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I

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

REGULATIONS

COMMISSION REGULATION (EC) No 956/2009**of 14 October 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 15 October 2009.

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

Done at Brussels, 14 October 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	69,8
	MK	24,5
	TR	64,0
	ZZ	52,8
0707 00 05	TR	133,3
	ZZ	133,3
0709 90 70	TR	112,6
	ZZ	112,6
0805 50 10	AR	90,1
	CL	83,5
	TR	79,0
	US	79,7
	UY	55,5
	ZA	66,8
0806 10 10	ZZ	75,8
	BR	216,3
	TR	118,0
	US	186,7
	ZZ	173,7
0808 10 80	AU	175,3
	CL	86,9
	CN	78,6
	NZ	71,3
	ZA	71,4
	ZZ	96,7
0808 20 50	CN	58,3
	TR	92,6
	ZA	89,8
	ZZ	80,2

⁽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 957/2009**of 14 October 2009****establishing the allocation coefficient to be applied to applications for export licences for cheese to be exported to the United States of America in 2010 under certain GATT quotas**

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 1282/2006 of 17 August 2006 laying down special detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards export licences and export refunds for milk and milk products ⁽²⁾, and in particular Article 25(1) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 671/2009 of 24 July 2009 opening the procedure for the allocation of export licences for cheese to be exported to the United States of America in 2010 under certain GATT quotas ⁽³⁾ opens the procedure for the allocation of export licences for cheese to be exported to the United States of America in 2010 under the GATT quotas referred to in Article 23 of Regulation (EC) No 1282/2006.
- (2) Applications for export licences for certain quotas and product groups exceed the quantities available for the 2010 quota year. Allocation coefficients as provided for in Article 25(1) of Regulation (EC) No 1282/2006 should therefore be established.
- (3) In the case of product groups and quotas for which the applications lodged are for quantities less than those available, it is appropriate, in accordance with Article 25(3) of Regulation (EC) No 1282/2006, to provide for the allocation of the remaining quantities

to the applicants in proportion to the quantities applied for. The allocation of such further quantities should be conditional upon the competent authority being notified of the quantities accepted by the operator concerned and upon the interested operators lodging a security.

- (4) Given the time limit for carrying out the procedure for establishing those coefficients, as provided for in Article 4 of Regulation (EC) No 671/2009, this Regulation should apply as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences lodged pursuant to Regulation (EC) No 671/2009 in respect of the product groups and quotas identified by 16-Tokyo, 16-, 17-, 18-, 20- and 21-Uruguay, and 25-Tokyo in column 3 of the Annex to this Regulation shall be accepted, subject to the application of the allocation coefficients in column 5 of that Annex.

Article 2

Applications for export licences lodged pursuant to Regulation (EC) No 671/2009 in respect of the product groups and quotas identified by 22-Tokyo, 22- and 25-Uruguay in column 3 of the Annex to this Regulation shall be accepted for the quantities requested.

Export licences may be issued for further quantities distributed in accordance with the allocation coefficients in column 6 of the Annex, after acceptance by the operator within one week of publication of this Regulation and subject to the lodging of the security applicable.

Article 3

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 234, 29.8.2006, p. 4.

⁽³⁾ OJ L 194, 25.7.2009, p. 47.

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

Done at Brussels, 14 October 2009.

For the Commission
Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

ANNEX

Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonised Tariff Schedule of the United States		Identification of group and quota	Quantity available for 2010 (in tonnes)	Allocation coefficient provided for under Article 1	Allocation coefficient provided for under Article 2
Note No	Group				
(1)	(2)	(3)	(4)	(5)	(6)
16	Not specifically provided for (NSPF)	16-Tokyo	908,877	0,2475189	
		16-Uruguay	3 446,000	0,1468871	
17	Blue Mould	17-Uruguay	350,000	0,0806452	
18	Cheddar	18-Uruguay	1 050,000	0,2685422	
20	Edam/Gouda	20-Uruguay	1 100,000	0,1510989	
21	Italian type	21-Uruguay	2 025,000	0,0887769	
22	Swiss or Emmentaler cheese other than with eye formation	22-Tokyo	393,006		2,6200400
		22-Uruguay	380,000		3,8000000
25	Swiss or Emmentaler cheese with eye formation	25-Tokyo	4 003,172	0,9702307	
		25-Uruguay	2 420,000		1,5765472

COMMISSION REGULATION (EC) No 958/2009**of 14 October 2009****fixing an acceptance percentage for the issuing of export licences, rejecting export-licence applications and suspending the lodging of export-licence applications for out-of-quota sugar**

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 7e in conjunction with Article 9(1) thereof,

Whereas:

- (1) According to Article 61, first subparagraph, point (d) of Regulation (EC) No 1234/2007 the sugar produced during the marketing year in excess of the quota referred to in Article 56 of that Regulation may be exported only within the quantitative limit fixed by the Commission.
- (2) Commission Regulation (EC) No 274/2009 of 2 April 2009 fixing the quantitative limit for the exports of out-of-quota sugar and isoglucose until the end of the 2009/10 marketing year ⁽³⁾ sets the above mentioned limits.

- (3) The quantities of sugar covered by applications for export licences exceed the quantitative limit fixed by Regulation (EC) No 274/2009. An acceptance percentage should therefore be set for quantities applied for on 5, 6, 7, 8 and 9 October 2009. All export-licence applications for sugar lodged after 9 October 2009 should accordingly be rejected and the lodging of export-licence applications should be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences for out-of-quota sugar for which applications were lodged from 5 October to 9 October 2009 shall be issued for the quantities applied for, multiplied by an acceptance percentage of 17,275689 %.
2. Applications for out-of-quota sugar export licences submitted on 12 October, 13 October, 14 October, 15 October and 16 October 2009 are hereby rejected.
3. The lodging of applications for out-of-quota sugar export licences shall be suspended for the period 19 October to 30 September 2010.

Article 2

This Regulation shall enter into force on the 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, 14 October 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 91, 3.4.2009, p. 16.

COMMISSION REGULATION (EC) No 959/2009**of 14 October 2009****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 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 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 955/2009 ⁽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 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 October 2009.

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

Done at Brussels, 14 October 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 253, 25.9.2009, p. 3.

⁽⁴⁾ OJ L 269, 14.10.2009, p. 23.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 15 October 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⁾	35,44	0,65
1701 11 90 ⁽¹⁾	35,44	4,27
1701 12 10 ⁽¹⁾	35,44	0,52
1701 12 90 ⁽¹⁾	35,44	3,98
1701 91 00 ⁽²⁾	38,78	5,84
1701 99 10 ⁽²⁾	38,78	2,70
1701 99 90 ⁽²⁾	38,78	2,70
1702 90 95 ⁽³⁾	0,39	0,29

⁽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 960/2009

of 14 October 2009

amending Regulation (EC) No 1905/2006 of the European Parliament and of the Council establishing a financing instrument for development cooperation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation ⁽¹⁾ (hereinafter referred to as 'the DCI'), and in particular Article 1(1) and Article 31(1) subparagraph 3 thereof,

Whereas:

(1) In accordance with Article 1(1) and Article 31(1) of the DCI, Annex II to the DCI contains a list of aid recipients of the Development Assistance Committee of the Organisation for Economic Cooperation and Development (OECD/DAC), which is to be updated in accordance with regular OECD/DAC reviews of its list of aid recipients.

(2) Further to an update of the list of aid recipients contained in Annex II to the DCI, the Commission should update its Annex I and inform Council and European Parliament thereof.

(3) It is therefore appropriate to delete Saudi Arabia from the list of aid recipients of the OECD/DAC as contained in

Annex II to the DCI, and from the list of countries eligible under Article 1(1) as contained in its Annex I.

(4) It is therefore appropriate to include Kosovo ⁽²⁾ in the list of ODA recipients of OECD/DAC as contained in Annex II to the DCI under the Lower Middle Income Countries and Territories.

(5) It is also appropriate to update the footnotes in Annex II to the DCI pursuant to the OECD/DAC reviews.

(6) The European Parliament and the Council will be informed accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1905/2006 is amended as follows:

1. Annex I is replaced by the attached Annex I.
2. Annex II is replaced by the attached Annex II.

Article 2

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

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

Done at Brussels, 14 October 2009.

For the Commission
Karel DE GUCHT
Member of the Commission

⁽¹⁾ OJ L 378, 27.12.2006, p. 41.

⁽²⁾ Under United Nations Security Resolution 1244/1999.

ANNEX I

Countries eligible under Article 1(1)*Latin America*

1. Argentina
2. Bolivia
3. Brazil
4. Chile
5. Colombia
6. Costa Rica
7. Cuba
8. Ecuador
9. El Salvador
10. Guatemala
11. Honduras
12. Mexico
13. Nicaragua
14. Panama
15. Paraguay
16. Peru
17. Uruguay
18. Venezuela

Asia

19. Afghanistan
20. Bangladesh
21. Bhutan
22. Cambodia
23. China
24. India
25. Indonesia

26. Democratic People's Republic of Korea

27. Laos
28. Malaysia
29. Maldives
30. Mongolia
31. Myanmar
32. Nepal
33. Pakistan
34. Philippines
35. Sri Lanka
36. Thailand
37. Vietnam

Central Asia

38. Kazakhstan
39. Kyrgyz Republic
40. Tajikistan
41. Turkmenistan
42. Uzbekistan

Middle East

43. Iran
44. Iraq
45. Oman
46. Yemen

Southern Africa

47. South Africa
-

ANNEX II

OECD/DAC List of ODA recipients

Effective from 2008 for reporting on 2008, 2009 and 2010 flows

Least Developed Countries	Other Low Income Countries (per capita GNI < USD 935 in 2007)	Lower Middle Income Countries and Territories (per capita GNI USD 936- USD 3 705 in 2007)	Upper Middle Income Countries and Territories (per capita GNI USD 3 706- USD 11 455 in 2007)
Afghanistan	Côte d'Ivoire	Albania	(*) Anguilla
Angola	Ghana	Algeria	Antigua and Barbuda (1)
Bangladesh	Kenya	Armenia	Argentina
Benin	Korea, Democratic People's Republic of	Azerbaijan	Barbados (2)
Bhutan	Kyrgyz Rep.	Bolivia	Belarus
Burkina Faso	Nigeria	Bosnia and Herzegovina	Belize
Burundi	Pakistan	Cameroon	Botswana
Cambodia	Papua New Guinea	Cape Verde	Brazil
Central African Rep.	Tajikistan	China	Chile
Chad	Uzbekistan	Colombia	Cook Islands
Comoros	Vietnam	Congo, Rep.	Costa Rica
Congo, Dem. Rep.	Zimbabwe	Dominican Republic	Croatia
Djibouti		Ecuador	Cuba
Equatorial Guinea		Egypt	Dominica
Eritrea		El Salvador	Fiji
Ethiopia		Georgia	Gabon
Gambia		Guatemala	Grenada
Guinea		Guyana	Jamaica
Guinea-Bissau		Honduras	Kazakhstan
Haiti		India	Lebanon
Kiribati		Indonesia	Libya
Laos		Iran	Malaysia
Lesotho		Iraq	Mauritius
Liberia		Jordan	(*) Mayotte
Madagascar		Kosovo (3)	Mexico

Least Developed Countries	Other Low Income Countries (per capita GNI < USD 935 in 2007)	Lower Middle Income Countries and Territories (per capita GNI USD 936- USD 3 705 in 2007)	Upper Middle Income Countries and Territories (per capita GNI USD 3 706- USD 11 455 in 2007)
Malawi		Marshall Islands	Montenegro
Maldives		Micronesia, Federated States	(*) Montserrat
Mali		Moldova, Republic of	Nauru
Mauritania		Mongolia	(¹) Oman
Mozambique		Morocco	Palau
Myanmar		Namibia	Panama
Nepal		Nicaragua	Serbia
Niger		Niue	Seychelles
Rwanda		occupied Palestinian Territory	South Africa
Samoa		Paraguay	(*) St. Helena
São Tomé and Príncipe		Peru	St. Kitts-Nevis
Senegal		Philippines	St. Lucia
Sierra Leone		Sri Lanka	St. Vincent and Grenadines
Solomon Islands		Swaziland	Suriname
Somalia		Syria	Trinidad and Tobago (²)
Sudan		Thailand	Turkey
Tanzania		The former Yugoslav Republic of Macedonia	Uruguay
Timor-Leste		(*) Tokelau	Venezuela
Togo		Tonga	
Tuvalu		Tunisia	
Uganda		Turkmenistan	
Vanuatu		Ukraine	
Yemen		(*) Wallis and Futuna	
Zambia			

(*) Territory.

(¹) Antigua & Barbuda and Oman exceeded the high income country threshold in 2007. In accordance with the DAC rules for revision of this list, both will graduate from the list in 2011 if they remain high income countries until 2010.

(²) Barbados and Trinidad & Tobago exceeded the high income country threshold in 2006 and 2007. In accordance with the DAC rules for revision of this list, both will graduate from the list in 2011 if they remain high income countries until 2010.

(³) Under United Nations Security Resolution 1244/1999.

COMMISSION REGULATION (EC) No 961/2009**of 14 October 2009****entering a name in the register of protected designations of origin and protected geographical indications (Březnický ležák (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 ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, the Czech Republic's application to register the name 'Březnický ležák' was published in the *Official Journal of the European Union* ⁽²⁾.

(2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been 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 is hereby 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, 14 October 2009.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 38, 17.2.2009, p. 16.

ANNEX

Foodstuffs listed in Annex I to Regulation (EC) No 510/2006:

Group 2.1. Beer

CZECH REPUBLIC

Březnický ležák (PGI)

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 9 October 2009

laying down specifications for the resolution and use of fingerprints for biometric identification and verification in the Visa Information System

(notified under document C(2009) 7435)

(Only the Bulgarian, Czech, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish texts are authentic)

(2009/756/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) ⁽¹⁾, and in particular Article 45(2) thereof,

Whereas:

(1) Council Decision 2004/512/EC of 8 June 2004 establishing the Visa Information System (VIS) ⁽²⁾ established the VIS as a system for the exchange of visa data between Member States and gave a mandate to the Commission to develop the VIS.

(2) Regulation (EC) No 767/2008 defines the purpose and the functionalities of, and the responsibilities for the VIS and establishes the conditions and procedures for the exchange of visa data between Member States to facilitate the examination of visa applications and related decisions.

(3) Commission Decision 2006/648/EC of 22 September 2006 laying down the technical specifications on the standards for biometric features related to the development of the Visa Information System ⁽³⁾ states that further specifications will be developed at a later stage.

(4) It is now necessary to lay down specifications for the resolution and use of fingerprints for biometric identification and verification in the VIS so that Member States can begin to prepare for the use of biometrics.

(5) It is extremely important that biometric data are of a high quality and are reliable. It is therefore necessary to define the technical standards that will make it possible to satisfy the requirements of quality and reliability. Verifications using four fingers have a much lower false rejection rate and failure to acquire rate compared to single finger verifications. The Central Visa Information System (CS-VIS) should therefore be able to perform biometric verifications for accessing data with four fingers flat.

(6) This decision does not create any new standards; it is coherent with ICAO standards.

⁽¹⁾ OJ L 218, 13.8.2008, p. 60.

⁽²⁾ OJ L 213, 15.6.2004, p. 5.

⁽³⁾ OJ L 267, 27.9.2006, p. 41.

- (7) In accordance with Article 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and the Treaty establishing the European Community, Denmark did not take part in the adoption of Regulation (EC) No 767/2008 and is not bound by it or subject to its application. However, given that Regulation (EC) No 767/2008 builds upon the Schengen *acquis* under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark, in accordance with Article 5 of the Protocol, notified by letter of 13 October 2008 the transposition of this *acquis* in its national law. It is therefore bound under international law to implement this Decision.
- (8) In accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ⁽¹⁾, the United Kingdom has not taken part in the adoption of Regulation (EC) No 767/2008 and is not bound by it or subject to its application as it constitutes a development of provisions of the Schengen *acquis*. The United Kingdom is therefore not an addressee of this Decision.
- (9) In accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ⁽²⁾, Ireland has not taken part in the adoption of Regulation (EC) No 767/2008 and is not bound by it or subject to its application as it constitutes a development of provisions of the Schengen *acquis*. Ireland is therefore not an addressee of this Decision.
- (10) This Decision constitutes an act building on the Schengen *acquis* or otherwise related to it within the meaning of Article 3(2) of the 2003 Act of Accession and Article 4(2) of the 2005 Act of Accession.
- (11) As regards Iceland and Norway, this Decision constitutes a development of provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis* ⁽³⁾, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* ⁽⁴⁾.
- (12) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC ⁽⁵⁾ on the conclusion of that Agreement on behalf of the European Community.
- (13) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/261/EC ⁽⁶⁾ of 28 February 2008 on the signature, on behalf of the European Community, and on the provisional application of certain provisions of that Protocol.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Committee set up by Article 51(1) of Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) ⁽⁷⁾,

HAS ADOPTED THIS DECISION:

Article 1

The specifications relating to the resolution and use of fingerprints for biometric identification and verification in the Visa Information System shall be as set out in the Annex.

⁽¹⁾ OJ L 131 1.6.2000, p. 43.

⁽²⁾ OJ L 64, 7.3.2002, p. 20.

⁽³⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁴⁾ OJ L 176, 10.7.1999, p. 31.

⁽⁵⁾ OJ L 53, 27.2.2008, p. 1.

⁽⁶⁾ OJ L 83, 26.3.2008, p. 3.

⁽⁷⁾ OJ L 381, 28.12.2006, p. 4.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden.

Done at Brussels, 9 October 2009.

For the Commission

Jacques BARROT

Vice-President

ANNEX

1. Resolution of fingerprints

The Central Visa Information System (CS-VIS) shall receive fingerprint images of ten fingers flat of a nominal resolution only of 500 dpi (with an acceptable deviation of +/- 5 dpi) with 256 grey levels.

2. Use of ten fingerprints for biometric identifications and searches

CS-VIS shall perform biometric searches (biometric identifications) with ten fingers flat. However, when fingers are missing, these shall be identified accordingly as specified by the ANSI/NIST-ITL 1-2000 standard ⁽¹⁾ and the remaining fingers, if any, shall be used.

3. Use of four fingerprints for biometric verifications

CS-VIS shall be able to perform biometric verifications for accessing data with four fingers flat.

When available, fingerprints from the following fingers of either the right hand or the left hand shall be used: the index finger (NIST identification 2 or 7), middle finger (NIST identification 3 or 8), ring finger (NIST identification 4 or 9), little finger (NIST identification 5 or 10).

For ergonomic, standardisation and visualisation purposes, fingerprints from the same hand shall be used, starting with the right hand.

The finger-position shall be identified for each individual fingerprint image as specified by the ANSI/NIST-ITL 1-2000 standard.

When such finger-position identification is not possible or it proves to be erroneous, national systems may request verifications in CS-VIS involving the use of 'permutations' ⁽²⁾.

Missing or bandaged fingers shall always be identified as specified by the ANSI/NIST-ITL 1-2000 standard and the VIS Interface Control Document.

4. Use of one or two fingerprints for biometric verifications

Member States may decide to use one or two fingerprints flat for biometric verifications, instead of four fingerprints.

The following fingers shall be used by default:

- (a) One finger: index finger (NIST identification 2 or 7),
- (b) Two fingers: index finger (NIST identification 2 or 7) and middle finger (NIST identification 3 or 8).

In addition the following fingers may be used:

- (a) One finger: thumb (NIST identification 1 or 6) or middle finger (NIST identification 3 or 8),
- (b) Two fingers:
 - (i) index finger (NIST identification 2 or 7) and ring finger (NIST identification 4 or 9) or
 - (ii) middle finger (NIST identification 3 or 8) and ring finger (NIST identification 4 or 9).

For ergonomic, standardisation and visualisation purposes, fingerprints from the same hand shall be used, starting with the right hand.

The finger-position shall be identified for each individual fingerprint image as specified by the ANSI/NIST-ITL 1-2000 standard.

When such finger-position identification is not possible or it proves to be erroneous, national systems may request verifications in CS-VIS involving the use of 'permutations'.

Missing or bandaged fingers shall always be identified as specified by the ANSI/NIST-ITL 1-2000 standard and the VIS Interface Control Document.

⁽¹⁾ ANSI/NIST-ITL 1-2000 Standard 'Data Format for the Interchange of Fingerprint, Facial, Scar Mark & Tattoo (SMT) Information', accessible on: <http://www.itl.nist.gov/ANSI/ASD/sp500-245-a16.pdf>

⁽²⁾ Permutations instruct CS-VIS to perform repetitive verification between the source fingerprint(s) (one, two, three or four) and all candidate fingerprints available (mostly ten) until either a positive verification takes place or all candidate fingerprints have been searched without producing a positive verification.

COMMISSION DECISION**of 14 October 2009****on the extension of the mandate of the European Group on Ethics in Science and New Technologies and of the period of appointment of its members**

(2009/757/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) The mandate of the European Group on Ethics in Science and New Technologies (EGE) was renewed by Commission Decision 2005/383/EC ⁽¹⁾.
- (2) The appointment of the members of the EGE was renewed for a period of 4 years by Commission Decision 2005/754/EC ⁽²⁾.
- (3) The current mandate of the EGE and the current period of appointment of its members therefore come to an end on 20 October 2009.
- (4) It is appropriate that the new Commission should review both the subject of the mandate of the EGE and the appointment of its members.
- (5) To enable the EGE to continue to function until new decisions on its mandate and on the appointment of

its members are taken, the current mandate of the EGE and the current period of appointment of its members should be extended,

HAS DECIDED AS FOLLOWS:

Article 1

The current mandate of the EGE, as provided for in Decision 2005/383/EC, is hereby extended until such time as that decision is replaced.

The current period of appointment of the members of the EGE, as provided for in Decision 2005/754/EC, is hereby extended until such time as that decision is replaced.

Article 2

This Decision shall enter into force on 21 October 2009.

Done at Brussels, 14 October 2009.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 127, 20.5.2005, p. 17.⁽²⁾ OJ L 284, 27.10.2005, p. 6.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

POLITICAL AND SECURITY COMMITTEE DECISION ATALANTA/7/2009

of 2 October 2009

amending Political and Security Committee Decision ATALANTA/2/2009 on the acceptance of third States' contributions to the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and Political and Security Committee Decision ATALANTA/3/2009 on the setting-up of the Committee of Contributors for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta)

(2009/758/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third subparagraph of Article 25 thereof,

Having regard to Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ⁽¹⁾, and in particular Article 10 thereof,

Having regard to Political and Security Committee Decision Atalanta/2/2009 ⁽²⁾ and to Political and Security Committee Decision Atalanta/3/2009 ⁽³⁾, and the addendum thereto ⁽⁴⁾,

Whereas:

- (1) The EU Operation Commander held Force Generation and Manning Conferences on 17 November 2008, 16 December 2008, 19 March 2009 and 3 July 2009.
- (2) Following the recommendation by the EU Operation Commander and the advice by the European Union Military Committee on a contribution from Montenegro, the contribution from Montenegro should be accepted.
- (3) In accordance with Article 6 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark does not participate in the elaboration and implementation of decisions and actions of the European Union which have defence implications,

HAS DECIDED AS FOLLOWS:

Article 1

Political and Security Committee Decision Atalanta/2/2009 shall be amended as follows:

Article 1 is replaced by the following:

'Article 1

Third States' contributions

Following the Force Generation and Manning Conferences, the contributions from Norway, Croatia and Montenegro shall be accepted for the EU military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ("Atalanta").'

Article 2

The Annex to Political and Security Committee Decision Atalanta/3/2009 shall be replaced by the text appearing in the Annex to this Decision.

Done at Brussels, 2 October 2009.

For the Political and Security Committee

The Chairperson

O. SKOOG

⁽¹⁾ OJ L 301, 12.11.2008, p. 33.

⁽²⁾ OJ L 109, 30.4.2009, p. 52.

⁽³⁾ OJ L 112, 6.5.2009, p. 9.

⁽⁴⁾ OJ L 119, 14.5.2009, p. 40.

ANNEX

'ANNEX

LIST OF THIRD STATES REFERRED TO IN ARTICLE 2(1)

- Norway,
 - Croatia,
 - Montenegro'.
-

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