	The Netherlands	Rotterdam	Fuji Photo Film BV, Tilburg
	Nitta Gelatin Inc. 2-22 Futamata Yao-City, Osaka 581 – 0024, Japan	United Kingdom	Liverpool Felixstowe	Kodak Ltd Headstone Drive, Harrow, MIDDX HA4 4TY
USA	Eastman Gelatine Corporation, 227 Washington Street, Peabody, MA, 01960 USA, Gelita North America, 2445 Port Neal Industrial Road Sergeant Bluff, Iowa, 51054 USA	Luxembourg	Antwerp Zaventem Luxembourg	DuPont Teijin Luxembourg SA PO Box 1681 L-1016 Luxembourg
		United Kingdom	Liverpool Felixstowe	Kodak Ltd Headstone Drive, Harrow, MIDDX HA4 4TY'

2. Annex III is replaced by the following:

'ANNEX III

MODEL HEALTH CERTIFICATES FOR THE IMPORTATION FROM THIRD COUNTRIES OF TECHNICAL GELATINE TO BE USED BY THE PHOTOGRAPHIC INDUSTRY

Notes

<p>(a) Veterinary certificates for the importation of technical gelatine to be used by the photographic industry shall be produced by the exporting country, based on the model appearing in this Annex III. They shall contain the attestations that are required for any third country and, as the case may be, those supplementary guarantees that are required for the exporting third country or part thereof.</p> <p>(b) The original of each certificate shall consist of a single page, both sides, or, where more text is required, it shall be in such a form that all pages needed are part of an integrated whole and indivisible.</p> <p>(c) It shall be drawn up in at least one of the official languages of the EU Member State in which the inspection at the EU border inspection post shall be carried out and of the EU Member State of destination. However, these Member States may allow other languages, if necessary, accompanied by an official translation.</p> <p>(d) If for reasons of identification of the items of the consignment, additional pages are attached to the certificate, these pages shall also be considered as forming part of the original of the certificate by the application of the signature and stamp of the certifying official veterinarian, in each of the pages.</p>	<p>(e) When the certificate, including additional schedules referred to in (d), comprises more than one page, each page shall be numbered — [page number] of [total number of pages] — on its bottom and shall bear the code number of the certificate that has been designated by the competent authority on its top.</p> <p>(f) The original of the certificate must be completed and signed by an official veterinarian. In doing so, the competent authorities of the exporting country shall ensure that the principles of certification equivalent to those laid down in Council Directive 96/93/EC are followed.</p> <p>(g) The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.</p> <p>(h) The original of the certificate must accompany the consignment at the EU border inspection post until it reaches the photographic factory of destination.</p>
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HEALTH CERTIFICATE

for technical gelatine not intended for human consumption to be used by the photographic industry, intended for dispatch to the European Community

COUNTRY

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.		I.2. Certificate reference number		I.2.a			
			I.3. Central competent authority					
			I.4. Local competent authority					
	I.5. Consignee Name Address Postal code Tel.		I.6.					
	I.7. Country of origin	ISO code	I.8. Region of origin	Code	I.9. Country of destination	ISO code	I.10. Region of destination	Code
	I.11. Place of origin Name Address		Approval number		I.12.			
	I.13. Place of loading		I.14. Date of departure					
	I.15. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/>		I.16. Entry BIP in EU					
	Identification Documentary references		I.17. No(s) of CITES					
	I.18. Description of commodity				I.19. Commodity code (HS code)		I.20. Quantity	
I.21. Temperature of product Ambient <input type="checkbox"/> Chilled <input type="checkbox"/> Frozen <input type="checkbox"/>				I.22. Number of packages				
I.23. Identification of container/Seal number				I.24. Type of packaging				
I.25. Commodities certified for Technical use <input type="checkbox"/>						I.26.		
				I.27. For import or admission into EU <input type="checkbox"/>				
I.28. Identification of the commodities								
Species (Scientific name)		Approval number of establishments manufacturing plant		Net weight		Batch number		

COUNTRY

Technical gelatine not intended for human consumption
to be used by the photographic industry

Part II: Certification		II.a. Certificate reference number	II.b.
	<p>Health attestation</p> <p>I, the undersigned official, declare that I have read and understood Regulation (EC) No 1774/2002 ⁽¹⁾ and certify that the photographic gelatine described above:</p> <p>II.1. consists exclusively of photographic gelatine for photographic uses and is not intended for any other purpose;</p> <p>II.2. has been prepared and stored in a plant approved, validated and supervised by the competent authority in accordance with Article 18 of Regulation (EC) No 1774/2002, which do not produce gelatine for food, feed or other technical uses intended for dispatch to the European Community;</p> <p>II.3. has been prepared with Category 3 animal by-products and/or bovine vertebral column classified as Category 1 material;</p> <p>II.4. has been wrapped, packaged, stored and transported under satisfactory hygiene conditions;</p> <p>II.5. has been produced by a process ensuring that the raw material is:</p> <p style="margin-left: 20px;">(a) treated by Method 1 ⁽²⁾ of Chapter III of Annex V to Regulation (EC) No 1774/2002; or</p> <p style="margin-left: 20px;">(b) subjected to:</p> <p style="margin-left: 40px;">(i) treatment with acid for at least two days, washing with water and treatment with an alkaline solution for at least 20 days; the pH must be adjusted and the material purified by means of filtration and sterilised at 138-140 °C for 4 seconds; or</p> <p style="margin-left: 40px;">(ii) treatment with alkali for at least two days, washing with water and treatment with an acid solution for 10-12 hours; the pH must be adjusted and the material purified by means of filtration and sterilised at 138-140 °C for 4 seconds;</p> <p>II.6. has been wrapped and packaged in wrappings and packages carrying the words "PHOTOGRAPHIC GELATINE FOR THE PHOTOGRAPHIC INDUSTRY ONLY".</p>		
<p>Notes</p> <p>Part I:</p> <ul style="list-style-type: none"> — Box reference I.5: the intended destination of the photographic gelatine can only be Luxembourg, the Netherlands or the United Kingdom. — Box reference I.9: country of destination: only applicable for Luxembourg, the Netherlands or the United Kingdom. — Box reference I.15: registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship); information is to be provided in the event of unloading and reloading. — Box reference I.23: identification of container/seal number: only where applicable. <p>Part II:</p> <p>(¹) OJ L 273, 10.10.2002, p. 1.</p> <p>(²) Method 1 is as follows:</p> <p style="margin-left: 20px;">"Reduction</p> <p style="margin-left: 40px;">1. If the particle size of the animal by-products to be processed is more than 50 millimetres, the animal by-products must be reduced in size using appropriate equipment, set so that the particle size after reduction is no greater than 50 millimetres. The effectiveness of the equipment must be checked daily and its condition recorded. If checks disclose the existence of particles larger than 50 millimetres, the process must be stopped and repairs made before the process is resumed.</p> <p style="margin-left: 40px;">Time, temperature and pressure</p> <p style="margin-left: 40px;">2. After reduction the animal by-products must be heated to a core temperature of more than 133 °C for at least 20 minutes without interruption at a pressure (absolute) of at least 3 bars produced by saturated steam; the heat treatment may be applied as the sole process or as a pre- or post-process sterilisation phase.</p> <p style="margin-left: 40px;">3. The processing may be carried out in batch or continuous systems."</p> <ul style="list-style-type: none"> — The signature and the stamp must be in a different colour to that of the printing. — Note for the person responsible for the load in EU: this certificate is only for veterinary purposes and has to accompany the consignment until it reaches the factory of destination from the border inspection post. 			
<p>Official veterinarian or official inspector</p> <p style="margin-left: 40px;">Name (in capital letters):</p> <p style="margin-left: 40px;">Date:</p> <p style="margin-left: 40px;">Stamp:</p> <p style="margin-left: 40px;">Qualification and title:</p> <p style="margin-left: 40px;">Signature:</p>			

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1359/2007 of 21 November 2007 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals (Codified version)**

(Official Journal of the European Union L 304 of 22 November 2007)

On page 25, Annex 1, under point 8 'Certificate of Issuing Authority' should read as follows:

for: 'The undersigned hereby declares that the meat described hereon comes from the forequarters of adult male cattle.'

read: 'The undersigned hereby declares that the meat described herein comes from the hindquarters of adult male cattle.'
