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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 1016/2008

of 17 October 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 18 October 2008.

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

Done at Brussels, 17 October 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	IL	107,3
	MA	124,1
	MK	54,6
	TR	82,9
	ZZ	92,2
0707 00 05	MK	81,9
	TR	96,5
	ZZ	89,2
0709 90 70	TR	90,4
	ZZ	90,4
0805 50 10	AR	81,5
	TR	107,6
	UY	95,7
	ZA	81,0
	ZZ	91,5
0806 10 10	BR	232,7
	TR	105,0
	US	174,6
	ZZ	170,8
0808 10 80	AU	161,1
	CL	61,0
	CN	93,4
	MK	37,6
	NZ	102,9
	US	126,2
	ZA	83,8
	ZZ	95,1
0808 20 50	CL	60,3
	CN	54,3
	TR	132,8
	ZA	83,4
	ZZ	82,7

<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 1017/2008****of 17 October 2008****on the issuing of import licences for applications lodged during the first seven days of October 2008 under tariff quotas opened by Regulation (EC) No 616/2007 for poultry meat**

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 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,

Having regard to Commission Regulation (EC) No 616/2007 of 4 June 2007 opening and providing for the administration of Community tariff quotas for poultry meat originating in Brazil, Thailand and other third countries <sup>(3)</sup>, and in particular Article 5(5) thereof,

Whereas:

- (1) Regulation (EC) No 616/2007 opened tariff quotas for imports of products in the poultry meat sector.
- (2) The applications for import licences lodged during the first seven days of October 2008 for the subperiod 1 January to 31 March 2009 relate, for some quotas,

to quantities exceeding those available. The extent to which licences may be issued should therefore be determined and an allocation coefficient laid down to be applied to the quantities applied for.

- (3) The applications for import licences lodged during the first seven days of October 2008 for the subperiod 1 January to 31 March 2009 do not, for some quotas, cover the total quantity available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The quantities for which import licence applications have been lodged pursuant to Regulation (EC) No 616/2007 for the subperiod 1 January to 31 March 2009 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

2. The quantities for which import licence applications have not been lodged pursuant to Regulation (EC) No 616/2007, to be added to the subperiod 1 April to 30 June 2009, are set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 18 October 2008.

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

Done at Brussels, 17 October 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 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 142, 5.6.2007, p. 3.

## ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod 1.1.2009-31.3.2009 (%)	Quantities not applied for to be added to the subperiod 1.4.2009-30.6.2009 (kg)
2	09.4212	( <sup>1</sup> )	74 088 000
5	09.4215	21,124188	—
6	09.4216	( <sup>2</sup> )	3 757 020
8	09.4218	( <sup>1</sup> )	9 126 800

(<sup>1</sup>) Not applied: no licence application has been sent to the Commission.

(<sup>2</sup>) Not applied: the applications do not cover the total quantity available.

**COMMISSION REGULATION (EC) No 1018/2008****of 17 October 2008****on the issue of licences for the import of garlic in the subperiod 1 December 2008 to 28 February 2009**

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 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) Commission Regulation (EC) No 341/2007 <sup>(3)</sup> opens and provides for the administration of tariff quotas and introduces a system of import licences and certificates of origin for garlic and other agricultural products imported from third countries.
- (2) The quantities for which 'A' licence applications have been lodged by traditional importers and by new

importers during the first five working days of October 2008, pursuant to Article 10(1) of Regulation (EC) No 341/2007 exceed the quantities available for products originating in China, Argentina, and all third countries other than China and Argentina.

- (3) Therefore, in accordance with Article 7(2) of Regulation (EC) No 1301/2006, it is now necessary to establish the extent to which the 'A' licence applications sent to the Commission by 15 October 2008 can be met in accordance with Article 12 of Regulation (EC) No 341/2007,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for 'A' import licences lodged pursuant to Article 10(1) of Regulation (EC) No 341/2007 during the first five working days of October 2008 and sent to the Commission by 15 October 2008 shall be met at a percentage rate of the quantities applied for as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the day 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, 17 October 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 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 90, 30.3.2007, p. 12.

## ANNEX

Origin	Order number	Allocation coefficient
Argentina		
— Traditional importers	09.4104	55,244277 %
— New importers	09.4099	1,102834 %
China		
— Traditional importers	09.4105	19,875085 %
— New importers	09.4100	0,476907 %
Other third countries		
— Traditional importers	09.4106	100 %
— New importers	09.4102	11,295785 %



**COMMISSION REGULATION (EC) No 1019/2008****of 17 October 2008****amending Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council  
on the hygiene of foodstuffs****(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 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs <sup>(1)</sup>, and in particular Article 13(1) thereof,

Whereas:

- (1) Regulation (EC) No 852/2004 lays down the general rules for food business operators on the hygiene of foodstuffs. Food business operators carrying out any stage of production, processing and distribution of food after the primary production stage are to comply with the general hygiene requirements laid down in Annex II to that Regulation.
- (2) With regard to water supply, Chapter VII of that Annex provides that potable water is to be used, whenever necessary, to ensure that foodstuffs are not contaminated and that clean water may be used with whole fishery products. It also provides that clean seawater may be used with live bivalve molluscs, echinoderms, tunicates and marine gastropods and that clean water may be used for their external washing.
- (3) The use of clean water with whole fishery products and for external washing of live bivalve molluscs, echinoderm, tunicates and marine gastropods does not represent a risk for public health as long as control procedures based, in particular, on the Hazard Analysis and Critical Control Point (HACCP) principles have been

developed and put in place by food business operators to ensure that it is not a source of contamination.

- (4) Regulation (EC) No 852/2004 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*

In Chapter VII of Annex II to Regulation (EC) No 852/2004, point 1(b) is replaced by the following:

‘(b) Clean water may be used with whole fishery products.

Clean seawater may be used with live bivalve molluscs, echinoderms, tunicates and marine gastropods; clean water may also be used for external washing.

When clean water is used, adequate facilities and procedures are to be available for its supply to ensure that such use is not a source of contamination for the foodstuff.’

*Article 2*This Regulation shall enter into force on the 10th 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, 17 October 2008.

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

<sup>(1)</sup> OJ L 139, 30.4.2004, p. 1. Corrected version in OJ L 226, 25.6.2004, p. 3.

**COMMISSION REGULATION (EC) No 1020/2008****of 17 October 2008****amending Annexes II and III to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin and Regulation (EC) No 2076/2005 as regards identification marking, raw milk and dairy products, eggs and egg products and certain fishery products****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Section VIII of Annex III to Regulation (EC) No 853/2004, in particular for handling fishery products on board vessels.

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin<sup>(1)</sup>, and in particular Article 9 and Article 10(1) thereof,

Whereas:

- (1) The provisions regarding identification marking laid down in Annex II to Regulation (EC) No 853/2004 have created confusion in the identification of products produced within the Community and products produced outside the Community. It is therefore appropriate to clarify those provisions in order to ensure their smooth implementation. However, in order not to disrupt trade in the products of animal origin concerned, it should be provided that products for which an identification mark has been applied in accordance with Regulation (EC) No 853/2004 before 1 November 2009 may be imported into the Community until 31 December 2009.
- (2) Notwithstanding the general principle laid down in Article 3(2) of Regulation (EC) No 853/2004 whereby food business operators are not to use, where hygiene so requires, any substance other than potable water, provisions allowing the use of clean water for the handling of fish are set out in Part A of Annex I and in Chapter VII of Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs<sup>(2)</sup> and in Part II of Chapter I and Chapters III and IV of

- (3) Article 11 of Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004<sup>(3)</sup> provides that clean water may also be used in land-based establishments until 31 December 2009.

- (4) It has long been scientifically recognised that the use of seawater is of technological interest for fishery products as it helps in maintaining intact their organoleptic characteristics by eliminating the risk of osmotic shock.

- (5) The use of clean seawater for the handling and washing of fishery products does not represent a risk for public health as long as control procedures based, in particular, on the Hazard Analysis and Critical Control Points (HACCP) principles have been developed and put in place by food business operators to ensure that it complies with the definition of clean seawater set out in Regulation (EC) No 852/2004. It is therefore appropriate to delete Article 11 of Regulation (EC) No 2076/2005 and to make the transitional arrangement, provided for in that Regulation as regards the use of clean seawater, permanent. Section VIII of Annex III to Regulation (EC) No 853/2004 should be amended accordingly.

- (6) Section VIII of Annex III to Regulation (EC) No 853/2004 sets out the requirements governing the production and placing on the market of fishery products intended for human consumption, including fish oil.

<sup>(1)</sup> OJ L 139, 30.4.2004, p. 55. Corrected version in OJ L 226, 25.6.2004, p. 22.

<sup>(2)</sup> OJ L 139, 30.4.2004, p. 1. Corrected version in OJ L 226, 25.6.2004, p. 3.

<sup>(3)</sup> OJ L 338, 22.12.2005, p. 83.

- (7) There have been difficulties in implementing those specific requirements in some Member States. Problems have also been encountered as regards fish oil imported from third countries. Those difficulties mainly relate to the requirements applying to raw materials in order to ensure their suitability for the production of fish oil for human consumption and to food manufacturing practices usually in place in the fish oil industry. It is therefore appropriate to clarify those provisions in order to harmonise their implementation. Section VIII of Annex III to Regulation (EC) No 853/2004 should be amended accordingly.
- (8) The opinion of the European Food Safety Authority adopted on 30 August 2004 on contaminants in the food chain related to the toxicity of fishery products belonging to the family of *Gempylidae* has demonstrated that fishery products belonging to that family, in particular *Ruvettus pretiosus* and *Lepidocybium flavobrunneum*, may have adverse gastrointestinal effects if not consumed under certain conditions. Chapter V of Section VIII of Annex III to Regulation (EC) No 853/2004 lays down specific marketing conditions for those fishery products.
- (9) Those conditions apply to fresh, prepared and processed fishery products derived from those species. However, similar risks for the consumer may be encountered with frozen fishery products derived from the family of *Gempylidae*. It is therefore appropriate to require similar protective and informative conditions for those frozen fishery products. Section VIII of Annex III to Regulation (EC) No 853/2004 should be amended accordingly.
- (10) Point 1(a) of Part III of Chapter II of Section IX of Annex III to Regulation (EC) No 853/2004 provides that food business operators manufacturing dairy products must ensure that raw cows' milk meets a limit criterion before processing.
- (11) Compliance with that limit is particularly important for food safety where the milk has to be heat-treated by a pasteurisation process or a process which is less strict than pasteurisation, and has not been heat-treated within a pre-defined time. In such circumstances, the application of such heat-treatments does not have a sufficient bactericidal effect, which may lead to an early spoilage of the resulting dairy product.
- (12) Article 12 of Regulation (EC) No 2076/2005 provides for a transitional arrangement aiming at limiting the verification of compliance with this criterion to such circumstances. It is therefore appropriate to delete Article 12 of Regulation (EC) No 2076/2005 and to make that transitional arrangement permanent. Section IX of Annex III to Regulation (EC) No 853/2004 should be amended accordingly.
- (13) Section X of Annex III to Regulation (EC) No 853/2004 lays down specific hygiene rules for eggs and egg products. Pursuant to point 2 of Chapter I of that Section, eggs must be stored and transported at a preferably constant temperature that is best suited to ensure optimal conservation of their hygiene properties.
- (14) Article 13(1) of Regulation (EC) No 2076/2005 provides that Member States which, before 1 January 2006, applied national temperature requirements for eggs storage facilities and for vehicles transporting eggs between such storage facilities may continue to apply those requirements until 31 December 2009. Since this possibility does not interfere with the food safety objectives laid down in Regulation (EC) No 853/2004, it is appropriate to make that transitional arrangement permanent.
- (15) In addition, pursuant to point 1 of Part II of Chapter II of Section X of Annex III to Regulation (EC) No 853/2004, cracked eggs may be used for the manufacture of egg products under certain conditions. Article 13(2) of Regulation (EC) No 2076/2005 provides that food business operators may, until 31 December 2009, use cracked eggs for the production of liquid egg in an establishment approved for that purpose, provided that the establishment of production or a packing centre has delivered them directly and they are broken as soon as possible. Since the use of cracked eggs in the production of liquid egg does not represent a risk for public health under such conditions, it is appropriate to make that transitional arrangement permanent.
- (16) Article 13 of Regulation (EC) No 2076/2005 should therefore be deleted and Section X of Annex III to Regulation (EC) No 853/2004 should be amended accordingly.
- (17) Regulations (EC) No 853/2004 and (EC) No 2076/2005 should therefore be amended accordingly.

(18) 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 II to Regulation (EC) No 853/2004 is amended in accordance with Annex I to this Regulation.

*Article 2*

Annex III to Regulation (EC) No 853/2004 is amended in accordance with Annex II to this Regulation.

*Article 3*

In Regulation (EC) No 2076/2005, Articles 11, 12 and 13 are deleted.

*Article 4*

Products of animal origin for which an identification mark has been applied in accordance with point 8 of Part B of Section I of Annex II to Regulation (EC) No 853/2004 before 1 November 2009 may be imported into the Community until 31 December 2009.

*Article 5*

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

However, point 1(b) of Annex I shall apply from 1 November 2009.

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

Done at Brussels, 17 October 2008.

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

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## ANNEX I

Annex II to Regulation (EC) No 853/2004 is amended as follows:

(1) Section I is amended as follows:

(a) Part A is amended as follows:

(i) Point 1 is replaced by the following:

‘1. The identification mark must be applied before the product leaves the establishment of production.’

(ii) Point 3 is replaced by the following:

‘3. An identification mark is not necessary on packs of eggs when a packing centre code is applied in accordance with Part A of Annex XIV to Council Regulation (EC) No 1234/2007 (\*).

\_\_\_\_\_  
(\* ) OJ L 299, 16.11.2007, p. 1.’

(b) In Part B, point 8 is replaced by the following:

‘8. When applied in an establishment located within the Community, the mark must be oval in shape and include the abbreviation CE, EB, EC, EF, EG, EK, EO, EY, ES, EÚ, EK or WE.

Those abbreviations must not be included in marks applied on products imported into the Community from establishments located outside the Community.’

(2) Section III is amended as follows:

(a) Point 1 is replaced by the following:

‘1. Slaughterhouse operators must not accept animals onto the slaughterhouse premises unless they have requested, and been provided with, relevant food chain information contained in the records kept at the holding of provenance in accordance with Regulation (EC) No 852/2004.’

(b) In point 3, the introductory phrase is replaced by the following:

‘3. The relevant food chain information referred to in point 1 is to cover, in particular:’

\_\_\_\_\_

## ANNEX II

Annex III to Regulation (EC) No 853/2004 is amended as follows:

(1) Section VIII is amended as follows:

(a) The introductory Part is amended as follows:

(i) Point 2 is replaced by the following:

‘2. Chapter III, Parts A, C and D, Chapter IV, Part A and Chapter V apply to retail.’

(ii) In the first subparagraph of point 3, the following point (c) is added:

‘(c) In the case of water supply, they supplement the requirements of Annex II, Chapter VII to that Regulation; clean seawater may be used for the handling and washing of fishery products, the production of ice used to chill fishery products and the rapid cooling of crustaceans and molluscs after their cooking.’

(b) Chapter I Part II is amended as follows:

(i) In point 2, the second sentence is deleted.

(ii) Point 5 is deleted.

(iii) Point 6 is replaced by the following:

‘6. Where fish are headed and/or gutted on board, such operations must be carried out hygienically as soon as possible after capture, and the products must be washed immediately and thoroughly. In that event, the viscera and parts that may constitute a danger to public health must be removed as soon as possible and kept apart from products intended for human consumption. Livers and roes intended for human consumption must be preserved under ice, at a temperature approaching that of melting ice, or be frozen.’

(c) Chapter III is amended as follows:

(i) In Part A, point 2 is replaced by the following:

‘2. Operations such as heading and gutting must be carried out hygienically. Where gutting is possible from a technical and commercial viewpoint, it must be carried out as quickly as possible after the products have been caught or landed. The products must be washed thoroughly immediately after these operations.’

(ii) Part E is deleted.

(d) Chapter IV is replaced by the following:

**‘CHAPTER IV: REQUIREMENTS FOR CERTAIN PROCESSED FISHERY PRODUCTS**

Food business operators must ensure compliance with the following requirements in establishments handling certain processed fishery products.

**A. REQUIREMENTS FOR COOKING OF CRUSTACEANS AND MOLLUSCS**

1. Rapid cooling must follow cooking. If no other method of preservation is used, cooling must continue until a temperature approaching that of melting ice is reached.
2. Shelling or shucking must be carried out hygienically, avoiding contamination of the product. Where such operations are done by hand, workers must pay particular attention to washing their hands.
3. After shelling or shucking, cooked products must be frozen immediately, or be chilled as soon as possible to the temperature set out in Chapter VII.

## B. REQUIREMENTS FOR FISH OIL INTENDED FOR HUMAN CONSUMPTION

## 1. Raw materials used in the preparation of fish oil for human consumption must:

- (a) come from establishments, including vessels, registered or approved pursuant to Regulation (EC) No 852/2004 or in accordance with this Regulation;
- (b) derive from fishery products which are fit for human consumption and which comply with the provisions set out in this Section;
- (c) be transported and stored in hygienic conditions;
- (d) be chilled as soon as possible and remain at the temperatures set out in Chapter VII.

By way of derogation from point 1(d), the food business operator may refrain from chilling the fishery products when whole fishery products are used directly in the preparation of fish oil for human consumption, and the raw material is processed within 36 hours after loading, provided that the freshness criteria are met and the total volatile basic nitrogen (TVB-N) value of the unprocessed fishery products do not exceed the limits set out in point 1 of Chapter I of Section II of Annex II to Commission Regulation (EC) No 2074/2005 (\*).

2. The production process for fish oil must ensure that all raw material intended for the production of crude fish oil is subject to a treatment including, where relevant, heating, pressing, separation, centrifugation, processing, refining and purification steps before being placed on the market for the final consumer.
3. Provided that the raw materials and the production process comply with the requirements applying to fish oil intended for human consumption a food business operator may produce and store both fish oil for human consumption and fish oil and fish meal not intended for human consumption in the same establishment.
4. Pending the establishment of specific Community legislation food business operators must ensure compliance with national rules for fish oil being placed on the market for the final consumer.

(\*) OJ L 338, 22.12.2005, p. 27.'

## (e) Chapter V is amended as follows:

## (i) The following sentence is added to the introductory paragraph:

'The requirements of Parts B and D shall not apply to whole fishery products that are used directly for the preparation of fish oil intended for human consumption.'

## (ii) In Part E, point 1 is replaced by the following:

1. Fishery products derived from poisonous fish of the following families must not be placed on the market: Tetraodontidae, Molidae, Diodontidae and Canthigasteridae.

Fresh, prepared, frozen and processed fishery products belonging to the family *Gempylidae*, in particular *Ruvettus pretiosus* and *Lepidocybium flavobrunneum*, may only be placed on the market in wrapped/packaged form and must be appropriately labelled to provide information to the consumer on preparation/cooking methods and on the risk related to the presence of substances with adverse gastrointestinal effects.

The scientific name of the fishery products must accompany the common name on the label.'

(2) In Section IX, Chapter II, Part III, point 1 is replaced by the following:

'1. Food business operators manufacturing dairy products must initiate procedures to ensure that, immediately before being heat treated and if its period of acceptance specified in the HACCP-based procedures is exceeded:

- (a) raw cows' milk used to prepare dairy products has a plate count at 30 °C of less than 300 000 per ml; and
- (b) heat treated cows' milk used to prepare dairy products has a plate count at 30 °C of less than 100 000 per ml.'

(3) Section X is amended as follows:

(a) In Chapter I, point 2 is replaced by the following:

'2. Eggs must be stored and transported until sale to the final consumer at a temperature, preferably constant, that is best suited to assure optimal conservation of their hygiene properties, unless the competent authority imposes national temperature requirements for egg storage facilities and for vehicles transporting eggs between such storage facilities.'

(b) In Chapter II, Part II, point 1 is replaced by the following:

'1. The shells of eggs used in the manufacture of egg products must be fully developed and contain no breaks. However, cracked eggs may be used for the manufacture of liquid egg or egg products if the establishment of production or a packing centre delivers them directly to an establishment approved for the manufacture of liquid egg or a processing establishment, where they must be broken as soon as possible.'

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## COMMISSION REGULATION (EC) No 1021/2008

of 17 October 2008

**amending Annexes I, II and III to Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption and Regulation (EC) No 2076/2005 as regards live bivalve molluscs, certain fishery products and staff assisting with official controls in slaughterhouses**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

in the same way as official auxiliaries for the tasks of such auxiliaries.

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption <sup>(1)</sup>, and in particular Article 16 and Article 17(1) thereof,

Whereas:

(1) Chapter III of Section I of Annex I to Regulation (EC) No 854/2004 sets out requirements for the health marking of carcasses when there are no grounds for declaring the meat unfit for human consumption. Some of those requirements have created confusion in the identification of products produced within the Community and products produced outside the Community. It is therefore appropriate to clarify those provisions in order to ensure their smooth implementation.

(2) However, in order not to disrupt the trade in the products concerned, it should be provided that products for which a health mark has been applied in accordance with Regulation (EC) No 854/2004 before 1 November 2009 may be imported into the Community until 31 December 2009.

(3) Article 5(6) of Regulation (EC) No 854/2004 allows Member States to authorise slaughterhouse staff to assist with official controls by carrying out certain specific tasks of official auxiliaries in relation to the production of meat from poultry and lagomorphs. Part A of Chapter III of Section III of Annex I to that Regulation provides that that authorisation may only be granted if the staff of the establishment have been trained, to the satisfaction of the competent authority,

(4) Article 14 of Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 <sup>(2)</sup>, provides that, until 31 December 2009, that training may be limited to ensuring that slaughterhouse staff are trained for the specific tasks they are authorised to perform.

(5) That limitation has not affected negatively the requirements for the official controls with regard to fresh meat, as provided for in Regulation (EC) No 854/2004. It is therefore appropriate to make the transitional arrangement provided for in Regulation (EC) No 2076/2005 permanent and allow the Member States to implement either a complete or a limited training system and to decide upon its practical arrangements, including the examination procedure. It is therefore appropriate to delete Article 14 of Regulation (EC) No 2076/2005 and to amend Part A of Chapter III of Section III of Annex I to Regulation (EC) No 854/2004 accordingly.

(6) Point 4 of Part A of Chapter II of Annex II to Regulation (EC) No 854/2004 provides that live bivalve molluscs from Class B areas are not to exceed 4 600 *E. coli* per 100 g of flesh and intravalvular liquid. Article 17a of Regulation (EC) No 2076/2005 introduces, until 31 December 2009, a tolerance in 10 % of samples for live bivalve molluscs originating from those areas.

(7) That tolerance does not represent a risk for public health provided that in the 10 % of samples, live bivalve molluscs do not exceed an upper limit of 46 000 *E. coli* per 100 g of flesh and intravalvular liquid. It is therefore appropriate to retain this tolerance on a permanent basis. It is therefore appropriate to delete Article 17a of Regulation (EC) No 2076/2005 and to amend point 4 of Part A of Chapter II of Annex II to Regulation (EC) No 854/2004 accordingly.

<sup>(1)</sup> OJ L 139, 30.4.2004, p. 206; corrected by OJ L 226, 25.6.2004, p. 83.

<sup>(2)</sup> OJ L 338, 22.12.2005, p. 83.

- (8) An opinion of the European Food Safety Authority adopted on 30 August 2004 on contaminants in the food chain related to the toxicity of fishery products belonging to the family of *Gempylidae* has demonstrated that fishery products belonging to that family, in particular *Ruvettus pretiosus* and *Lepidocybium flavobrunneum*, may have adverse gastrointestinal effects if not consumed under certain conditions. Regulation (EC) No 854/2004 requires competent authorities in the Member States to carry out checks regarding the marketing conditions that food business operators must comply with in relation to fishery products belonging to the family of *Gempylidae*.
- (9) Those conditions apply to fresh, prepared and processed fishery products derived from those species. However, similar risks for the consumer may be encountered with frozen fishery products derived from that family. It is therefore appropriate to require competent authorities to carry out checks also for frozen fishery products belonging to that family.
- (10) Regulations (EC) No 854/2004 and (EC) No 2076/2005 should therefore be amended accordingly.
- (11) 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*

Annexes I, II and III to Regulation (EC) No 854/2004 are amended in accordance with the Annex to this Regulation.

*Article 2*

In Regulation (EC) No 2076/2005, Articles 14 and 17a are deleted.

*Article 3*

Products of animal origin for which a health mark has been applied in accordance with point (c) of paragraph 3 of Chapter III of Section I of Annex I to Regulation (EC) No 854/2004 before 1 November 2009 may be imported into the Community until 31 December 2009.

*Article 4*

This Regulation shall enter into force on the 10th day following its publication in the *Official Journal of the European Union*.

However, point 1(a) of the Annex to this Regulation shall apply from 1 November 2009.

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

Done at Brussels, 17 October 2008.

For the Commission  
Androulla VASSILOU  
Member of the Commission

## ANNEX

Annexes I, II and III to Regulation (EC) No 854/2004 are amended as follows:

1. Annex I is amended as follows:

(a) In paragraph 3 of Chapter III of Section I, point (c) is replaced by the following:

‘(c) when applied in a slaughterhouse located within the Community, the mark must include the abbreviation CE, EB, EC, EF, EG, EK, EO, EY, ES, EÜ, EK or WE.

Those abbreviations must not be included in marks applied on meat imported into the Community from slaughterhouses located outside the Community.’

(b) In Part A of Chapter III of Section III, point (a) is replaced by the following:

‘(a) Where the establishment has used good hygiene practice in accordance with Article 4(4) of this Regulation and the HACCP procedure for at least 12 months, the competent authority may authorise staff of the establishment to carry out tasks of official auxiliaries. This authorisation may only be granted if the staff of the establishment have been trained, to the satisfaction of the competent authority, in the same way as the official auxiliaries for the tasks of official auxiliaries or for the specific tasks they are authorised to perform. This staff must be placed under the supervision, direction and responsibility of the official veterinarian. In these circumstances, the official veterinarian shall be present at ante-mortem and post-mortem examinations, shall supervise these activities and carry out regular performance tests to ensure that the performance of the slaughterhouse staff meets the specific criteria laid down by the competent authority, and shall document the results of those performance tests. Where the level of hygiene of the establishment is affected by the work of this staff, where this staff does not carry out the tasks properly or where in general this staff carries out its work in a manner that the competent authority considers unsatisfactory, this staff shall be replaced by official auxiliaries.’

2. In Part A of Chapter II of Annex II, point 4 is replaced by the following:

‘4. The competent authority may classify as being of Class B areas from which live bivalve molluscs may be collected and only placed on the market for human consumption after treatment in a purification centre or after relaying so as to meet the health standards referred to in paragraph 3. Live bivalve molluscs from these areas must not exceed, in 90 % of the samples, 4 600 *E. coli* per 100 g of flesh and intravalvular liquid. In the remaining 10 % of samples, live bivalve molluscs must not exceed 46 000 *E. coli* per 100 g of flesh and intravalvular liquid.

The reference method for this analysis is the five-tube, three dilutions Most Probable Number (MPN) test specified in ISO 16649-3. Alternative methods may be used if they are validated against this reference method in accordance with the criteria in EN/ISO 16140.’

3. In Chapter II of Annex III, Part G is replaced by the following:

‘G. POISONOUS FISHERY PRODUCTS

Checks are to take place to ensure that:

1. fishery products derived from poisonous fish of the following families are not placed on the market: *Tetraodontidae*, *Molidae*, *Diodontidae* and *Canthigasteridae*;
  2. fresh, prepared, frozen and processed fishery products belonging to the family *Gempylidae*, in particular *Ruvettus pretiosus* and *Lepidocybium flavobrunneum*, may only be placed on the market in wrapped/packaged form and must be appropriately labelled to provide information to the consumer on preparation/cooking methods and on the risk related to the presence of substances with adverse gastrointestinal effects. The scientific names of the fishery products and the common names must appear on the label;
  3. fishery products containing biotoxins such as *ciguatera* or other toxins dangerous to human health are not placed on the market. However, fishery products derived from bivalve molluscs, echinoderms, tunicates and marine gastropods may be placed on the market if they have been produced in accordance with Section VII of Annex III to Regulation (EC) No 853/2004 and comply with the standards laid down in Chapter V, point 2, of that Section.’
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**COMMISSION REGULATION (EC) No 1022/2008**  
**of 17 October 2008**  
**amending Regulation (EC) No 2074/2005 as regards the total volatile basic nitrogen (TVB-N) limits**  
**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

are landing their catch, fresh fishery products must undergo chilling as soon as possible after landing and be stored at the temperature of melting ice.

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin <sup>(1)</sup>, and in particular Article 11(9) thereof,

Whereas:

(1) Section VIII of Annex III to Regulation (EC) No 853/2004 provides that food business operators are to carry out specific checks in order to prevent fishery products which are unfit for human consumption from being placed on the market. Those checks also include the total volatile basic nitrogen (TVB-N) limits, which are not to be exceeded.

(2) Chapter I of Section II of Annex II to Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 <sup>(2)</sup> lays down the TVB-N limits for certain categories of fishery products and the analysis methods to be used.

(3) Pursuant to Annex III to Regulation (EC) No 853/2004, when vessels that have not been designed and equipped to preserve fresh fishery product for more than 24 hours

(4) However, when whole fishery products handled in such vessels are used directly in the preparation of fish oil for human consumption, the raw material may be processed up to 36 hours without chilling after the catch or the loading on the vessel, provided that the fishery products still meet the freshness criteria.

(5) It is therefore appropriate to lay down a general TVB-N limit that should not be exceeded in fish species used for the direct production of fish oil for human consumption, when using that possibility.

(6) Due to variation between species, it may also be appropriate to lay down higher TVB-N limits for certain species. Pending the harmonisation at Community level of those higher TVB-N limits, Member States should be allowed to apply national limits for certain species, provided that the fish still meet the freshness criteria.

(7) Regulation (EC) No 2074/2005 should therefore be amended accordingly.

(8) 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 II to Regulation (EC) No 2074/2005 is amended in accordance with the Annex to this Regulation.

<sup>(1)</sup> OJ L 139, 30.4.2004, p. 55. Corrected version in OJ L 226, 25.6.2004, p. 22.

<sup>(2)</sup> OJ L 338, 22.12.2005, p. 27.

*Article 2*

This Regulation shall enter into force on the 10th 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, 17 October 2008.

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

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## ANNEX

In Chapter I of Section II of Annex II to Regulation (EC) No 2074/2005, point 1 is replaced by the following:

- '1. Unprocessed fishery products shall be regarded as unfit for human consumption where organoleptic assessment has raised doubts as to their freshness and chemical checks reveal that the following TVB-N limits are exceeded:
  - (a) 25 mg of nitrogen/100 g of flesh for the species referred to in point 1 of Chapter II;
  - (b) 30 mg of nitrogen/100 g of flesh for the species referred to in point 2 of Chapter II;
  - (c) 35 mg of nitrogen/100 g of flesh for the species referred to in point 3 of Chapter II;
  - (d) 60 mg of nitrogen/100 g of whole fishery products used directly for the preparation of fish oil for human consumption as referred to in the second sub-paragraph of Part B(1) of Chapter IV of Section VIII of Annex III to Regulation (EC) No 853/2004; however, where the raw material complies with points (a), (b) and (c) of Part B(1) of that Chapter, Member States may set limits at a higher level for certain species pending the establishment of specific Community legislation.

The reference method to be used for checking the TVB-N limits involves distilling an extract deproteinised by perchloric acid as set out in Chapter III.

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**COMMISSION REGULATION (EC) No 1023/2008****of 17 October 2008****amending Regulation (EC) No 2076/2005 as regards the extension of the transitional period granted to food business operators importing fish oil intended for human consumption****(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 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin <sup>(1)</sup>, and in particular Article 9 thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption <sup>(2)</sup>, and in particular Article 16 thereof,

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. That Regulation provides that food business operators producing fish oil intended for human consumption are to comply with the relevant provisions of Annex III thereto.
- (2) Regulation (EC) No 854/2004 lays down specific rules for the organisation of official controls on products of animal origin. It applies in respect of activities and persons to which Regulation (EC) No 853/2004 applies.
- (3) Article 7(3) of Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004

and (EC) No 854/2004 <sup>(3)</sup> provides for a derogation from the requirements for fish oil for human consumption laid down in Section VIII of Annex III to Regulation (EC) No 853/2004 for food business operators so that they may continue, until 31 October 2008, to import fish oil from establishments in third countries that were approved for that purpose before the date of the entry into force of Commission Regulation (EC) No 1664/2006 <sup>(4)</sup>.

- (4) In addition, Article 7(4)(b) of Regulation (EC) No 2076/2005 provides for a derogation from Annex VI to Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 <sup>(5)</sup>, for fish oil for which a certificate has been issued in accordance with national rules applicable before the date of the entry into force of Regulation (EC) No 2074/2005, duly completed and signed prior to 31 October 2008, which may be imported into the Community until 31 December 2008.
- (5) The requirements for the production of fish oil for human consumption in Regulation (EC) No 853/2004 were amended by Commission Regulation (EC) No 1020/2008 <sup>(6)</sup> to address the practical difficulties experienced by third countries in adjusting the processing conditions in fish oil producing establishments.
- (6) In order to avoid unnecessary disruption of trade resulting from the administrative procedures for approval and listing of establishments covered by the amended rules, it is appropriate to extend the derogation in Article 7(3) of Regulation (EC) No 2076/2005 until 30 April 2009.

<sup>(1)</sup> OJ L 139, 30.4.2004, p. 55. Corrected version in OJ L 226, 25.6.2004, p. 22.

<sup>(2)</sup> OJ L 139, 30.4.2004, p. 206. Corrected version in OJ L 226, 25.6.2004, p. 83.

<sup>(3)</sup> OJ L 338, 22.12.2005, p. 83.

<sup>(4)</sup> OJ L 320, 18.11.2006, p. 13.

<sup>(5)</sup> OJ L 338, 22.12.2005, p. 27.

<sup>(6)</sup> See page 8 of this Official Journal.

- (7) The derogation provided for in Article 7(4)(b) of Regulation (EC) No 2076/2005 for imports into the Community of fish oil for which a certificate has been issued in accordance with national rules should also be extended until 30 June 2009. In addition, such certificates should be duly completed and signed prior to 30 April 2009.
- (8) Regulation (EC) No 2076/2005 should therefore be amended accordingly.
- (9) 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*

Article 7 of Regulation (EC) No 2076/2005 is amended as follows:

1. Paragraph 3 is replaced by the following:

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

Done at Brussels, 17 October 2008.

‘3. By way of derogation from Annex III, Section VIII, Chapter IV, Part B to Regulation (EC) No 853/2004, food business operators may continue until 30 April 2009 to import fish oil from establishments in third countries that were approved for that purpose before the entry into force of Commission Regulation (EC) No 1020/2008 (\*).

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(\*) OJ L 277, 18.10.2008, p. 8.’

2. In paragraph 4, point (b) is amended as follows:

- (i) the date of ‘31 October 2008’ is replaced by ‘30 April 2009’;
- (ii) the date of ‘31 December 2008’ is replaced by ‘30 June 2009’.

*Article 2*

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

*For the Commission*

Androulla VASSILIOU

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 1024/2008****of 17 October 2008****laying down detailed measures for the implementation of Council Regulation (EC) No 2173/2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2173/2005 of 20 December 2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community <sup>(1)</sup>, and in particular Article 5(9) thereof,

Whereas:

(1) The EU Action Plan for Forest Law Enforcement, Governance and Trade (FLEGT) <sup>(2)</sup> sets out measures that aim to combat the problem of illegal logging and the associated trade. The Action Plan proposes the development of a Forest Law Enforcement, Governance and Trade licensing scheme (hereinafter referred to as the FLEGT licensing scheme) to ensure that only legally harvested timber is imported from countries participating in the scheme.

(2) Under this scheme the Community aims to conclude Voluntary Partnership Agreements with countries and regional organisations (FLEGT partner countries). Timber products exported from FLEGT partner countries to the Community should be covered by a FLEGT licence issued by the licensing authority of that country. The FLEGT licence should demonstrate the legality of the timber products covered, as set out in the corresponding FLEGT Voluntary Partnership Agreement.

(3) Regulation (EC) 2173/2005 lays down EU procedures for the implementation of the FLEGT licensing scheme, including a requirement for imports into the Community of timber products originating in FLEGT partner countries to be covered by a FLEGT licence.

(4) In order to ensure the effectiveness of the FLEGT licensing scheme the competent authorities should verify that the timber products declared for release for free circulation into the Community are covered by a FLEGT licence. The FLEGT licence should be accepted provided that certain conditions have been fulfilled.

(5) It is therefore necessary to lay down detailed provisions relating to the conditions for the acceptance of the FLEGT licence.

(6) In order to ensure consistent treatment of FLEGT licences by the authorities in the Member States it is necessary to set out the information to be included in the licence. Furthermore it is necessary to provide for a standardised format of the FLEGT licences so as to facilitate their effective verification.

(7) Given the competitiveness of the international timber trade, the implementation of the FLEGT licensing scheme requires that the procedures concerning the release for free circulation of FLEGT licensed timber products do not lead to undue delays in importation procedures. It is therefore necessary to provide for procedures for the verification and acceptance of the FLEGT licence which are as simple and practical as possible, without however compromising the credibility of the system.

(8) The Community and the Member States have committed themselves, under the Lisbon Agenda, to increasing the competitiveness of companies doing business in Europe. Pursuant to Decision 2004/387/EC of the European Parliament and of the Council of 21 April 2004 on interoperable delivery of pan-European e-Government services to public administrations, businesses and citizens (IDABC) <sup>(3)</sup>, the Commission and the Member States should provide efficient, effective and interoperable information and communication systems for the exchange of information between public administrations and Community citizens.

<sup>(1)</sup> OJ L 347, 30.12.2005, p. 1.

<sup>(2)</sup> COM(2003) 251 final.

<sup>(3)</sup> OJ L 144, 30.4.2004, p. 65. Corrected by OJ L 181, 18.5.2004, p. 25.

- (9) The protection of individuals with regard to the processing of personal data is governed by Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data<sup>(1)</sup>, which is fully applicable to the processing of personal data for the purposes of this Regulation, in particular as regards the processing of personal data in licences.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Forest Law Enforcement Governance and Trade (FLEGT) Committee,

HAS ADOPTED THIS REGULATION:

#### CHAPTER I

##### SUBJECT-MATTER AND DEFINITIONS

###### Article 1

This Regulation lays down detailed rules for the application of the system of imports of timber products provided for in Article 5 of Regulation (EC) No 2173/2005.

###### Article 2

For the purposes of this Regulation, in addition to the definitions laid down in Regulation (EC) No 2173/2005, the following definitions shall apply:

1. 'shipment' means a quantity of timber products set out in Annexes II and III to Regulation (EC) 2173/2005 covered by a FLEGT licence which is sent from a partner country by a consignor or a shipper and which is presented for release for free circulation at a customs office;
2. 'electronic licence' means a FLEGT licence in a digital format which may be electronically presented or processed and which contains all the applicable information identified by the fields as set out in the Annex;
3. 'paper-based licence' means a FLEGT licence that conforms to the format set out in the Annex;
4. 'competent authority (ies)' means the authority (ies) designated by the Member State to receive, accept and verify FLEGT licences.

<sup>(1)</sup> OJ L 281, 23.11.1995, p. 31.

#### CHAPTER II

##### REQUIREMENTS RELATING TO FLEGT LICENCES

###### Article 3

1. A FLEGT licence, hereinafter referred to as 'licence', may be a paper-based or an electronic licence.

2. The Commission will transmit a specimen or the technical specifications of the licence drawn up by each partner country to the competent authorities and the customs authorities of each Member State.

###### Article 4

The use of a licence shall be without prejudice to any other formalities relating to the movement of goods within the Community.

###### Article 5

The competent authorities or the customs authorities of the Member State in which the shipment is declared for release for free circulation may require that the licence be translated into the official language or one of the official languages of that Member State.

The corresponding costs shall be borne by the importer.

#### CHAPTER III

##### ACCEPTANCE AND VERIFICATION

###### Article 6

1. The licence shall be lodged with the competent authorities of the Member State in which the shipment covered by that licence is declared for release for free circulation.

2. The competent authorities referred to in paragraph 1 shall inform in accordance with the applicable national procedures the customs authorities as soon as a licence has been accepted.

3. A licence shall be considered as void if the date on which it is lodged is later than the date of expiry indicated in the licence.

4. A licence lodged before the arrival of the shipment that it covers may be accepted if the licence meets all the requirements set out in Article 7 and no further verification in accordance with Article 10(1) is deemed necessary.

5. Where further verification of the licence or of the shipment is deemed necessary in accordance with Articles 9 and 10, the licence shall be accepted only after the satisfactory completion of that further verification.

#### *Article 7*

1. Paper-based licences shall conform to the respective specimen of the licence.

2. Both paper-based and electronic licences shall provide the information mentioned in the Annex, in accordance with the notes for guidance set out in that Annex.

#### *Article 8*

1. Any erasures in or alterations to a licence shall not be accepted unless such erasures or alterations have been validated by the licensing authority.

2. The extension of the validity of a licence shall not be accepted unless that extension has been validated by the licensing authority.

3. A duplicate or replacement licence shall not be accepted unless it has been issued and validated by the licensing authority.

4. A licence shall not be accepted if, where necessary after the provision of additional information in accordance with Article 9 or a further investigation in accordance with Article 10, it has been established that the licence does not correspond to the shipment.

#### *Article 9*

In case of doubt as to whether a licence, a duplicate or a replacement licence can be accepted, the competent authorities may request additional information to the licensing authority of the partner country.

A copy of the licence, the duplicate or the replacement licence in question may be forwarded together with the request.

#### *Article 10*

1. If further verification of the shipment is considered necessary before the competent authorities can decide whether a licence can be accepted, checks may be carried out to establish

whether the shipment in question conforms to the information provided in the licence and where necessary to the records relating to the relevant licence which are held by the licensing authority.

2. Where the volume or weight of the timber products contained in the shipment presented for release for free circulation does not deviate by more than 10 % from the volume or weight indicated in the corresponding licence, it shall be considered that the shipment conforms to the information provided in the licence so far as volume or weight is concerned.

#### *Article 11*

1. Reference shall be made in box 44 of the Single Administrative Document on which the customs declaration for release for free circulation is made to the number of the licence that covers the timber products subject to the declaration.

Where the customs declaration is made by means of a data-processing technique, the reference shall be provided in the appropriate box.

2. Timber products shall only be released for free circulation where the procedure described in Article 6(2) has been completed.

#### *Article 12*

Where the competent authorities are distinct from the customs authorities, the Member States may delegate specific functions of the competent authorities to the customs authorities.

This delegation shall be notified to the Commission.

#### *Article 13*

The procedures described in this Chapter shall be carried out in coordination between the competent authorities and the customs authorities.

### CHAPTER IV

### **ELECTRONIC SYSTEMS**

#### *Article 14*

1. Member States may use electronic systems for the exchange and recording of data contained in licences.

2. The electronic systems referred to in paragraph 1 shall provide for the exchange of data between the competent authorities and the customs authorities of the Member States and between the competent authorities and the customs authorities on the one hand, and the Commission or the Licensing Authority of the partner countries on the other.

3. Member States shall, when establishing the electronic systems consider complementarity, compatibility and interoperability. They shall take account of guidance produced by the Commission.

*Article 15*

The electronic systems referred to in Article 14(1) may, *inter alia*, comprise the following:

- (a) a procedure for receiving and recording data contained in licences;
- (b) a procedure for exchanging data contained in licences;
- (c) a means for storing data contained in licences.

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

Done at Brussels, 17 October 2008.

*For the Commission*  
Stavros DIMAS  
*Member of the Commission*

CHAPTER V

**DATA PROTECTION**

*Article 16*

This Regulation leaves intact and in no way affects the level of protection of individuals with regard to the processing of personal data under the provisions of Community and national law, and in particular does not alter the obligations and rights set forth in Directive 95/46/EC. The protection of individuals with regard to the processing of personal data shall be ensured in particular with regard to any disclosure or communication of personal data in a licence.

CHAPTER VI

**FINAL PROVISIONS**

*Article 17*

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

It shall apply from the date on which the first amendment to Annex 1 to Regulation (EC) 2173/2005 adopted pursuant to Article 10 of that Regulation applies.

ANNEX

(Format provided for in Article 2(3))

EUROPEAN COMMUNITY

FLEGT

<b>ORIGINAL</b>	<b>1</b>	<b>1 Issuing authority</b>		<b>2 For the purposes of the issuing country</b>		
		Name				
		Address				
		<b>3 FLEGT licence number</b>		<b>4 Date of expiry</b>		
				_ _ _ _		
		<b>5 Country of export</b>		<b>7 Means of transport</b>		
		<b>6 ISO code</b>				
		<b>8 Licensee (name and address)</b>				
		<b>9 Commercial description of the timber products</b>			<b>10 HS-heading</b>	
	<b>1</b>					
	<b>11 Common or scientific names</b>			<b>12 Countries of harvest</b>		
				<b>13 ISO codes</b>		
	<b>14 Volume (m<sup>3</sup>)</b>		<b>15 Net weight (kg)</b>		<b>16 Number of units</b>	
	<b>17 Distinguishing marks</b>					
	<b>18 Signature and stamp of issuing authority</b>					
	Place and date					

EUROPEAN COMMUNITY

FLEGT

<b>COPY FOR CUSTOMS</b>	<b>2</b>	<b>1 Issuing authority</b>		<b>2 For the purposes of the issuing country</b>						
		Name								
		Address								
		<b>3 FLEGT licence number</b>		<b>4 Date of expiry</b>						
				<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 20px;"></td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> </tr> </table>						
	<b>5 Country of export</b>		<b>7 Means of transport</b>							
	<b>6 ISO code</b>									
	<b>8 Licensee (name and address)</b>									
	<b>9 Commercial description of the timber products</b>			<b>10 HS-heading</b>						
<b>2</b>										
	<b>11 Common or scientific names</b>		<b>12 Countries of harvest</b>		<b>13 ISO codes</b>					
	<b>14 Volume (m<sup>3</sup>)</b>	<b>15 Net weight (kg)</b>		<b>16 Number of units</b>						
	<b>17 Distinguishing marks</b>									
	<b>18 Signature and stamp of issuing authority</b>									
	Place and date									

*Notes for guidance***General:**

- Complete in capitals.
- ISO codes, where indicated refer to the international standard two letter code for any country.

Box 1.	Issuing authority	Indicate the name and address of the licensing authority.
Box 2.	For the purposes of the issuing country	Space for the purposes of the issuing country.
Box 3.	FLEGT licence number	Indicate the issuing number.
Box 4.	Date of expiry	Period of validity of the licence.
Box 5.	Country of export	This refers to the partner country from where the timber products were exported to the EU.
Box 6.	ISO code	Indicate the two-letter code for the partner country referred to in Box 5.
Box 7.	Means of transport	Indicate the means of transport at the point of export.
Box 8.	Licensee	Indicate the name and address of the exporter.
Box 9.	Commercial description	Indicate the commercial description of the timber product(s).
Box 10.	HS heading and description	Give the four-digit or the six-digit commodity code established pursuant to the Harmonised Commodity Description and Coding System.
Box 11.	Common or scientific names	Indicate the common or scientific names of the species of timber used in the product. Where more than one species is included in a composite product, use a separate line. May be omitted for a composite product or component that contains multiple species whose identity has been lost (e.g. particle board).
Box 12.	Countries of harvest	Indicate the countries where the species of timber referred to in Box 10 was harvested. Where a composite product include for all sources of wood used. May be omitted for a composite product or component that contains multiple species whose identity has been lost (e.g. particle board).
Box 13.	ISO codes	Indicate the ISO code of the countries referred to in box 12. May be omitted for a composite product or component that contains multiple species whose identity has been lost (e.g. particle board).
Box 14.	Volume (m <sup>3</sup> )	Give the overall volume in m <sup>3</sup> . May be omitted unless the information referred to in box 15 has been omitted.
Box 15.	Net weight	Give the overall weight in kg. This is defined as the net mass of the timber products without immediate containers or any packaging, other than bearers, spacers, stickers etc. May be omitted unless the information referred to in box 14 has been omitted.
Box 16.	Number of units	Indicate the number of units, where a manufactured product is best quantified in this way. May be omitted.
Box 17.	Distinguishing marks	Indicate any distinguishing marks where appropriate e.g. lot number, bill of lading number. May be omitted.
Box 18.	Signature and stamp of issuing authority	The box shall be signed by the authorised official and stamped with the official stamp of the licensing authority. The place and data shall also be indicated.

**COMMISSION REGULATION (EC) No 1025/2008****of 17 October 2008****entering a name in the register of protected designations of origin and protected geographical indications (Radicchio di Chioggia (PGI))**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs <sup>(1)</sup>, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006 and in accordance with Article 17(2) thereof, Italy's application to register the name 'Radicchio di Chioggia' was published in the *Official Journal of the European Union* <sup>(2)</sup>.

(2) As no objections within the meaning of Article 7 of Regulation (EC) No 510/2006 were received by the Commission, this name should be entered in the register,

HAS ADOPTED THIS REGULATION:

*Article 1*

The name contained in the Annex to this Regulation shall be entered in the register.

*Article 2*This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 17 October 2008.

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

<sup>(1)</sup> OJ L 93, 31.3.2006, p. 12.

<sup>(2)</sup> OJ C 41, 15.2.2008, p. 26.

## ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

**Class 1.6. Fruit, vegetables and cereals, fresh or processed**

ITALY

Radicchio di Chioggia (PGI)



**COMMISSION REGULATION (EC) No 1026/2008**  
**of 17 October 2008**  
**amending Regulation (EC) No 1003/2008 fixing the import duties in the cereals sector applicable**  
**from 16 October 2008**

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 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 in respect of import duties in the cereals sector <sup>(2)</sup>, and in particular Article 2(1) thereof,

Whereas:

(1) The import duties in the cereals sector applicable from 16 October 2008 were fixed by Commission Regulation (EC) No 1003/2008 <sup>(3)</sup>.

(2) As the average of the import duties calculated differs by more than EUR 5/tonne from that fixed, a corresponding adjustment must be made to the import duties fixed by Regulation (EC) No 1003/2008.

(3) Regulation (EC) No 1003/2008 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to Regulation (EC) No 1003/2008 are hereby replaced by the text in the Annex to this Regulation.

*Article 2*

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

It shall apply from 18 October 2008.

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

Done at Brussels, 17 October 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 161, 29.6.1996, p. 125.

<sup>(3)</sup> OJ L 275, 16.10.2008, p. 34.

## ANNEX I

**Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 18 October 2008**

CN code	Description	Import duties <sup>(1)</sup> (EUR/t)
1001 10 00	Durum wheat, high quality	0,00 <sup>(2)</sup>
	medium quality	0,00 <sup>(2)</sup>
	low quality	0,00 <sup>(2)</sup>
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00 <sup>(2)</sup>
1002 00 00	Rye	24,16 <sup>(2)</sup>
1005 10 90	Maize seed other than hybrid	8,68
1005 90 00	Maize, other than seed <sup>(3)</sup>	8,68 <sup>(2)</sup>
1007 00 90	Grain sorghum other than hybrids for sowing	24,16 <sup>(2)</sup>

<sup>(1)</sup> For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

<sup>(2)</sup> In accordance with Regulation (EC) No 608/2008, application of this duty is suspended.

<sup>(3)</sup> The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

## ANNEX II

## Factors for calculating the duties laid down in Annex I

15.10.2008-16.10.2008

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

(EUR/t)

	Common wheat <sup>(1)</sup>	Maize	Durum wheat, high quality	Durum wheat, medium quality <sup>(2)</sup>	Durum wheat, low quality <sup>(3)</sup>	Barley
Exchange	Minnéapolis	Chicago	—	—	—	—
Quotation	195,25	112,11	—	—	—	—
Fob price USA	—	—	281,83	271,83	251,83	115,36
Gulf of Mexico premium	—	16,98	—	—	—	—
Great Lakes premium	4,76	—	—	—	—	—

<sup>(1)</sup> Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).<sup>(2)</sup> Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).<sup>(3)</sup> Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight costs: Gulf of Mexico–Rotterdam: 18,80 EUR/t

Freight costs: Great Lakes–Rotterdam: 17,51 EUR/t

## II

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

## DECISIONS

## COMMISSION

## COMMISSION DECISION

of 14 October 2008

**providing for the initiation of an investigation pursuant to Article 18(2) of Council Regulation (EC) No 980/2005 with respect to the effective implementation of certain human rights conventions in Sri Lanka**

(2008/803/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Treatment or Punishment and the Convention on the Rights of the Child, is not being effectively implemented.

Having regard to the Treaty establishing the European Community,

- (2) The International Covenant on Civil and Political Rights, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Rights of the Child, are listed as core human rights conventions respectively in points 1, 5 and 6 of Annex III, Part A, of Regulation (EC) No 980/2005.

Having regard to Council Regulation (EC) No 980/2005 of 27 June 2005 applying a scheme of generalised tariff preferences <sup>(1)</sup>, and in particular Article 18(2) thereof,

After consulting the Generalised Preferences Committee,

- (3) Article 16(2) of Regulation (EC) 980/2005 provides for the temporary withdrawal of the special incentive arrangement referred to in Section 2 of Chapter II of that Regulation, if the national legislation incorporating those conventions referred to in Annex III of the Regulation which have been ratified in fulfilment of the requirements of Article 9(1) and (2) is not effectively implemented.

Whereas:

- (1) Reports, statements and information of the United Nations (UN) available to the Commission, including the report of the Special Rapporteur on Extrajudicial Executions of 27 March 2006, the statement of the Special Advisor to the Special Representative for Children and Armed Conflict of 13 November 2006 and the statement of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment, of 29 October 2007, as well as other publicly available reports and information from other relevant sources, including non-governmental organisations, indicate that the national legislation of the Democratic Socialist Republic of Sri Lanka incorporating international human rights conventions, in particular the International Covenant on Civil and Political Rights, the Convention against Torture and other Cruel, Inhuman or Degrading

- (4) The Commission has examined the information received and found that it constitutes sufficient grounds for the opening of an investigation with the objective of determining whether the legislation of Sri Lanka on the recognition and protection of fundamental human rights is effectively implemented. This would further allow to determine whether a temporary withdrawal of the special incentive arrangement is justified.

- (5) Consultations with the Generalised Preferences Committee were held on 23 September 2008,

<sup>(1)</sup> OJ L 169, 30.6.2005, p. 1.

HAS DECIDED AS FOLLOWS:

*Sole Article*

The Commission shall initiate an investigation in order to establish whether the national legislation of the Democratic Socialist Republic of Sri Lanka incorporating the International Covenant on Civil and Political Rights, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child is effectively implemented.

Done at Brussels, 14 October 2008.

*For the Commission*  
Catherine ASHTON  
*Member of the Commission*

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## COMMISSION DECISION

of 17 October 2008

**amending Decision 2004/211/EC as regards the entries for Brazil, Montenegro and Serbia in the list of third countries and parts thereof from which imports into the Community of live equidae and semen, ova and embryos of the equine species are authorised***(notified under document number C(2008) 6024)***(Text with EEA relevance)**

(2008/804/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae <sup>(1)</sup>, and in particular Article 12(1) and (4), and the introductory phrase of Article 19 and points (i) and (ii) of Article 19 thereof,

Having regard to Council Directive 92/65/EEC of 13 July 1992, laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC <sup>(2)</sup>, and in particular Article 17(3)(a) thereof,

Whereas:

- (1) Directive 90/426/EEC lays down animal health conditions for the importation into the Community of live equidae. It provides that imports of equidae into the Community are only authorised from third countries or parts of the territory thereof, which have been free from glanders for a period of at least six months.
- (2) Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species <sup>(3)</sup> establishes a list of third countries, or parts thereof where regionalisation applies, from which Member States authorise the importation of equidae and semen, ova and embryos thereof, and indicates the other conditions applicable to such imports. That list is set out in Annex I to that Decision.

- (3) Venezuelan equine encephalomyelitis and glanders do occur in parts of the territory of Brazil and therefore imports of equidae, and as a consequence of their semen, ova and embryos, are only allowed from the disease free parts of the territory of that country described as 'BR-1' in column 4 of Annex I to Decision 2004/211/EC. The State of São Paulo is included in that list.

- (4) In September 2008, Brazil notified the World Organisation for Animal Health (OIE) of the confirmation of a case of glanders in a horse in the suburbs of the State of São Paulo. Since that State is no longer free from glanders, it should be deleted from the list set out in Annex I to Decision 2004/211/EC.

- (5) However, in the light of the information and guarantees provided by Brazil, it is possible to allow for a limited period of time from a part of the territory of the State of São Paulo the re-entry of registered horses after temporary export in accordance with the requirements of Commission Decision 93/195/EEC of 2 February 1993 on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export <sup>(4)</sup>.

- (6) In addition, the list set out in Annex I to Decision 2004/211/EC should take account of the separation of the customs territories of Montenegro and Serbia and those two third countries should be listed separately, thus allowing the importation of live equidae, their semen, ova and embryos from both Montenegro and Serbia under the same additional conditions as specified at present for 'Serbia and Montenegro' in that Annex.

- (7) Annex I to Decision 2004/211/EC should therefore be amended accordingly.

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 42.

<sup>(2)</sup> OJ L 268, 14.9.1992, p. 54.

<sup>(3)</sup> OJ L 73, 11.3.2004, p. 1.

<sup>(4)</sup> OJ L 86, 6.4.1993, p. 1.

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

HAS ADOPTED THIS DECISION:

*Article 1*

Annex I to Decision 2004/211/EC is amended as follows:

1. the entry for Brazil is replaced by the following:

‘BR	Brazil	BR-0	Whole country		—	—	—	—	—	—	—	—	—	—	—	—	—		
		BR-1	The States of: Rio Grande do Sul, Santa Catarina, Paraná, Mato Grosso do Sul, Goiás, Minas Gerais, Rio de Janeiro, Espírito Santo, Rodônia, Mato Grosso	D	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
		BR-2	Sociedade Hípica Paulista, the airport Viracopos and the auto route between the two premises in the State of São Paulo	D	—	X	—	—	—	—	—	—	—	—	—	—	—	—	Valid until 15.11.2008’

2. the following entry for Montenegro is inserted between the entry for Morocco and the entry for the former Yugoslav Republic of Macedonia:

‘ME	Montenegro	ME-0	Whole country	B	X	X	X	X	X	X	X	X	X	X	X	X	X
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3. the following entry for Serbia is inserted between the entry for Qatar and the entry for Russia:

‘RS	Serbia	RS-0	Whole country	B	X	X	X	X	X	X	X	X	X	X	X	X	X
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4. the entry for Serbia and Montenegro is deleted.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 17 October 2008.

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

**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.