

# Official Journal

## of the European Union

L 245

English edition

### Legislation

Volume 51

13 September 2008

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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 890/2008****of 12 September 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 Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector <sup>(2)</sup>, and in particular Article 138(1) thereof,

Whereas:

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 Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 13 September 2008.

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

Done at Brussels, 12 September 2008.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 350, 31.12.2007, p. 1.

## ANNEX

**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	MK	24,7
	ZZ	24,7
0707 00 05	EG	162,5
	JO	156,8
	TR	74,0
	ZZ	131,1
0709 90 70	TR	93,2
	ZZ	93,2
0805 50 10	AR	71,8
	TR	104,3
	UY	47,5
	ZA	79,7
	ZZ	75,8
0806 10 10	TR	102,3
	US	158,2
	ZZ	130,3
0808 10 80	CL	66,0
	CN	65,4
	NZ	103,3
	US	90,8
	ZA	79,3
	ZZ	81,0
0808 20 50	AR	76,1
	CN	63,1
	TR	133,9
	ZA	99,3
	ZZ	93,1
0809 30	TR	144,7
	US	182,4
	ZZ	163,6
0809 40 05	IL	122,2
	MK	22,0
	TR	79,0
	XS	64,2
	ZZ	71,9

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 891/2008****of 11 September 2008****establishing a prohibition of fishing for cod in I and IIb by vessels flying the flag of United Kingdom**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy <sup>(1)</sup>, and in particular Article 26(4) thereof,Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy <sup>(2)</sup>, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 40/2008 of 16 January 2008 fixing for 2008 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required <sup>(3)</sup>, lays down quotas for 2008.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2008.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2008 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

This Regulation shall enter into force on the 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 September 2008.

*For the Commission*

Fokion FOTIADIS

*Director-General for Maritime Affairs and Fisheries*

<sup>(1)</sup> OJ L 358, 31.12.2002, p. 59.

<sup>(2)</sup> OJ L 261, 20.10.1993, p. 1.

<sup>(3)</sup> OJ L 19, 23.1.2008, p. 1.

## ANNEX

No	35/T&Q
Member State	GBR
Stock	COD/1/2B.
Species	Cod ( <i>Gadus morhua</i> )
Area	I and IIb
Date	14.8.2008

## COMMISSION REGULATION (EC) No 892/2008

of 12 September 2008

**amending Regulation (EC) No 950/2006 laying down detailed rules of application for the 2006/07, 2007/08 and 2008/09 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector<sup>(1)</sup>, and in particular Article 40(1)(e)(iii),

Whereas:

- (1) By Decisions 2007/626/EC<sup>(2)</sup> and 2007/627/EC<sup>(3)</sup> the Council decided to denounce, on behalf of the Community, the Agreement with India on cane sugar (Agreement with India)<sup>(4)</sup>, and Protocol 3 on ACP Sugar appearing in the ACP-EEC Convention of Lomé signed on 28 February 1975 and the corresponding declarations annexed to that Convention, contained in Protocol 3 attached to Annex V to the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000<sup>(5)</sup> (Protocol 3 on ACP sugar), respectively, with effect from 1 October 2009. Certain provisions of Commission Regulation (EC) No 950/2006<sup>(6)</sup> therefore need to be adapted in order to take the new legal situation into account.
- (2) Article 7(2) of Council Regulation (EC) No 1528/2007 of 20 December 2007 applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements<sup>(7)</sup> opens additional tariff rate quotas for products of tariff heading 1701 for the period from 1 October 2008 to 30 September 2009. Regulation (EC) No 950/2006 therefore also needs to be adapted in view of those additional quotas.
- (3) A Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part,

was signed in Luxembourg on 12 June 2006. Pending the completion of the procedures necessary for its entry into force, an Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part<sup>(8)</sup>, was signed and concluded and entered into force on 1 December 2006. The bilateral trade concessions on the Community side are equivalent to the concessions applicable within the unilateral autonomous trade measures under Council Regulation (EC) No 2007/2000<sup>(9)</sup>. However, the definitions in Articles 1 and 2 of Regulation (EC) No 950/2006 should take this new legal situation into account.

- (4) A Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, was signed in Luxembourg on 16 June 2008. Pending the completion of the procedures necessary for its entry into force, an Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part<sup>(10)</sup>, was signed and concluded and entered into force on 1 July 2008. The bilateral trade concessions on the Community side are equivalent to the concessions applicable within the unilateral autonomous trade measures under Regulation (EC) No 2007/2000. However, the definitions in Articles 1 and 2 of Regulation (EC) No 950/2006 should take this new legal situation into account.
- (5) Article 4(5) of Regulation (EC) No 950/2006 determines the first period for submission of applications for import licences. For the delivery period which runs between 1 July 2009 and 30 September 2009, sufficient time should be given to operators to organise the trade. Therefore the first period for submission of applications for import licence applications should start immediately after the publication of the delivery obligations for that period.
- (6) Protocol 3 on ACP sugar and the Agreement with India will no longer bind the Community after 30 September 2009. Therefore, import licence requests should be lodged at the latest on 18 September 2009. Article 4(5) of Regulation (EC) No 950/2006 should be amended accordingly.

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1.

<sup>(2)</sup> OJ L 255, 29.9.2007, p. 37.

<sup>(3)</sup> OJ L 255, 29.9.2007, p. 38.

<sup>(4)</sup> OJ L 190, 23.7.1975, p. 36.

<sup>(5)</sup> OJ L 317, 15.12.2000, p. 2.

<sup>(6)</sup> OJ L 178, 1.7.2006, p. 1.

<sup>(7)</sup> OJ L 348, 31.12.2007, p. 1.

<sup>(8)</sup> OJ L 239, 1.9.2006, p. 2.

<sup>(9)</sup> OJ L 240, 23.9.2000, p. 1.

<sup>(10)</sup> OJ L 169, 30.6.2008, p. 10.

- (7) In the case where licence applications reach or exceed the quantity of one of the delivery obligations, Article 5(3) of Regulation (EC) No 950/2006 provides for the fixing of an allocation coefficient by the Commission. Since Protocol 3 on ACP sugar and the Agreement with India will no longer bind the Community after 30 September 2009, the flexibility provided for the issuing of import licences for ACP/India sugar should not apply for the last two delivery periods. The communication of actually imported quantities foreseen in Article 8(a) of Regulation (EC) No 950/2006 is used to calculate the transfer of eventual excess quantities to the following delivery period. The delay for this communication is three months and therefore the information necessary for the calculation will not be available. Therefore, in the case where licence applications reach or exceed the quantity of one of the delivery obligations for the delivery period 2008/2009 and the delivery period which runs between 1 July 2009 and 30 September 2009, an allocation coefficient needs to be fixed.
- (8) Article 50(1) of Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products<sup>(1)</sup> should, for the reasons given above, apply in respect of imports of ACP/India sugar in respect of the delivery period which runs between 1 July 2009 and 30 September 2009. The derogation from that provision provided for in Article 15(3) of Regulation (EC) No 950/2006 should not, therefore, apply in respect of that delivery period.
- (9) Import licence applications and licences require the indication of the delivery period in their box 20. For reasons of clarity, a specific mention should be given for the delivery period which runs between 1 July 2009 and 30 September 2009.
- (10) The non-reciprocal trade preferences contained in Annex V to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 expired on 31 December 2007. Therefore the proof of origin issued in accordance with Article 14 of Protocol 1 attached to Annex V to the ACP-EC Partnership Agreement no longer applies to countries which are not included in Annex I to Council Regulation (EC) No 1528/2007. However, the preference granted under Protocol 3 on ACP sugar continues to apply until 30 September 2009. Therefore, at the moment of lodging of import licence applications for ACP/India sugar, an accompanying document issued by the competent authority of the exporting country should be submitted. As it has been so far, the exporting countries should still be able to issue a document that differs from the export licence referred to in Articles 16(2) and 21(2)(a) of Regulation (EC) No 950/2006. Provision should, therefore, be made for the possibility of the issuing of such an alternative document based on the same model as the proof of origin issued in the past.
- (11) Article 16(3) of Regulation (EC) No 950/2006 determines the validity of the import licences for ACP/India sugar. With regard to the delivery period beginning on 1 July 2009, the date as from which the import licences for refining will have a validity of three months should be moved to 1 July 2009 in order to reflect the fact that this delivery period 2008/2009 will end on 30 September 2009.
- (12) Commission Regulation (EC) No 407/2008 of 7 May 2008 amending Council Regulation (EC) No 2007/2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process<sup>(2)</sup> removes Montenegro from the list of beneficiaries of the tariff concessions provided for in its Article 4(4). Article 28 and Annex I to Regulation (EC) No 950/2006 should be amended accordingly.
- (13) The experience gained in the first two years of the out-of-quota production management, and in particular the industrial sugar, shows a need for flexibility both for producers and the processors of industrial sugar. The criteria set out in Article 30(2) of Regulation (EC) No 950/2006 for the purposes of determining the quantity of industrial sugar for which application of all or part of the import duties is to be suspended are therefore no longer needed and should be deleted.
- (14) If an import licence for industrial import sugar is transferred, the obligation to process the imported quantities into the products referred to in the Annex to Commission Regulation (EC) No 967/2006 of 29 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 318/2006 as regards sugar production in excess of the quota<sup>(3)</sup> should remain with the initial holder of the import licence. Article 6(4) should be amended accordingly.
- (15) Import licence requests should be restricted to processors of industrial sugar. Such processors are not necessarily involved in trade with third countries. It is therefore necessary to provide for a corresponding derogation from Article 5 of 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>(4)</sup>.

<sup>(1)</sup> OJ L 152, 24.6.2000, p. 1.

<sup>(2)</sup> OJ L 122, 8.5.2008, p. 7.

<sup>(3)</sup> OJ L 176, 30.6.2006, p. 22.

<sup>(4)</sup> OJ L 238, 1.9.2006, p. 13.



- (16) Given that imported industrial sugar may only be used for the purposes of production of the products referred to in the Annex to Regulation (EC) No 967/2006, the provisions on the management of the industrial raw material and the obligations on processors laid down by that Regulation should apply to the quantities imported.
- (17) In accordance with Article 7(2) of Regulation (EC) No 1528/2007, the additional tariff rate quotas available under that provision have to be divided between regions according to quantities to be determined in conformity with the agreements qualifying regions or states for inclusion in Annex I to that Regulation. The initialling of such agreements between certain regions and states, of the one part, and the European Community, of the other part, qualified these regions and states for inclusion in the said Annex I. The quantities of the additional tariff rate quotas are determined in these agreements.
- (18) Those additional tariff rate quotas should be opened and administered in accordance with Regulation (EC) No 950/2006. It is therefore appropriate to assign quantities to countries, or regions, subject to the precondition that those countries are listed in Annex I to Regulation (EC) No 1528/2007. Such quantities may be assigned to specific countries in their own right and also as part of a region. Certain specificities concerning the information that should be contained in the licence applications and the licences themselves should be laid down.
- (19) Export licences for non-preferential exports have been used to apply for preferential import licences. Therefore, the export licence referred to in Annex II to Regulation (EC) No 950/2006 should clearly state that the licence relates to exports of preferential sugar to the EU.
- (20) Regulation (EC) No 950/2006 should therefore be amended accordingly.
- (21) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

#### Article 1

Regulation (EC) No 950/2006 is amended as follows:

1. Article 1 is amended as follows:

(a) in paragraph 1, the following points are added:

‘(i) Article 7(2) of Council Regulation (EC) No 1528/2007 (\*);

- (j) Article 14(2) of the Interim agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part (\*\*);
- (k) Article 12(3) of the Interim agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part (\*\*\*)

(\*) OJ L 348, 31.12.2007, p. 1.

(\*\*) OJ L 239, 1.9.2006, p. 2.

(\*\*\*) OJ L 169, 30.6.2008, p. 10.’;

(b) paragraph 2 is replaced by the following:

‘2. Quantities imported in accordance with the provisions referred to in paragraph 1(c) to (k) (hereinafter referred to as tariff quotas), and with the provisions referred to in points (a) and (b) of that paragraph (hereinafter referred to as delivery obligations) for the 2006/07, 2007/08 and 2008/09 marketing years shall bear the quota order numbers shown in Annex I.’

2. Article 2 is amended as follows:

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

‘(d) “Balkans sugar” means sugar products falling within CN codes 1701 and 1702 originating in Albania, Bosnia and Herzegovina, Serbia, Kosovo, the former Yugoslav Republic of Macedonia or Croatia and imported into the Community under Regulation (EC) No 2007/2000, the Stabilisation and Association Agreement with the former Yugoslav Republic of Macedonia, the Stabilisation and Association Agreement with the Republic of Croatia, the Interim agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part and the Interim agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part.’;

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

‘(i) “delivery period” means the period defined in Article 4 of the ACP Protocol and Article 4 of the Agreement with India. However, in respect of the delivery period beginning on 1 July 2009, “delivery period” means the period between 1 July 2009 and 30 September 2009, the date on which the ACP Protocol and the Agreement with India cease to bind the Community.’;

(c) the following point is added:

- (p) "Additional EPA sugar" means sugar falling within CN code 1701 originating in regions and states which are listed in Annex I to Regulation (EC) No 1528/2007.'

3. In Article 4(5), the following subparagraphs are added:

'For the delivery period beginning on 1 July 2009, the first period for submission of applications for import licences shall start on the Monday following the entry into force of the Regulation determining the delivery obligations for this period.'

For ACP/India sugar, the last day for the submission of applications for import licences shall be 18 September 2009.'

4. In the third subparagraph of Article 5(3), the following sentence is added:

'However, this subparagraph shall not apply for the delivery period 2008/2009 and the delivery period beginning on 1 July 2009.'

5. In Article 6(4), the second phrase is replaced by the following:

'Obligations to import, to refine or to process industrial import sugar are not transferable.'

6. In Article 15(3) the following subparagraph is added:

'However, the first subparagraph shall not apply for the delivery period 2008/2009 and the delivery period beginning on 1 July 2009.'

7. Article 16 is amended as follows:

(a) paragraph 1 point (c) is replaced by the following:

- (c) in box 20: the delivery period to which they relate or for the delivery period beginning on 1 July 2009, the mention "1 July 2009 to 30 September 2009" and at least one of the entries listed in part A of Annex III.;

(b) paragraph 2 is replaced by the following:

'2. Import licence applications shall be accompanied by the original of the export licence issued by the competent authorities of the exporting country in accordance with the model in Annex II for a quantity equal to that in the licence application. This export

licence may be replaced by a certified copy, issued by the competent authorities of the exporting country, of the EUR.1 movement certificate based on the model set out in Annex IIa for the countries covered by the ACP Protocol or the proof of origin provided for in Article 18 for India.;

(c) the following subparagraph is added in paragraph 3:

'For the delivery period beginning on 1 July 2009, licences for ACP/India sugar for refining shall be valid until 30 September 2009 or in the case of licences issued from 1 July 2009, until the end of the third month following that in which they were actually issued.'

8. In Article 17 paragraphs 1 and 2 are replaced by the following:

'1. Upon import, a document shall be presented to the customs authorities bearing:

- (a) at least one of the entries listed in part A of Annex III;
- (b) the date of embarkation of the goods and the delivery period concerned;
- (c) the CN subheading for the product concerned.

2. The document referred to in paragraph 1 containing the description of sugar falling within CN code 1701 99 may be used, where appropriate, for imports of sugar falling within CN code 1701 11.'

9. Article 21(2)(a) is replaced by the following:

'(a) the original of the export licence issued by the competent authorities of the exporting country or of one of the exporting countries in accordance with the model in Annex II for a quantity equal to that in the licence application. This export licence may be replaced by a certified copy, issued by the competent authorities of the exporting country, of the EUR.1 movement certificate based on the model in Annex IIa for the countries covered by the ACP Protocol or the proof of origin provided for in Article 23 for India.'

10. The first subparagraph of Article 22(1) is replaced by the following:

'Upon import, a document shall be presented to the customs authorities bearing:'

11. In Article 28(2), the third indent is replaced by the following:

‘— Serbia including Kosovo 180 000 tonnes,’

12. In Article 30, paragraph 2 is deleted.

13. The following Articles 30a to 30d are inserted:

*Article 30a*

The products imported as industrial import sugar shall be used for the purposes of production of the products referred to in the Annex to Commission Regulation (EC) No 967/2006 (\*).

*Article 30b*

By way of derogation from Article 5 of Regulation (EC) No 1301/2006, applications for import licences for industrial import sugar may be submitted only by processors within the meaning of Article 2(d) of Regulation (EC) No 967/2006.

*Article 30c*

Articles 11, 12 and 13 of Regulation (EC) No 967/2006 shall apply to imports of industrial import sugar.

*Article 30d*

1. A processor shall supply proof, to the satisfaction of the competent authorities of the Member State, that he used the quantities imported as industrial import sugar for the purposes of production of the products referred to in the Annex to Regulation (EC) No 967/2006 and in accordance with the approval referred to in Article 5 of Regulation (EC) No 967/2006. This proof shall consist of the computerised recording in the records during or at the end of the production process of the quantities of the products concerned.

2. If processors have not supplied the proof referred to in paragraph 1 by the end of the seventh month following the month of import they shall pay, for each day of delay, a sum of EUR 5 per tonne of the quantity concerned.

3. If processors have not supplied the proof referred to in paragraph 1 by the end of the ninth month following the month of import, the quantity concerned shall be considered to be over-declared within the meaning of Article 13 of Regulation (EC) No 967/2006.

14. The following Chapter VIIIa is inserted:

‘CHAPTER VIIIa

**ADDITIONAL EPA SUGAR**

*Article 31a*

The quantities available under the additional tariff rate quotas opened for products of tariff heading 1701 for the period from 1 October 2008 to 30 September 2009 in accordance with Article 7(2) of Regulation (EC) No 1528/2007 shall be allocated as follows:

— Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe	75 000 tonnes,
— Burundi, Kenya, Rwanda, Tanzania, Uganda	15 000 tonnes,
— Swaziland	30 000 tonnes,
— Mozambique	20 000 tonnes,
— Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago	30 000 tonnes,
— Dominican Republic	30 000 tonnes,
— Fiji, Papua New Guinea	30 000 tonnes.

*Article 31b*

1. Import licence applications and licences shall contain the following entries:

(a) in box 8: the country or countries of origin which must be listed in Annex I to Regulation (EC) No 1528/2007, the word “yes” being marked with a cross;

(b) in boxes 17 and 18: the quantity in white sugar equivalent weight, which may not exceed the initial quantity provided for in Article 31a;

(c) in box 20 at least one of the entries listed in part J of Annex IV to this Regulation.

(\*) OJ L 176, 30.6.2006, p. 22.’

2. Import licence applications shall be accompanied by the original of the export licence issued by the competent authorities of the exporting country or of one of the exporting countries in accordance with the model in Annex II to this Regulation for a quantity equal to that in the licence application. This export licence may be replaced by a certified copy, issued by the competent authorities of the exporting country, of the proof of origin referred to in Title IV of Annex II to Regulation (EC) No 1528/2007.'

15. The Annexes are amended as follows:

(a) Annex I is amended in accordance with Annex I to this Regulation;

(b) Annex II is amended in accordance with Annex II to this Regulation;

(c) Annex IIa is inserted, the text of which is as set out in Annex III to this Regulation;

(d) Annex III is amended in accordance with Annex IV to this Regulation.

*Article 2*

This Regulation shall enter into force on the seventh 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, 12 September 2008.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

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## ANNEX I

Annex I to Regulation (EC) No 950/2006 is amended as follows:

1. the table relating to Balkans sugar is replaced by the following:

**'Order numbers for Balkans sugar**

Third country	Order number
Albania	09.4324
Bosnia and Herzegovina	09.4325
Serbia and Kosovo	09.4326
Former Yugoslav Republic of Macedonia	09.4327
Croatia	09.4328'

2. the following table is added:

**'Order numbers for additional EPA sugar**

Third country	Order number
Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe	09.4431
Burundi, Kenya, Rwanda, Tanzania, Uganda	09.4432
Swaziland	09.4433
Mozambique	09.4434
Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago	09.4435
Dominican Republic	09.4436
Fiji, Papua New Guinea	09.4437'

## ANNEX II

## ANNEX II

**Model export licence referred to in Articles 16(2), 21(2)(a), 29(2) and 31b(2)**

1. Exporter (name, full address, country)	<b>ORIGINAL</b>	2. <b>No</b>
	3. Marketing year or delivery period	
4. Importer (name, full address, country) (optional)	<b>LICENCE FOR PREFERENTIAL SUGAR EXPORT TO THE EU</b>	
5. Place and date of loading — means of transport (optional)	6. Country of origin	7. Country of destination
	8. Additional details	
9. Designation of goods	10. CN code (8-digit)	11. Quantity (kg)
12. CERTIFICATION BY COMPETENT AUTHORITY		
13. Competent authority (name, full address, country)	At: ..... On: .....	
	(signature)	(stamp) <sup>1</sup>



## ANNEX IV

In Annex III to Regulation (EC) No 950/2006, the following part is added:

J. Entries referred to in Article 31b(1)(c):

- *in Bulgarian:* Приложение на Регламент (ЕО) № 950/2006, допълнителна захар по СИП. Пореден номер [поредният номер се вписва съгласно приложение I]
- *in Spanish:* Aplicación del Reglamento (CE) nº 950/2006, azúcar adicional AAE. Número de orden (insértese con arreglo al anexo I)
- *in Czech:* Podle nařízení (ES) č. 950/2006, dodatečný cukr podle dohody o hospodářském partnerství. Pořadové číslo (pořadové číslo vložte podle přílohy I)
- *in Danish:* Anvendelse af forordning (EF) nr. 950/2006, supplerende ØPA-sukker. Løbenummer [løbenummer indsættes ifølge bilag I]
- *in German:* Anwendung der Verordnung (EG) Nr. 950/2006, zusätzlicher WPA-Zucker. Laufende Nummer [laufende Nummer gemäß Anhang I einfügen]
- *in Estonian:* Kohaldatakse määrust (EÜ) nr 950/2006, majanduspartnerluslepingute alusel tarnitav lisasuhkur. Järjekorranumber [lisatakse vastavalt I lisale]
- *in Greek:* Εφαρμογή του κανονισμού (ΕΚ) αριθ. 950/2006, πρόσθετη ζάχαρη ΣΟΕΣ: αύξων αριθμός [συμπληρώνεται ο αύξων αριθμός σύμφωνα με το παράρτημα I]
- *in English:* Application of Regulation (EC) No 950/2006, additional EPA sugar. Order No [order number to be inserted in accordance with Annex I],
- *in French:* Application du règlement (CE) n° 950/2006, sucre APE supplémentaire. Numéro d'ordre [numéro d'ordre à insérer conformément à l'annexe I]
- *in Italian:* Applicazione del regolamento (CE) n. 950/2006, zucchero APE supplementare. Numero d'ordine (inserire in base all'allegato I)
- *in Latvian:* Regulas (EK) Nr. 950/2006 piemērošana, papildu EPA cukurs. Sērijas Nr. (sērijas numurs ir jāievieto saskaņā ar I pielikumu)
- *in Lithuanian:* Taikomas Reglamentas (EB) Nr. 950/2006, papildomas EPS cukrus. Eilės numeris [eilės numeris įrašytinas pagal I priedą]
- *in Hungarian:* A 950/2006/EK rendelet alkalmazása, kiegészítő GPA-cukor. Tételszám [a tételszámot az I. mellékletnek megfelelően kell beilleszteni]
- *in Maltese:* Applikazzjoni tar-Regolament (KE) Nru 950/2006, zokkor addizzjonali tal-EPA. Nru ta' l-Ordni [numru ta' l-ordni li jrid jiddaħħal skond l-Anness I]
- *in Dutch:* Aanvraag in het kader van Verordening (EG) nr. 950/2006, aanvullende EPO-suiker. Volgnr. [in te vullen overeenkomstig bijlage I]
- *in Polish:* Zastosowanie rozporządzenia (WE) nr 950/2006, dodatkowy cukier z umów o partnerstwie gospodarczym. Numer porządkowy [numer porządkowy zostanie wpisany zgodnie z załącznikiem I]
- *in Portuguese:* Aplicação do Regulamento (CE) n.º 950/2006, açúcar APE suplementar. Número de ordem [número de ordem a inserir de acordo com o anexo I]
- *in Romanian:* Aplicarea Regulamentului (CE) nr. 950/2006, zahăr APE suplimentar. Nr. de ordine [se introduce numărul de ordine în conformitate cu anexa I]
- *in Slovak:* Uplatňovanie nariadenia (ES) č. 950/2006, dodatočný cukor podľa DHP. Poradové č. [poradové číslo sa vkladá podľa prílohy I]
- *in Slovene:* Uporaba Uredbe (ES) št. 950/2006, dodatni sladkor v okviru sporazuma o gospodarskem partnerstvu. Zaporedna številka: [vstaviti zaporedno številko v skladu s Prilogo I]
- *in Finnish:* Asetuksen (EY) N:o 950/2006 soveltaminen, talouskumppanuussopimuksen mukainen lisäsokeri. Järjestysnumero [lisätään järjestysnumero liitteen I mukaisesti]
- *in Swedish:* Tillämpning av förordning (EG) nr 950/2006, tilläggssocker enligt ekonomiskt partnerskapsavtal (EPA). Löpnummer [löpnummer ska införas i enlighet med bilaga I].



## II

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

## DECISIONS

## COMMISSION

## COMMISSION DECISION

of 8 September 2008

**allowing Member States to extend provisional authorisations granted for the new active substances fluopicolide and pinoxaden**

(notified under document number C(2008) 4732)

(Text with EEA relevance)

(2008/724/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market <sup>(1)</sup>, and in particular the fourth subparagraph of Article 8(1) thereof,

Whereas:

(1) In accordance with Article 6(2) of Directive 91/414/EEC, in May 2004 the United Kingdom received an application from Bayer CropScience, for the inclusion of the active substance fluopicolide in Annex I to Directive 91/414/EEC. Commission Decision 2005/778/EC <sup>(2)</sup> confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.

(2) In March 2004 the United Kingdom received an application from Syngenta Ltd concerning pinoxaden. Commission Decision 2005/459/EC <sup>(3)</sup> confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.

(3) Confirmation of the completeness of the dossiers was necessary in order to allow them to be examined in detail and to allow Member States the possibility of granting provisional authorisations, for periods of up to three years, for plant protection products containing the active substances concerned, while complying with the conditions laid down in Article 8(1) of Directive 91/414/EEC and, in particular, the condition relating to the detailed assessment of the active substances and the plant protection product in the light of the requirements laid down by that Directive.

(4) For these active substances, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The rapporteur Member State submitted the draft assessment reports to the Commission on 12 December 2005 (fluopicolide) and on 30 November 2005 (pinoxaden).

<sup>(1)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(2)</sup> OJ L 293, 9.11.2005, p. 26.

<sup>(3)</sup> OJ L 160, 23.6.2005, p. 32.

- (5) Following submission of the draft assessment reports by the rapporteur Member State, it has been found to be necessary to request further information from the applicants and to have the rapporteur Member State examine that information and submit its assessment. Therefore, the examination of the dossiers is still ongoing and it will not be possible to complete the evaluation within the time frame provided for in Directive 91/414/EEC.
- (6) As the evaluation so far has not identified any reason for immediate concern, Member States should be given the possibility of prolonging provisional authorisations granted for plant protection products containing the active substances concerned for a period of 24 months in accordance with the provisions of Article 8 of Directive 91/414/EEC so as to enable the examination of the dossiers to continue. It is expected that the evaluation and decision-making process with respect to a decision on possible Annex I inclusion for fluopicolide and pinoxaden will have been completed within 24 months.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

Member States may extend provisional authorisations for plant protection products containing fluopicolide or pinoxaden for a period not exceeding 24 months from the date of adoption of this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 8 September 2008.

*For the Commission*  
Androulla VASSILIOU  
*Member of the Commission*

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**NOTE TO THE READER**

The institutions have decided no longer to quote in their texts the last amendment to cited acts.

Unless otherwise indicated, references to acts in the texts published here are to the version of those acts currently in force.