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Contents

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

REGULATIONS

Commission Regulation (EC) No 7/2009 of 7 January 2009 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 8/2009 of 7 January 2009 fixing the allocation coefficient to be applied to applications for import licences lodged from 1 January 2009 to 2 January 2009 under subquota III in the context of the Community tariff quota opened by Regulation (EC) No 1067/2008 for common wheat of a quality other than high quality	3
Commission Regulation (EC) No 9/2009 of 7 January 2009 fixing the allocation coefficient to be applied to applications for import licences lodged from 1 January 2009 to 2 January 2009 under the Community tariff quota for maize opened by Regulation (EC) No 969/2006	4
Commission Regulation (EC) No 10/2009 of 7 January 2009 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 945/2008 for the 2008/2009 marketing year	5
Commission Regulation (EC) No 11/2009 of 7 January 2009 amending Regulation (EC) No 1347/2008 fixing the import duties in the cereals sector applicable from 1 January 2009	7

Commission Regulation (EC) No 12/2009 of 7 January 2009 setting the allocation coefficient for the issuing of import licences applied for from 29 December 2008 to 2 January 2009 for sugar products under tariff quotas and preferential agreements 10

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

DECISIONS

Commission

2009/6/EC:

- ★ **Commission Decision of 17 December 2008 amending Decisions 2005/692/EC, 2005/731/EC, 2005/734/EC and 2007/25/EC concerning avian influenza as regards their period of application (notified under document number C(2008) 8333) ⁽¹⁾..... 15**

2009/7/EC:

- ★ **Commission Decision of 18 December 2008 on a financial contribution from the Community for 2008 towards expenditure incurred by Greece, Spain and Italy for the purchase and modernisation of vessels and aircraft used for inspection and surveillance of fishing activities (notified under document number C(2008) 8431)..... 19**
-

Note to the reader (see page 3 of the cover)



⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 7/2009

of 7 January 2009

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) ⁽¹⁾,

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 ⁽²⁾, 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 8 January 2009.

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

Done at Brussels, 7 January 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ 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 ⁽¹⁾	Standard import value
0702 00 00	MA	55,4
	TR	96,4
	ZZ	75,9
0707 00 05	JO	167,2
	TR	146,2
	ZZ	156,7
0709 90 70	MA	86,5
	TR	153,2
	ZZ	119,9
0805 10 20	BR	44,6
	CL	44,1
	EG	32,0
	MA	56,3
	TR	63,4
	ZA	44,1
	ZZ	47,4
0805 20 10	MA	64,2
	ZZ	64,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	54,4
	IL	57,2
	TR	70,8
	ZZ	60,8
0805 50 10	MA	59,6
	TR	59,6
	ZZ	59,6
0808 10 80	CN	78,1
	MK	39,4
	US	106,7
	ZZ	74,7
0808 20 50	CN	66,2
	US	113,3
	ZZ	89,8

⁽¹⁾ 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 8/2009

of 7 January 2009

fixing the allocation coefficient to be applied to applications for import licences lodged from 1 January 2009 to 2 January 2009 under subquota III in the context of the Community tariff quota opened by Regulation (EC) No 1067/2008 for common wheat of a quality other than high quality

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) ⁽¹⁾,

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 ⁽²⁾, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1067/2008 ⁽³⁾ opens an overall annual tariff quota of 2 989 240 tonnes of common wheat of a quality other than high quality. That quota is divided into three subquotas.
- (2) Article 3(3) of Regulation (EC) No 1067/2008 divides subquota III (order number 09.4125) into four quarterly subperiods and has fixed the quantity at 594 597 tonnes for subperiod 1, for the period from 1 January to 31 March 2009.
- (3) Based on the notification made under Article 4(3) of Regulation (EC) No 1067/2008, the applications lodged between 1 January 2009 and 2 January 2009 at 13:00

(Brussels time) in accordance with the second subparagraph of Article 4(1) of that Regulation relate to quantities in excess of those available. The extent to which import licences may be issued should therefore be determined and the allocation coefficient to be applied to the quantities applied for should be laid down.

- (4) Import licences should no longer be issued under subquota III as referred to in Regulation (EC) No 1067/2008 for the current quota subperiod,

HAS ADOPTED THIS REGULATION:

Article 1

1. Each import licence application in respect of subquota III as referred to in Regulation (EC) No 1067/2008 and lodged between 1 January 2009 and 2 January 2009 at 13:00 (Brussels time) shall give rise to the issue of a licence for the quantities applied for, multiplied by an allocation coefficient of 0,979772 %.

2. The issue of licences for the quantities applied for from 2 January 2009 at 13:00 (Brussels time) falling within subquota III as referred to in Regulation (EC) No 1067/2008 is hereby suspended for the current quota subperiod.

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, 7 January 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 290, 31.10.2008, p. 3.

COMMISSION REGULATION (EC) No 9/2009**of 7 January 2009****fixing the allocation coefficient to be applied to applications for import licences lodged from 1 January 2009 to 2 January 2009 under the Community tariff quota for maize opened by Regulation (EC) No 969/2006**

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) ⁽¹⁾,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 ⁽²⁾, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 969/2006 ⁽³⁾ opened an annual import tariff quota of 242 074 tonnes of maize (order number 09.4131).
- (2) Article 2(1) of Regulation (EC) No 969/2006 fixes a quantity of 121 037 tonnes for subperiod 1 from 1 January to 30 June 2009.
- (3) Based on the notification made under Article 4(3) of Regulation (EC) No 969/2006, the applications lodged from 1 January 2009 to 13:00 (Brussels time) on

2 January 2009 in accordance with Article 4(1) of that Regulation relate to quantities in excess of those available. The extent to which import licences may be issued should therefore be determined and the allocation coefficient laid down to be applied to the quantities applied for.

- (4) Import licences should no longer be issued under Regulation (EC) No 969/2006 for the current quota subperiod,

HAS ADOPTED THIS REGULATION:

Article 1

1. Each import licence application for maize under the quota referred to in Regulation (EC) No 969/2006 and lodged from 1 January 2009 to 13:00 (Brussels time) on 2 January 2009 shall give rise to the issue of a licence for the quantities applied for, multiplied by an allocation coefficient of 0,880928 %.

2. The issue of licences for the quantities applied for from 13:00 (Brussels time) on 2 January 2009 is hereby suspended for the current quota subperiod.

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, 7 January 2009.

For the Commission

Jean-Luc DEMARTY

Director-General for Agriculture and
Rural Development

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 176, 30.6.2006, p. 44.

COMMISSION REGULATION (EC) No 10/2009**of 7 January 2009****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 945/2008 for the 2008/2009 marketing year**

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) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2008/2009 marketing year are fixed by Commission Regulation (EC) No 945/2008 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 1288/2008 ⁽⁴⁾.

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 945/2008 for the 2008/2009, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 January 2009.

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

Done at Brussels, 7 January 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 258, 26.9.2008, p. 56.

⁽⁴⁾ OJ L 340, 19.12.2008, p. 15.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 8 January 2009

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	23,46	4,57
1701 11 90 ⁽¹⁾	23,46	9,80
1701 12 10 ⁽¹⁾	23,46	4,38
1701 12 90 ⁽¹⁾	23,46	9,37
1701 91 00 ⁽²⁾	25,19	12,77
1701 99 10 ⁽²⁾	25,19	8,12
1701 99 90 ⁽²⁾	25,19	8,12
1702 90 95 ⁽³⁾	0,25	0,40

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

COMMISSION REGULATION (EC) No 11/2009
of 7 January 2009
amending Regulation (EC) No 1347/2008 fixing the import duties in the cereals sector applicable
from 1 January 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) ⁽¹⁾,

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 ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

(1) The import duties in the cereals sector applicable from 1 January 2009 were fixed by Commission Regulation (EC) No 1347/2008 ⁽³⁾.

(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 1347/2008.

(3) Regulation (EC) No 1347/2008 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1347/2008 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 8 January 2009.

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

Done at Brussels, 7 January 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 161, 29.6.1996, p. 125.

⁽³⁾ OJ L 348, 24.12.2008, p. 81.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 8 January 2009

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	27,40
1005 10 90	Maize seed other than hybrid	19,22
1005 90 00	Maize, other than seed ⁽²⁾	19,22
1007 00 90	Grain sorghum other than hybrids for sowing	27,40

⁽¹⁾ 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.

⁽²⁾ 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

2.1.2009-6.1.2009

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

	(EUR/t)					
	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minnéapolis	Chicago	—	—	—	—
Quotation	176,48	117,05	—	—	—	—
Fob price USA	—	—	217,05	207,05	187,05	122,38
Gulf of Mexico premium	—	13,70	—	—	—	—
Great Lakes premium	28,08	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).⁽²⁾ Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).⁽³⁾ 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: 9,38 EUR/t

Freight costs: Great Lakes–Rotterdam: 6,99 EUR/t

COMMISSION REGULATION (EC) No 12/2009**of 7 January 2009****setting the allocation coefficient for the issuing of import licences applied for from 29 December 2008 to 2 January 2009 for sugar products under 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 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EC) No 950/2006 of 28 June 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 ⁽²⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Applications for import licences were submitted to the competent authorities in the period from 29 December 2008 to 2 January 2009 in accordance with Commission Regulation (EC) No 950/2006 and/or Council Regulation (EC) No 508/2007 of 7 May 2007 opening tariff quotas for imports into Bulgaria and Romania of raw cane sugar for supply to refineries in the marketing years 2006/07,

2007/08 and 2008/09 ⁽³⁾, for a total quantity equal to or exceeding the quantity available for order number 09.4346 (2008-2009).

- (2) In these circumstances, the Commission should establish an allocation coefficient for licences to be issued in proportion to the quantity available and/or inform the Member States that the limit established has been reached,

HAS ADOPTED THIS REGULATION:

Article 1

Licences shall be issued within the quantitative limits set in the Annex to this Regulation in respect of import licence applications submitted from 29 December 2008 to 2 January 2009, in accordance with Article 4(2) of Regulation (EC) No 950/2006 and/or Article 3 of Regulation (EC) No 508/2007.

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, 7 January 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 1.

⁽³⁾ OJ L 122, 11.5.2007, p. 1.

ANNEX

ACP/India Preferential Sugar
Chapter IV of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.12.2008-2.1.2009: percentage of requested quantity to be granted	Limit
09.4331	Barbados	100	
09.4332	Belize	100	
09.4333	Côte d'Ivoire	100	
09.4334	Republic of the Congo	100	
09.4335	Fiji	100	
09.4336	Guyana	100	
09.4337	India	0	Reached
09.4338	Jamaica	100	
09.4339	Kenya	100	
09.4340	Madagascar	100	
09.4341	Malawi	100	
09.4342	Mauritius	100	
09.4343	Mozambique	0	Reached
09.4344	Saint Kitts and Nevis	—	
09.4345	Suriname	—	
09.4346	Swaziland	60,3411	Reached
09.4347	Tanzania	100	
09.4348	Trinidad and Tobago	100	
09.4349	Uganda	—	
09.4350	Zambia	100	
09.4351	Zimbabwe	100	

ACP/India Preferential Sugar
Chapter IV of Regulation (EC) No 950/2006
July-September 2009 marketing year

Order No	Country	Week of 29.12.2008-2.1.2009: percentage of requested quantity to be granted	Limit
09.4331	Barbados	—	Reached
09.4332	Belize	—	
09.4333	Côte d'Ivoire	—	
09.4334	Republic of the Congo	—	
09.4335	Fiji	—	
09.4336	Guyana	—	
09.4337	India	0	
09.4338	Jamaica	—	
09.4339	Kenya	—	
09.4340	Madagascar	—	
09.4341	Malawi	—	
09.4342	Mauritius	—	
09.4343	Mozambique	100	
09.4344	Saint Kitts and Nevis	—	
09.4345	Suriname	—	
09.4346	Swaziland	—	
09.4347	Tanzania	—	
09.4348	Trinidad and Tobago	—	
09.4349	Uganda	—	
09.4350	Zambia	—	
09.4351	Zimbabwe	—	

Complementary sugar
Chapter V of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.12.2008-2.1.2009: percentage of requested quantity to be granted	Limit
09.4315	India	—	
09.4316	ACP Protocol signatory countries	—	

CXL Concessions Sugar
Chapter VI of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.12.2008-2.1.2009: percentage of requested quantity to be granted	Limit
09.4317	Australia	0	Reached
09.4318	Brazil	0	Reached
09.4319	Cuba	—	
09.4320	Other third countries	0	Reached

Balkans sugar
Chapter VII of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.12.2008-2.1.2009: percentage of requested quantity to be granted	Limit
09.4324	Albania	100	Reached
09.4325	Bosnia and Herzegovina	0	
09.4326	Serbia and Kosovo (*)	100	
09.4327	Former Yugoslav Republic of Macedonia	100	
09.4328	Croatia	100	

(*) As defined by United Nations Security Council Resolution 1244 of 10 June 1999.

Exceptional import sugar and industrial import sugar
Chapter VIII of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Type	Week of 29.12.2008-2.1.2009: percentage of requested quantity to be granted	Limit
09.4380	Exceptional	—	
09.4390	Industrial	100	

Additional EPA sugar
Chapter VIIIa of Regulation (EC) No 950/2006
2008/09 marketing year

Order No	Country	Week of 29.12.2008-2.1.2009: percentage of requested quantity to be granted	Limit
09.4431	Comoros, Madagascar, Mauritius, Seychelles, Zambia, Zimbabwe	100	
09.4432	Burundi, Kenya, Rwanda, Tanzania, Uganda	100	
09.4433	Swaziland	100	
09.4434	Mozambique	0	Reached
09.4435	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	0	Reached
09.4436	Dominican Republic	0	Reached
09.4437	Fiji, Papua New Guinea	100	

Import of sugar under the transitional tariff quotas opened for Bulgaria and Romania
Article 1 of Regulation (EC) No 508/2007
2008/09 marketing year

Order No	Type	Week of 29.12.2008-2.1.2009: percentage of requested quantity to be granted	Limit
09.4365	Bulgaria	0	Reached
09.4366	Romania	100	

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 17 December 2008

amending Decisions 2005/692/EC, 2005/731/EC, 2005/734/EC and 2007/25/EC concerning avian influenza as regards their period of application

(notified under document number C(2008) 8333)

(Text with EEA relevance)

(2009/6/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, and in particular Article 10(4) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽²⁾, and in particular Article 18(7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽³⁾, and in particular Article 22(6) thereof,

Having regard to Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal

health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC ⁽⁴⁾, and in particular Article 18 thereof,

Whereas:

- (1) The Commission adopted several protection measures in relation to avian influenza, following the outbreak of that disease in south-east Asia that started in December 2003 and that was caused by a highly pathogenic H5N1 virus.
- (2) Those measures are laid down, in particular, in Commission Decision 2005/692/EC of 6 October 2005 concerning certain protection measures in relation to avian influenza in several third countries ⁽⁵⁾, Commission Decision 2005/731/EC of 17 October 2005 laying down additional requirements for the surveillance of avian influenza in wild birds ⁽⁶⁾, Commission Decision 2005/734/EC of 19 October 2005 laying down biosecurity measures to reduce the risk of transmission of highly pathogenic avian influenza caused by Influenza virus A subtype H5N1 from birds living in the wild to poultry and other captive birds and providing for an early detection system in areas at particular risk ⁽⁷⁾ and Commission Decision 2007/25/EC of 22 December 2006 as regards certain protection measures in relation to highly pathogenic avian influenza and movements of pet birds accompanying their owners into the Community ⁽⁸⁾.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 268, 24.9.1991, p. 56.

⁽³⁾ OJ L 24, 30.1.1998, p. 9.

⁽⁴⁾ OJ L 146, 13.6.2003, p. 1.

⁽⁵⁾ OJ L 263, 8.10.2005, p. 20.

⁽⁶⁾ OJ L 274, 20.10.2005, p. 93.

⁽⁷⁾ OJ L 274, 20.10.2005, p. 105.

⁽⁸⁾ OJ L 8, 13.1.2007, p. 29.

- (3) Those Decisions apply until 31 December 2008.
- (4) Outbreaks of highly pathogenic avian influenza of subtype H5N1 continue to occur in poultry and wild birds in third countries. Furthermore, human cases and even deaths resulting from close contact with infected birds continue to occur in countries around the globe. Therefore, there remains the risk that the disease will spread from third countries to the Member States.
- (5) Therefore, apart from limiting the direct risk caused by imports of poultry, poultry products and pet birds, it is appropriate to keep in place the biosecurity measures to reduce the risk of transmission of highly pathogenic avian influenza caused by Influenza virus A subtype H5N1 from birds living in the wild to poultry and other captive birds and to keep in place the early detection systems in areas at particular risk.
- (6) The period of application of those Decisions should therefore be extended until 31 December 2009.
- (7) In addition, Commission Regulation (EC) No 318/2007 of 23 March 2007 laying down animal health conditions for imports of certain birds into the Community and the quarantine conditions thereof ⁽¹⁾ repeals Commission Decision 2000/666/EC ⁽²⁾ and replaces the requirements relating to the quarantine of certain birds imported into the Community as laid down in that Decision.
- (8) The current references in Decision 2007/25/EC to the requirements laid down in Decision 2000/666/EC should therefore be replaced with references to the requirements laid down in Regulation (EC) No 318/2007.
- (9) Decisions 2005/692/EC, 2005/731/EC, 2005/734/EC and 2007/25/EC should therefore be amended accordingly.
- (10) 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

In Article 7 of Decision 2005/692/EC, the date '31 December 2008' is replaced by '31 December 2009'.

Article 2

In Article 4 of Decision 2005/731/EC, the date '31 December 2008' is replaced by '31 December 2009'.

Article 3

In Article 4 of Decision 2005/734/EC, the date '31 December 2008' is replaced by '31 December 2009'.

Article 4

Decision 2007/25/EC is amended as follows:

1. in Article 1(1), point (b)(ii) is replaced by the following:

'(ii) undergo quarantine for 30 days after import into the Member State of destination on premises approved in accordance with Article 6(1) of Commission Regulation (EC) No 318/2007 ^(*), or

^(*) OJ L 84, 24.3.2007, p. 7.;

2. in Article 6, the date '31 December 2008' is replaced by '31 December 2009';

3. Annex II is replaced by the text in the Annex to this Decision.

Article 5

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

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 17 December 2008.

For the Commission

Androulla VASSILIOU

Member of the Commission

⁽¹⁾ OJ L 84, 24.3.2007, p. 7.

⁽²⁾ OJ L 278, 31.10.2000, p. 26.

ANNEX

'ANNEX II

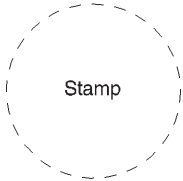
COUNTRY

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel. No		I.2. Certificate reference number		I.2.a.			
			I.3. Central Competent Authority					
			I.4. Local Competent Authority					
	I.5. Consignee Name Address Postal code Tel. No		I.6.					
	I.7. Country of origin	ISO code	I.8. Region of origin	Code	I.9. Country of destination	ISO code	I.10. Region of destination	Code
	I.11. Place of origin Holding <input type="checkbox"/> Other <input type="checkbox"/> Name Approval number Address Approval number Name Approval number Address Approval number		I.12. Holding <input type="checkbox"/> Quarantine <input type="checkbox"/> Approved body <input type="checkbox"/> Other <input type="checkbox"/> Name Approval number Address Postal code					
	I.13. Place of loading Address Approval number		I.14. Date of departure Time of departure					
	I.15. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification: Documentary references:		I.16. I.17. No(s) of CITES					
	I.18. Description of commodity				I.19. Commodity code (HS code)			
					I.20. Quantity			
	I.21.				I.22. Number of packages			
	I.23. Identification of container/seal number				I.24.			
	I.25. Commodities certified for: Pets <input type="checkbox"/> Quarantine <input type="checkbox"/>							
I.26.			I.27. For import or admission into EU <input type="checkbox"/> Definitive import <input type="checkbox"/>					
I.28. Identification of the commodities Species (Scientific name) Identification system Identification number Quantity								

COUNTRY

Pet birds

Part II: Certification	<p>II. Health information</p> <p>I, the undersigned official veterinarian of (<i>insert name of third country</i>) certify that:</p> <p>II.1. The country of dispatch is a member country of the World Organisation for Animal Health (OIE) and belongs to the OIE Regional Commission for (<i>insert name of Regional Commission</i>).</p> <p>II.2. The birds described in point I.28 have been subjected today, within 48 hours or the last working day prior to dispatch, to a clinical inspection and found free of obvious signs of disease;</p> <p>II.3. The birds comply with at least one of the following conditions:</p> <p><i>either</i> [for those third countries listed in Decision 79/542/EEC, they have been confined on the premises specified in point I.11 under official supervision for at least 30 days prior to dispatch and effectively protected from contact with any other birds] ⁽¹⁾</p> <p><i>or</i> [they are destined, as indicated in point I.12 for a quarantine station approved in accordance with Article 6(1) of Commission Regulation (EC) No 318/2007] ⁽¹⁾</p> <p><i>or</i> [they have been vaccinated and at least on one occasion re-vaccinated within the last six months and not later than 60 days prior to dispatch, in accordance with the manufacturer's instructions against avian influenza using an H5 vaccine approved for the species concerned] ⁽¹⁾</p> <p><i>or</i> [they have been isolated for at least 10 days prior to export and have been subjected to a test for the detection of H5N1 antigen or genome, as prescribed in Chapter 2.1.14 of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals, carried out on a sample taken not earlier than on the third day of isolation] ⁽¹⁾</p> <p>II.4. The owner or the representative of the owner has declared that:</p> <p>II.4.1. The birds will be accompanied during the movement by a person that is responsible for the animals.</p> <p>II.4.2. The animals are not intended for commercial purposes.</p> <p>II.4.3. During the period between the pre-movement veterinary inspection and the factual departure the birds will remain isolated from any possible contact with other birds.</p> <p><i>either</i> [II.4.4. The animals have undergone the 30 days pre-movement isolation without coming into contact with any other birds not covered by this certificate.] ⁽¹⁾</p> <p><i>or</i> [II.4.4. He has made arrangements for the 30 days post-introduction quarantine at the quarantine premises of, as indicated in point I.12 of the certificate.] ⁽¹⁾</p>	<p>II.a. Certificate reference number</p>	<p>II.b.</p>
<p>Notes</p> <p>⁽¹⁾ Delete as necessary. ⁽²⁾ The certificate is valid for 10 days. In the case of transport by boat the validity is prolonged by the time of the sea voyage.</p>			
<p>Official veterinarian</p> <p>Name (in capital letters): _____ Qualification and title: _____</p> <p>Date: _____ Signature: _____</p> <div style="text-align: center; margin-top: 20px;">  <p>Stamp</p> </div>			

COMMISSION DECISION

of 18 December 2008

on a financial contribution from the Community for 2008 towards expenditure incurred by Greece, Spain and Italy for the purchase and modernisation of vessels and aircraft used for inspection and surveillance of fishing activities*(notified under document number C(2008) 8431)***(Only the Spanish, Greek and Italian texts are authentic)**

(2009/7/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea ⁽¹⁾, and in particular Article 21 thereof,

Whereas:

(1) Member States have notified to the Commission their annual fisheries control programme for 2008 together with the applications for a Community financial contribution towards the expenditure to be incurred in carrying out the projects contained in such programme.

(2) Applications concerning measures in the area of control and enforcement listed in Article 8(a) of Regulation (EC) No 861/2006 may qualify for Community funding.

(3) Applications for Community funding are to comply with the rules set out in Commission Regulation (EC) No 391/2007 of 11 April 2007 laying down detailed rules for the implementation of Council Regulation (EC) No 861/2006 as regards the expenditure incurred by Member States in implementing the monitoring and control systems applicable to the common fisheries policy ⁽²⁾.

(4) It is appropriate to fix the maximum amounts and the rate of the Community financial contribution within the limits set by Article 15 of Regulation (EC) No 861/2006 and to lay down the conditions under which such contribution may be granted.

(5) It is appropriate to fix a deadline for the claims of reimbursement by Member States to the Commission in order to facilitate the closure of outstanding commitments.

(6) The deadline for the payments in respect of which a reimbursement is claimed has to take into account the rules defined in the Regulation (EC) No 391/2007 as well as the average duration of the projects financed.

(7) Commission Decision 2008/860/EC ⁽³⁾ on a Community financial contribution towards Member States' fisheries control, inspection and surveillance programmes for 2008 was adopted on the 29 of October 2008. That Decision however did not include projects over EUR 1 000 000 relating to expenditure incurred by Greece, Spain and Italy for the purchase and modernisation of patrol vessels and aircraft used for inspection and surveillance of fishing activities. It is therefore necessary to fix the maximum amounts and the rate of the Community financial contribution and to lay down the conditions under which such contribution may be granted in relation to such projects.

(8) From the applications submitted by Spain, two projects were finally postponed by that Member State.

(9) Two applications from Italy should be considered ineligible according to public procurement rules.

(10) The measures provided for in this Decision are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

*Article 1***Subject matter**

This Decision establishes the maximal amount of the Community financial contribution for 2008, the rate of the Community financial contribution and the conditions on which the contribution may be granted towards expenditure incurred by Greece, Spain and Italy in the framework of projects over EUR 1 000 000 for the purchase and modernisation of patrol vessels and aircraft used for inspection and surveillance of fishing activities.

⁽¹⁾ OJ L 160, 14.6.2006, p. 1.

⁽²⁾ OJ L 97, 12.4.2007, p. 30.

⁽³⁾ OJ L 303, 14.11.2008, p. 13.

*Article 2***Rate of contribution**

1. Expenditure concerning the purchase and modernisation of vessels and aircraft used for inspection and surveillance of fishing activities shall qualify, within the limits laid down in the Annex, for a financial contribution of 50 % of the eligible expenditure incurred by Member States.
2. The financial contribution specified for each Member State in the Annex is calculated on the basis of the utilisation of the concerned vessels and aircraft for inspection and surveillance as a percentage of their total yearly activity, as declared by the Member States.

*Article 3***Closure of outstanding commitments**

1. Member States shall ensure that all payments in respect of which a reimbursement is claimed shall be made by the Member State concerned by 30 June 2016. Payments made

by a Member State after this deadline shall not be eligible for reimbursement.

2. The budgetary appropriations related to the Community financial contribution for such projects shall be decommitted at the latest by 31 December 2017.

Article 4

This Decision is addressed to the Hellenic Republic, the Kingdom of Spain and the Italian Republic.

Done at Brussels, 18 December 2008.

For the Commission

Joe BORG

Member of the Commission

ANNEX

Community financial contribution granted towards the purchase and modernisation of patrol vessels and aircraft used for inspection and surveillance of fishing activities

Member State	Expenditure planned in the national fisheries control programme (EUR)	Eligible expenditure under this Decision (EUR)	Community contribution (Rate of 50 %) (EUR)
Greece	14 603 000	14 045 000	7 022 500
Spain	44 225 546	12 476 320	6 238 160
Italy	52 500 000	24 000 000	12 000 000
Total	111 328 546	50 521 320	25 260 660

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.