

# Official Journal

## of the European Union

L 65



English edition

Legislation

Volume 53

13 March 2010

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<sup>(1)</sup> Text with EEA relevance

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EN

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<sup>(1)</sup> Text with EEA relevance

## II

*(Non-legislative acts)*

## REGULATIONS

## IMPLEMENTING REGULATION OF THE COUNCIL (EU) No 210/2010

of 25 February 2010

**amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings and codifying Annexes A, B and C to that Regulation**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 291(2) thereof,

Having regard to Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings <sup>(1)</sup>, and in particular Article 45 thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Annexes A, B and C to Regulation (EC) No 1346/2000 list the designations given in the national legislation of the Member States to the proceedings and liquidators to which that Regulation applies. Annex A lists the insolvency proceedings referred to in Article 2(a) of that Regulation. Annex B lists the winding-up proceedings referred to in Article 2(c) of that Regulation and Annex C lists the liquidators referred to in Article 2(b) of that Regulation.

(2) On 2 March 2009, Belgium notified the Commission, pursuant to Article 45 of Regulation (EC) No 1346/2000, of amendments to the lists set out in Annexes A and C to that Regulation. This notification was subsequently adjusted by Belgium so as to supplement the amendments to the lists in Annexes A and C and to add an amendment to the list set out in Annex B.

(3) As a consequence of the amendments to Annexes A, B and C to Regulation (EC) No 1346/2000 following the abovementioned notification by Belgium and the

subsequent adjustment thereof, a codification of Annexes A, B and C to that Regulation should be made to provide all parties involved in insolvency proceedings covered by that Regulation with the necessary legal certainty.

(4) The United Kingdom and Ireland are bound by Regulation (EC) No 1346/2000 and, by virtue of Article 45 of that Regulation, are therefore taking part in the adoption and application of this Regulation.

(5) In accordance with Articles 1 and 2 of the Protocol on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

(6) Annexes A, B and C to Regulation (EC) No 1346/2000 should therefore be amended and codified accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1346/2000 shall be amended as follows:

1. in Annex A, the designations for Belgium are replaced by the following:

‘BELGIË/BELGIQUE

Het faillissement/La faillite

De gerechtelijke reorganisatie door een collectief akkoord/La réorganisation judiciaire par accord collectif

<sup>(1)</sup> OJ L 160, 30.6.2000, p. 1.

De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice

De collectieve schuldenregeling/Le règlement collectif de dettes

De vrijwillige vereffening/La liquidation volontaire

De gerechtelijke vereffening/La liquidation judiciaire

De voorlopige ontneming van beheer, bepaald in artikel 8 van de faillissementswet/Le dessaisissement provisoire, visé à l'article 8 de la loi sur les faillites';

2. in Annex B, the designations for Belgium are replaced by the following:

'BELGIË/BELGIQUE

Het faillissement/La faillite

De vrijwillige vereffening/La liquidation volontaire

De gerechtelijke vereffening/La liquidation judiciaire

De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice';

3. in Annex C, the designations for Belgium are replaced by the following:

'BELGIË/BELGIQUE

De curator/Le curateur

De gedelegeerd rechter/Le juge-délégué

De gerechtsmandataris/Le mandataire de justice

De schuldbemiddelaar/Le médiateur de dettes

De vereffenaar/Le liquidateur

De voorlopige bewindvoerder/L'administrateur provisoire'.

#### Article 2

Annexes A, B and C to Regulation (EC) No 1346/2000 as amended in accordance with Article 1 of this Regulation are hereby codified and replaced by the texts set out in Annexes I, II and III to this Regulation.

#### Article 3

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

#### Article 4

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

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 25 February 2010.

For the Council  
The President  
A. PÉREZ RUBALCABA

## ANNEX I

## ‘ANNEX A

**Insolvency proceedings referred to in Article 2(a)**

## BELGIË/BELGIQUE

- Het faillissement/La faillite
- De gerechtelijke reorganisatie door een collectief akkoord/La réorganisation judiciaire par accord collectif
- De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice
- De collectieve schuldenregeling/Le règlement collectif de dettes
- De vrijwillige vereffening/La liquidation volontaire
- De gerechtelijke vereffening/La liquidation judiciaire
- De voorlopige ontneming van beheer, bepaald in artikel 8 van de faillissementswet/Le dessaisissement provisoire, visé à l'article 8 de la loi sur les faillites

## БЪЛГАРИЯ

- Производство по несъстоятелност

## ČESKÁ REPUBLIKA

- Konkurs
- Reorganizace
- Oddlužení

## DEUTSCHLAND

- Das Konkursverfahren
- Das gerichtliche Vergleichsverfahren
- Das Gesamtvollstreckungsverfahren
- Das Insolvenzverfahren

## EESTI

- Pankrotimenetus

## ΕΛΛΑΣ

- Η πτώχευση
- Η ειδική εκκαθάριση
- Η προσωρινή διαχείριση εταιρείας. Η διοίκηση και διαχείριση των πιστωτών
- Η υπαγωγή επιχείρησης υπό επίτροπο με σκοπό τη σύναψη συμβιβασμού με τους πιστωτές

## ESPAÑA

- Concurso

## FRANCE

- Sauvegarde
- Redressement judiciaire
- Liquidation judiciaire

## IRELAND

- Compulsory winding-up by the court
- Bankruptcy
- The administration in bankruptcy of the estate of persons dying insolvent
- Winding-up in bankruptcy of partnerships
- Creditors' voluntary winding-up (with confirmation of a court)
- Arrangements under the control of the court which involve the vesting of all or part of the property of the debtor in the Official Assignee for realisation and distribution
- Company examinership

## ITALIA

- Fallimento
- Concordato preventivo
- Liquidazione coatta amministrativa
- Amministrazione straordinaria

## ΚΥΠΡΟΣ

- Υποχρεωτική εκκαθάριση από το Δικαστήριο
- Εκούσια εκκαθάριση από πιστωτές κατόπιν Δικαστικού Διατάγματος
- Εκούσια εκκαθάριση από μέλη
- Εκκαθάριση με την εποπτεία του Δικαστηρίου
- Πτώχευση κατόπιν Δικαστικού Διατάγματος
- Διαχείριση της περιουσίας προσώπων που απεβίωσαν αφερέγγυα

## LATVIJA

- Tiesiskās aizsardzības process
- Sanācija juridiskās personas maksātnespējas procesā
- Izlīgums juridiskās personas maksātnespējas procesā
- Izlīgums fiziskās personas maksātnespējas procesā
- Bankrota procedūra juridiskās personas maksātnespējas procesā
- Bankrota procedūra fiziskās personas maksātnespējas procesā

## LIETUVA

- Įmonės restruktūrizavimo byla
- Įmonės bankroto byla
- Įmonės bankroto procesas ne teismo tvarka

## LUXEMBOURG

- Faillite
- Gestion contrôlée
- Concordat préventif de faillite (par abandon d'actif)
- Régime spécial de liquidation du notariat

## MAGYARORSZÁG

- Csődeljárás
- Felszámolási eljárás

## MALTA

- Xoljiment
- Amministrazzjoni
- Stralċ volontarju mill-membri jew mill-kredituri
- Stralċ mill-Qorti
- Falliment f'każ ta' negozjant

## NEDERLAND

- Het faillissement
- De surséance van betaling
- De schuldsaneringsregeling natuurlijke personen

## ÖSTERREICH

- Das Konkursverfahren
- Das Ausgleichsverfahren

## POLSKA

- Postępowanie upadłościowe
- Postępowanie układowe
- Upadłość obejmująca likwidację
- Upadłość z możliwością zawarcia układu

## PORTUGAL

- Processo de insolvência
- Processo de falência
- Processos especiais de recuperação de empresa, ou seja:
  - Concordata
  - Reconstituição empresarial
  - Reestruturação financeira
  - Gestão controlada

## ROMÂNIA

- Procedura insolvenței
- Reorganizarea judiciară
- Procedura falimentului

## SLOVENIJA

- Stečajni postopek
- Skrajšani stečajni postopek
- Postopek prisilne poravnave
- Prisilna poravnava v stečaju

## SLOVENSKO

- Konkurzné konanie
- Reštrukturalizačné konanie

## SUOMI/FINLAND

- Konkursi/konkurs
- Yrityssaneeraus/företagssanering

## SVERIGE

- Konkurs
- Företagsrekonstruktion

## UNITED KINGDOM

- Winding-up by or subject to the supervision of the court
  - Creditors' voluntary winding-up (with confirmation by the court)
  - Administration, including appointments made by filing prescribed documents with the court
  - Voluntary arrangements under insolvency legislation
  - Bankruptcy or sequestration'
-



## ANNEX II

## ANNEX B

**Winding-up proceedings referred to in Article 2(c)**

## BELGIË/BELGIQUE

- Het faillissement/La faillite
- De vrijwillige vereffening/La liquidation volontaire
- De gerechtelijke vereffening/La liquidation judiciaire
- De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice

## БЪЛГАРИЯ

- Производство по несъстоятелност

## ČESKÁ REPUBLIKA

- Konkurs

## DEUTSCHLAND

- Das Konkursverfahren
- Das Gesamtvollstreckungsverfahren
- Das Insolvenzverfahren

## EESTI

- Pankrotimenetus

## ΕΛΛΑΣ

- Η πτώχευση
- Η ειδική εκκαθάριση

## ESPAÑA

- Concurso

## FRANCE

- Liquidation judiciaire

## IRELAND

- Compulsory winding-up
- Bankruptcy
- The administration in bankruptcy of the estate of persons dying insolvent
- Winding-up in bankruptcy of partnerships
- Creditors' voluntary winding-up (with confirmation of a court)
- Arrangements under the control of the court which involve the vesting of all or part of the property of the debtor in the Official Assignee for realisation and distribution

## ITALIA

- Fallimento
- Concordato preventivo con cessione dei beni
- Liquidazione coatta amministrativa
- Amministrazione straordinaria con programma di cessione dei complessi aziendali
- Amministrazione straordinaria con programma di ristrutturazione di cui sia parte integrante un concordato con cessione dei beni

## ΚΥΠΡΟΣ

- Υποχρεωτική εκκαθάριση από το Δικαστήριο
- Εκκαθάριση με την εποπτεία του Δικαστηρίου
- Εκούσια εκκαθάριση από πιστωτές (με την επικύρωση του Δικαστηρίου)
- Πτώχευση
- Διαχείριση της περιουσίας προσώπων που απεβίωσαν αφερέγγυα

## LATVIJA

- Bankrota procedūra juridiskās personas maksātspējas procesā
- Bankrota procedūra fiziskās personas maksātspējas procesā

## LIETUVA

- Įmonės bankroto byla
- Įmonės bankroto procesas ne teismo tvarka

## LUXEMBOURG

- Faillite
- Régime spécial de liquidation du notariat

## MAGYARORSZÁG

- Felszámolási eljárás

## MALTA

- Stralċ volontarju
- Stralċ mill-Qorti
- Falliment inkluż il-hruġ ta' mandat ta' qbid mill-Kuratur f'każ ta' negozjant fallut

## NEDERLAND

- Het faillissement
- De schuldsaneringsregeling natuurlijke personen

## ÖSTERREICH

- Das Konkursverfahren

## POLSKA

- Postępowanie upadłościowe
- Upadłość obejmująca likwidację

## PORTUGAL

- Processo de insolvência
- Processo de falência

## ROMÂNIA

- Procedura falimentului

## SLOVENIJA

- Stečajni postopek
- Skrajšani stečajni postopek

## SLOVENSKO

- Konkurzné konanie

## SUOMI/FINLAND

- Konkurssi/konkurs

## SVERIGE

- Konkurs

## UNITED KINGDOM

- Winding-up by or subject to the supervision of the court
  - Winding-up through administration, including appointments made by filing prescribed documents with the court
  - Creditors' voluntary winding-up (with confirmation by the court)
  - Bankruptcy or sequestration'
-

## ANNEX III

## 'ANNEX C

**Liquidators referred to in Article 2(b)**

## BELGIË/BELGIQUE

- De curator/Le curateur
- De gedelegeerd rechter/Le juge-délégué
- De gerechtsmandataris/Le mandataire de justice
- De schuldbemiddelaar/Le médiateur de dettes
- De vereffenaar/Le liquidateur
- De voorlopige bewindvoerder/L'administrateur provisoire

## БЪЛГАРИЯ

- Назначен предварително временен синдик
- Временен синдик
- (Постоянен) синдик
- Служебен синдик

## ČESKÁ REPUBLIKA

- Insolvenční správce
- Předběžný insolvenční správce
- Oddělený insolvenční správce
- Zvláštní insolvenční správce
- Zástupce insolvenčního správce

## DEUTSCHLAND

- Konkursverwalter
- Vergleichsverwalter
- Sachwalter (nach der Vergleichsordnung)
- Verwalter
- Insolvenzverwalter
- Sachwalter (nach der Insolvenzordnung)
- Treuhänder
- Vorläufiger Insolvenzverwalter

## EESTI

- Pankrotihaldur
- Ajutine pankrotihaldur
- Usaldusisik

## ΕΛΛΑΣ

- Ο σύνδικος
- Ο προσωρινός διαχειριστής. Η διοικούσα επιτροπή των πιστωτών
- Ο ειδικός εκκαθαριστής
- Ο επίτροπος

## ESPAÑA

- Administradores concursales

## FRANCE

- Mandataire judiciaire
- Liquidateur
- Administrateur judiciaire
- Commissaire à l'exécution du plan

## IRELAND

- Liquidator
- Official Assignee
- Trustee in bankruptcy
- Provisional Liquidator
- Examiner

## ITALIA

- Curatore
- Commissario giudiziale
- Commissario straordinario
- Commissario liquidatore
- Liquidatore giudiziale

## ΚΥΠΡΟΣ

- Εκκαθαριστής και Προσωρινός Εκκαθαριστής
- Επίσημος Παραλήπτης
- Διαχειριστής της Πτώχευσης
- Εξεταστής

## LATVIJA

- Maksātnespējas procesa administrators

## LIETUVA

- Bankrutuojančių įmonių administratorius
- Restruktūrizuojamų įmonių administratorius

## LUXEMBOURG

- Le curateur
- Le commissaire
- Le liquidateur
- Le conseil de gérance de la section d'assainissement du notariat

## MAGYARORSZÁG

- Vagyonfelügyelő
- Felszámoló

## MALTA

- Amministratur Provizorju
- Riċevitur Uffiċjali
- Stralċjarju
- Manager Speċjali
- Kuraturi f'każ ta' proċeduri ta' falliment

## NEDERLAND

- De curator in het faillissement
- De bewindvoerder in de surséance van betaling
- De bewindvoerder in de schuldsaneringsregeling natuurlijke personen

## ÖSTERREICH

- Masseverwalter
- Ausgleichsverwalter
- Sachwalter
- Treuhänder
- Besondere Verwalter
- Konkursgericht

## POLSKA

- Syndyk
- Nadzorca sądowy
- Zarządca

## PORTUGAL

- Administrador da insolvência
- Gestor judicial
- Liquidatário judicial
- Comissão de credores

## ROMÂNIA

- Practician în insolvență
- Administrator judiciar
- Lichidator

## SLOVENIJA

- Upravitelj prisilne poravnave
- Stečajni upravitelj
- Sodišče, pristojno za postopek prisilne poravnave
- Sodišče, pristojno za stečajni postopek

## SLOVENSKO

- Predbežný správca
- Správca

## SUOMI/FINLAND

- Pesänhoitaja/boförvaltare
- Selvittäjä/utredare

## SVERIGE

- Förvaltare
- Rekonstruktör

## UNITED KINGDOM

- Liquidator
  - Supervisor of a voluntary arrangement
  - Administrator
  - Official Receiver
  - Trustee
  - Provisional Liquidator
  - Judicial factor.
-

## COMMISSION REGULATION (EU) No 211/2010

of 11 March 2010

## amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>, and in particular Article 9(1)(a) thereof,

Whereas:

(1) Certain products containing nicotine and intended to assist smokers to stop smoking have been classified by different customs authorities of the Member States under heading 2106, 3004 or 3824 of the Combined Nomenclature (CN), laid down in Annex I to Regulation (EEC) No 2658/87.

(2) Commission Regulation (EEC) No 3565/88 of 16 November 1988 concerning the classification of certain goods in the Combined Nomenclature<sup>(2)</sup> has classified chewing-gum consisting of nicotine bound to an ion-exchange resin to simulate the taste of tobacco smoke whose use is suggested to persons wishing to give up smoking as 'food preparations' of subheading 2106 90 of the CN. The Court of Justice of the European Communities in its order of 19 January 2005<sup>(3)</sup> has ruled that certain nicotine patches intended to help their users to stop smoking are to be classified as 'medicaments' of heading 3004 of the CN.

(3) In order to ensure uniform application of the Combined Nomenclature in respect of goods and products to assist smokers to stop smoking, it is necessary to add an additional note 2 to Chapter 30 of the CN.

(4) Products intended to assist smokers to stop smoking, such as tablets, chewing gum or other preparations, do not allow a gradual and continuous release of nicotine throughout the day and cannot be seen as presenting prophylactic and therapeutic characteristics. It is therefore appropriate to provide in the additional note that Chapter 30 on Pharmaceutical products does not cover products, such as tablets, chewing gum or other preparations, intended to assist smokers to stop smoking which fall under heading 2106 or 3824, with the exclusion of nicotine patches.

(5) Nicotine patches present prophylactic and therapeutic characteristics because of their direct application on the skin allowing a gradual and continuous release of nicotine throughout the day. Given their prophylactic and therapeutic characteristics, nicotine patches are classified in Chapter 30 and therefore have to be excluded from the additional note.

(6) Regulation (EEC) No 2658/87 should therefore be amended accordingly.

(7) The Customs Code Committee has not issued an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

In part Two, Section VI, Chapter 30 of Annex I to Regulation (EEC) No 2658/87, the following Additional note 2 is inserted:

'2. This Chapter does not cover products, such as tablets, chewing gum or other preparations, intended to assist smokers to stop smoking which fall within heading 2106 or 3824, with the exclusion of nicotine patches.'

<sup>(1)</sup> OJ L 256, 7.9.1987, p. 1.

<sup>(2)</sup> OJ L 311, 17.11.1988, p. 25.

<sup>(3)</sup> Order of 19 January 2005, Case C-206/03: *Commissioners of Customs & Excise v SmithKline Beecham*, ECR [2005] I-415.



*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, 11 March 2010.

*For the Commission,  
On behalf of the President,  
Algirdas ŠEMETA  
Member of the Commission*

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**COMMISSION REGULATION (EU) No 212/2010****of 12 March 2010****amending Regulation (EC) No 669/2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Article 8(1)(b) of that Regulation, in order to avoid any difficulties in interpreting Article 19 thereof.

Having regard to the Treaty on the Functioning of the European Union,

- (3) After the publication of Regulation (EC) No 669/2009, a number of Member States advised the Commission of the need for more precise definitions for certain CN codes used in Part A of Annex I to that Regulation, in order to facilitate the identification of the products covered by those definitions, as well as the need for technical clarifications to be provided in certain footnotes in that Annex.

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>(1)</sup>, and in particular Article 53(1) thereof,

- (4) The Commission was also advised of the need to include a specific list of pesticide residues as hazards in vegetables, fresh, chilled or frozen (food), in the list in Part A of Annex I to Regulation (EC) No 669/2009, in order to take into consideration the Rapid Alert System for Food and Feed notifications received during the last three years.

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules<sup>(2)</sup>, and in particular Articles 15(5) and 63(1) thereof,

- (5) In the interests of clarity, further technical clarifications are needed with reference to the Notes for Guidance for the common entry document set out in Annex II to Regulation (EC) No 669/2009.

Whereas:

(1) Commission Regulation (EC) No 669/2009<sup>(3)</sup> lays down rules concerning the increased level of official controls to be carried out on imports of certain feed and food of non-animal origin at points of entry into the territories listed in Annex I to Regulation (EC) No 882/2004. In particular, Annex I to Regulation (EC) No 669/2009 lists feed and food of non-animal origin that is to be subject to an increased level of official controls.

- (6) Regulation (EC) No 669/2009 should therefore be amended accordingly.

(2) Article 19 of Regulation (EC) No 669/2009 containing transitional measures needs to be amended so that the terminology used therein is consistent with that used in

- (7) Regulation (EC) No 669/2009 is to apply from 25 January 2010. Accordingly, this Regulation should also apply from that date.

<sup>(1)</sup> OJ L 31, 1.2.2002, p. 1.

<sup>(2)</sup> OJ L 165, 30.4.2004, p. 1.

<sup>(3)</sup> OJ L 194, 25.7.2009, p. 11.

- (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*

Regulation (EC) No 669/2009 is amended as follows:

1. Article 19 is replaced by the following:

*'Article 19*

**Transitional measures**

1. For a period of five years from the date of entry into force of this Regulation, where a designated point of entry is not equipped with the facilities required to carry out identity and physical checks as provided for in Article 8(1)(b), those checks may be carried out at another control point in the same Member State, authorised for that purpose by the competent authority, before goods are declared for release

for free circulation, provided that such control point complies with the minimum requirements laid down in Article 4.

2. Member States shall make publicly available, by electronic publication on their website, a list of the control points authorised in accordance with paragraph 1.'

2. The Annexes are amended in accordance with the Annex to this Regulation.

*Article 2*

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

It shall apply from 25 January 2010.

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

Done at Brussels, 12 March 2010.

*For the Commission*  
*The President*  
José Manuel BARROSO

## ANNEX

Annexes I and II to Regulation (EC) No 669/2009 are amended as follows:

1. Annex I is amended as follows:

(a) Part A is replaced by the following:

**(A) Feed and food of non-animal origin subject to an increased level of official controls at the designated point of entry**

Feed and food (intended use)	CN code <sup>(1)</sup>	Country of origin	Hazard	Frequency of physical and identity checks (%)
Groundnuts (peanuts) and derived products (feed and food)	1202 10 90; 1202 20 00; 2008 11	Argentina	Aflatoxins	10
Groundnuts (peanuts) and derived products (feed and food)	1202 10 90; 1202 20 00; 2008 11	Brazil	Aflatoxins	50
Trace elements (feed and food) <sup>(2)</sup>	2817 00 00; 2820; 2821; 2825 50 00; 2833 25 00; 2833 29 20; 2833 29 80; 2836 99	China	Cadmium and lead	50
Groundnuts (peanuts) and derived products (feed and food), in particular peanut butter (food)	1202 10 90; 1202 20 00; 2008 11	Ghana	Aflatoxins	50
Spices (food): — <i>Capsicum</i> spp. (dried fruits thereof, whole or ground, including chillies, chilli powder, cayenne and paprika) — <i>Myristica fragrans</i> (nutmeg) — <i>Zingiber officinale</i> (ginger) — <i>Curcuma longa</i> (turmeric)	0904 20; 0908 10 00; 0908 20 00; 0910 10 00; 0910 30 00	India	Aflatoxins	50
Groundnuts (peanuts) and derived products (feed and food)	1202 10 90; 1202 20 00; 2008 11	India	Aflatoxins	10
Melon (egusi) seeds and derived products <sup>(3)</sup> (food)	ex 1207 99	Nigeria	Aflatoxins	50
Dried vine fruit (food)	0806 20	Uzbekistan	Ochratoxin A	50
Chilli, chilli products, curcuma and palm oil (food)	0904 20 90; 0910 91 05; 0910 30 00; ex 1511 10 90	All third countries	Sudan dyes	20

Feed and food (intended use)	CN code <sup>(1)</sup>	Country of origin	Hazard	Frequency of physical and identity checks (%)
Groundnuts (peanuts) and derived products (feed and food)	1202 10 90; 1202 20 00; 2008 11	Vietnam	Aflatoxins	10
Basmati rice for direct human consumption (food)	ex 1006 30	Pakistan	Aflatoxins	50
Basmati rice for direct human consumption (food)	ex 1006 30	India	Aflatoxins	10
Mangos, yard long beans ( <i>Vigna sesquipedalis</i> ), melon bitter ( <i>Momordica charantia</i> ), Lauki, ( <i>Lagenaria siceraria</i> ), peppers and aubergines (food)	ex 0804 50 00; 0708 20 00; 0807 11 00; ex 0709 90 90; 0709 60; 0709 30 00	Dominican Republic	Pesticide residues analysed with multiresidue methods based on GC-MS and LC-MS or with single residue methods (*)	50
Bananas	0803 00 19	Dominican Republic	Pesticide residues analysed with multiresidue methods based on GC-MS and LC-MS or with single residue methods (*)	10
Vegetables, fresh, chilled or frozen (peppers, courgettes and tomatoes)	0709 60; 0709 90 70; 0702 00 00	Turkey	Pesticides: methomyl and oxamyl	10
Pears	0808 20 10; 0808 20 50	Turkey	Pesticide: amitraz	10
Vegetables, fresh, chilled or frozen (food) — yard long beans ( <i>Vigna sesquipedalis</i> ) — aubergines — Brassica vegetables	0708 20 00; 0709 30 00; 0704;	Thailand	Pesticide residues analysed with multiresidue methods based on GC-MS and LC-MS or with single residue methods (**)	50

(\*) In particular residues of: Amitraz, Acephate, Aldicarb, Benomyl, Carbendazim, Chlorfenapyr, Chlorpyrifos, CS2 (Dithiocarbamates), Diafenthiuron, Diazinon, Dichlorvos, Dicofol, Dimethoate, Endosulfan, Fenamidone, Imidacloprid, Malathion, Methamidophos, Methiocarb, Methomyl, Monocrotophos, Omethoate, Oxamyl, Profenofos, Propiconazole, Thiabendazol, Thiacloprid.

(\*\*) In particular residues of: Acephate, Carbaryl, Carbendazim, Carbofuran, Chlorpyrifos, Chlorpyrifos-ethyl, Dime-thoate, Ethion, Malathion, Metalaxyl, Methamidophos, Methomyl, Monocrotophos, Omethoate, Prophenophos, Prothiophos, Quinalphos, Triadimefon, Triazophos, Dicrotophos, EPN, Triforine.

(1) Where only certain products under any CN code are required to be examined and no specific subdivision under that code exists in the goods nomenclature, the CN code is marked "ex" (for example, ex 1006 30: only Basmati rice for direct human consumption is included).

(2) The trace elements referred to in this entry are the trace elements belonging to the functional group of compounds of trace elements referred to in point 3(b) of Annex I to Regulation (EC) No 1831/2003 of the European Parliament and of the Council (OJ L 268, 18.10.2003, p. 29).

(3) The maximum levels established for aflatoxins in groundnuts and derived products listed in points 2.1.1 and 2.1.3 of Section 2 of the Annex to Commission Regulation (EC) No 1881/2006 (OJ L 364, 20.12.2006, p. 5) shall be the reference points for action.'

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

'(d) "palm oil", means red palm oil falling within CN code 1511 10 90, intended for direct human consumption;'

2. In Annex II, the 'Notes for guidance for the CED' are replaced by the following:

*'Notes for guidance for the CED*

- General: Complete the common entry document in capital letters. Notes are shown against the relevant box number.
- Part I      **This Part is to be completed by the feed and food business operator or their representative, unless otherwise indicated.****
- Box I.1.      Consignor: name and full address of the natural or legal person (feed and food business operator) dispatching the consignment. Information concerning telephone and fax numbers or an e-mail address is recommended.
- Box I.2.      This box must be filled in by the competent authority of the designated point of entry (DPE).
- Box I.3.      Consignee: name and full address of the natural or legal person (feed and food business operator) to whom the consignment is destined. Information on telephone and fax numbers or an e-mail address is recommended.
- Box I.4.      The person responsible for the consignment: the person (feed and food business operator or their representative or the person making the declaration on their behalf) who is in charge of the consignment when it is presented at the DPE and who makes the necessary declarations to the competent authority at the DPE on behalf of the importer. Insert the name and full address. Information on telephone and fax numbers or an e-mail address is recommended.
- Box I.5.      Country of origin: this refers to the third country where the commodity is originating from, grown, harvested or produced.
- Box I.6.      Country from where consigned: this refers to the third country where the consignment was placed aboard the means of final transport for the journey to the Union.
- Box I.7.      Importer: name and full address. Information on telephone and fax numbers or an e-mail address is recommended.
- Box I.8.      Place of destination: delivery address in the Union. Information on telephone and fax numbers or an e-mail address is recommended.
- Box I.9.      Arrival at DPE: insert the estimated date on which the consignment is expected to arrive at the DPE.
- Box I.10.      Documents: insert the date of issue and the number of official documents accompanying the consignment, as appropriate.
- Box I.11.      Give full details of the means of arrival transport: for aircrafts the flight number, for vessels the ship name, for road vehicles the registration number plate with trailer number if appropriate, for railway vehicles the train identity and wagon number.
- Documentary references: number of airway bill, bill of lading or commercial number for railway or road vehicle.
- Box I.12.      Description of the commodity: provide a detailed description of the commodity (including for feed the type of feed).
- Box I.13.      Commodity or HS code of the Harmonized System of the World Customs Organization.

- Box I.14. Gross weight: overall weight in kg. This is defined as the aggregate mass of the products and of the immediate containers and all their packaging, but excluding transport containers and other transport equipment.
- Net weight: weight of actual product in kg, excluding packaging. This is defined as the mass of the products themselves without immediate containers or any packaging.
- Box I.15. Number of packages.
- Box I.16. Temperature: tick the appropriate mode of transport/storage temperature.
- Box I.17. Type of packages: identify the type of packaging of products.
- Box I.18. Commodity intended for: tick the appropriate box depending on whether the commodity is destined for human consumption without prior sorting or other physical treatment (in this case tick "human consumption") or is intended for human consumption after such treatment (tick "further process" in this case), or is intended for use as "feedingstuff" (in this case tick "feedingstuffs").
- Box I.19. Give all seal and container identification numbers where relevant.
- Box I.20. Transfer to a control point: During the transitional period provided for in Article 19(1), the DPE shall tick this box to allow onward transportation to another control point.
- Box I.21. Not applicable.
- Box I.22. For import: this box is to be ticked where the consignment is intended for importation into the Union (Article 8).
- Box I.23. Not applicable.
- Box I.24. Tick the appropriate means of transport.
- Part II This Part is to be completed by the competent authority.**
- Box II.1. Use the same reference number as in Box I.2.
- Box II.2. For use by customs services, if necessary.
- Box II.3. Documentary check: to be completed for all consignments.
- Box II.4. The competent authority of the DPE shall indicate whether the consignment is selected for physical checks, which during the transitional period provided for in Article 19(1) may be carried out at a different control point.
- Box II.5. The competent authority of the DPE shall indicate, during the transitional period provided for in Article 19(1), following a satisfactory documentary check, to which control point the consignment may be transported in order for identity and physical checks to be carried out.
- Box II.6. Indicate clearly the action to be taken in the case of rejection of the consignment due to the unsatisfactory outcome of the documentary checks. The address of the establishment of destination in case of "Re-dispatching", "Destruction", "Transformation" and "Use for other purpose" must be entered in Box II.7.
- Box II.7. Give as appropriate approval number and address (or ship name and port) for all destinations where further control of the consignment is required, for example for Box II.6, "Re-dispatching", "Destruction", "Transformation" or "Use for other purpose".
- Box II.8. Put the official stamp of the competent authority of the DPE here.
- Box II.9. Signature of the responsible official of the competent authority of the DPE.
- Box II.10. Not applicable.

- Box II.11. The competent authority of the DPE or, during the transitional period provided for in Article 19(1), the competent authority of the control point, shall indicate the results of the identity checks here.
- Box II.12. The competent authority of the DPE or, during the transitional period provided for in Article 19(1), the competent authority of the control point, shall indicate the results of the physical checks here.
- Box II.13. The competent authority of the DPE or, during the transitional period provided for in Article 19(1), the competent authority of the control point, shall indicate the results of the laboratory test here. Complete this box with the category of substance or pathogen for which a laboratory test has been carried out.
- Box II.14. This box is to be used for all consignments to be released for free circulation within the Union.
- Box II.15. Not applicable.
- Box II.16. Indicate clearly the action to be taken in the case of rejection of the consignment due to the unsatisfactory outcome of the identity or physical checks. The address of the establishment of destination in case of "Re-dispatching", "Destruction", "Transformation" and "Use for other purpose" must be entered in Box II.18.
- Box II.17. Reasons for refusal: use, as appropriate, to add relevant information. Tick the appropriate box.
- Box II.18. Give, as appropriate, the approval number and address (or ship name and port) for all destinations where further control of the consignment is required, for example, for Box II.16, "Re-dispatching", "Destruction", "Transformation" or "Use for other purpose".
- Box II.19. Use this box when the original seal recorded on a consignment is destroyed on opening the container. A consolidated list of all seals that have been used for this purpose must be kept.
- Box II.20. Put the official stamp of the competent authority of the DPE here or, during the transitional period provided for in Article 19(1), of the competent authority of the control point.
- Box II.21. Signature of the responsible official of the competent authority of the DPE or, during the transitional period provided for in Article 19(1), of the competent authority of the control point.

**Part III This Part is to be completed by the competent authority.**

- Box III.1. Details on re-dispatching: the competent authority of the DPE or, during the transitional period provided for in Article 19(1), the competent authority of the control point, shall indicate the means of transport used, its identification details, the country of destination and the date of re-dispatching, as soon as they are known.
- Box III.2. Follow-up: indicate the Local Competent Authority Unit responsible, as appropriate, for the supervision in case of "Destruction", "Transformation" or "Use for other purpose" of the consignment. That authority shall report the result of the arrival of the consignment and the correspondence of the consignment in this box.
- Box III.3. Signature of the responsible official for the competent authority of the DPE or, during the transitional period provided for in Article 19(1), the responsible official for the control point, in case of "Re-dispatching". Signature of the responsible official for the local competent authority in case of "Destruction", "Transformation" or "Use for other purpose".
-



**COMMISSION REGULATION (EU) No 213/2010****of 12 March 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector <sup>(2)</sup>, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 13 March 2010.

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

Done at Brussels, 12 March 2010.

*For the Commission,  
On behalf of the President,  
Jean-Luc DEMARTY  
Director-General for Agriculture and  
Rural Development*

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<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	174,7
	JO	65,0
	MA	105,2
	TN	144,6
	TR	112,5
	ZZ	120,4
0707 00 05	EG	219,6
	JO	147,9
	MK	134,1
	TR	140,2
	ZZ	160,5
0709 90 70	JO	80,1
	MA	193,9
	TR	117,2
	ZZ	130,4
0709 90 80	EG	32,4
	ZZ	32,4
0805 10 20	CL	52,4
	EG	43,5
	IL	53,8
	MA	54,2
	TN	45,7
	TR	60,2
	ZZ	51,6
0805 50 10	EG	76,3
	IL	76,3
	TR	62,1
	ZZ	71,6
0808 10 80	AR	96,9
	BR	94,1
	CA	102,4
	CN	72,5
	MK	24,7
	US	108,9
	UY	70,1
	ZZ	81,4
0808 20 50	AR	86,7
	CL	86,1
	CN	39,2
	US	95,6
	ZA	93,4
	ZZ	80,2

<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 (EU) No 214/2010****of 12 March 2010****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 EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 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 <sup>(2)</sup>, 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 <sup>(3)</sup>. These prices and duties have been last amended by Commission Regulation (EU) No 209/2010 <sup>(4)</sup>.

(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 13 March 2010.

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

Done at Brussels, 12 March 2010.

*For the Commission,  
On behalf of the President,*

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 178, 1.7.2006, p. 24.<sup>(3)</sup> OJ L 253, 25.9.2009, p. 3.<sup>(4)</sup> OJ L 63, 12.3.2010, p. 5.

## ANNEX

**Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 13 March 2010**

(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 <sup>(1)</sup>	35,54	0,62
1701 11 90 <sup>(1)</sup>	35,54	4,24
1701 12 10 <sup>(1)</sup>	35,54	0,49
1701 12 90 <sup>(1)</sup>	35,54	3,95
1701 91 00 <sup>(2)</sup>	39,49	5,62
1701 99 10 <sup>(2)</sup>	39,49	2,49
1701 99 90 <sup>(2)</sup>	39,49	2,49
1702 90 95 <sup>(3)</sup>	0,39	0,29

<sup>(1)</sup> For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.

<sup>(2)</sup> For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.

<sup>(3)</sup> Per 1 % sucrose content.

# DIRECTIVES

## COMMISSION DIRECTIVE 2010/21/EU

of 12 March 2010

amending Annex I to Council Directive 91/414/EEC as regards the specific provisions relating to clothianidin, thiamethoxam, fipronil and imidacloprid

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market <sup>(1)</sup>, and in particular the second indent of the second subparagraph of Article 6(1) thereof,

Whereas:

(1) The active substances clothianidin, thiamethoxam, fipronil and imidacloprid were included in Annex I to Directive 91/414/EEC by Commission Directives 2006/41/EC <sup>(2)</sup>, 2007/6/EC <sup>(3)</sup>, 2007/52/EC <sup>(4)</sup> and 2008/116/EC <sup>(5)</sup> respectively.

(2) Accidental releases of those active substances recently reported by several Member States have resulted in substantial losses of honey bee colonies. As a consequence, the Member States concerned have taken precautionary measures to temporarily suspend the placing on the market of plant protection products containing those substances.

(3) Clothianidin, thiamethoxam, and imidacloprid may only be authorised for uses as insecticide, including the use as seed treatment. Fipronil, however, may only be authorised for uses as insecticide for use as seed treatment. The accidents reported by Member States concern the inappropriate use of those active substances to treat seeds.

(4) To avoid future accidents, additional provisions, including appropriate risk mitigation measures, should be laid down for clothianidin, thiamethoxam, fipronil and imidacloprid.

(5) Directive 91/414/EEC should therefore be amended accordingly.

(6) The measure provided for in this Directive is in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

### Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

### Article 2

Member States shall adopt and publish by 31 October 2010 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 November 2010.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

### Article 3

Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing clothianidin, thiamethoxam, fipronil and imidacloprid as active substances by 31 October 2010.

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

<sup>(2)</sup> OJ L 187, 8.7.2006, p. 24.

<sup>(3)</sup> OJ L 43, 15.2.2007, p. 13.

<sup>(4)</sup> OJ L 214, 17.8.2007, p. 3.

<sup>(5)</sup> OJ L 337, 16.12.2008, p. 86.

*Article 4*

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

*Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 12 March 2010.

*For the Commission*  
*The President*  
José Manuel BARROSO

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## ANNEX

Annex I to Directive 91/414/EEC is amended as follows:

1. in row 123 relating to clothianidin, in the column 'Specific provisions', Part A is replaced by the following:

'PART A

Only uses as insecticide may be authorised.

For the protection of non-target organisms, in particular honey bees, for use as seed treatment:

- the seed coating shall only be performed in professional seed treatment facilities. Those facilities must apply the best available techniques in order to ensure that the release of dust during application to the seed, storage, and transport can be minimised,
- adequate seed drilling equipment shall be used to ensure a high degree of incorporation in soil, minimisation of spillage and minimisation of dust emission.

Member States shall ensure that:

- the label of the treated seed includes the indication that the seeds were treated with clothianidin and sets out the risk mitigation measures provided for in the authorisation,
- the conditions of the authorisation, in particular for spray applications, include, where appropriate, risk mitigation measures to protect honey bees,
- monitoring programmes are initiated to verify the real exposure of honey bees to clothianidin in areas extensively used by bees for foraging or by beekeepers, where and as appropriate.;

2. in row 142 relating to thiamethoxam, in the column 'Specific provisions', Part A is replaced by the following:

'PART A

Only uses as insecticide may be authorised.

For the protection of non-target organisms, in particular honey bees, for use as seed treatment:

- the seed coating shall only be performed in professional seed treatment facilities. Those facilities must apply the best available techniques in order to ensure that the release of dust during application to the seed, storage, and transport can be minimised,
- adequate seed drilling equipment shall be used to ensure a high degree of incorporation in soil, minimisation of spillage and minimisation of dust emission.

Member States shall ensure that:

- the label of the treated seed includes the indication that the seeds were treated with thiamethoxam and sets out the risk mitigation measures provided for in the authorisation,
- the conditions of the authorisation, in particular for spray applications, include, where appropriate, risk mitigation measures to protect honey bees,
- monitoring programmes are initiated to verify the real exposure of honey bees to thiamethoxam in areas extensively used by bees for foraging or by beekeepers, where and as appropriate.;

3. in row 163 relating to fipronil, in the column 'Specific provisions', Part A is replaced by the following:

'PART A

Only uses as insecticide for use as seed treatment may be authorised.

For the protection of non-target organisms, in particular honey bees:

- the seed coating shall only be performed in professional seed treatment facilities. Those facilities must apply the best available techniques in order to ensure that the release of dust during application to the seed, storage, and transport can be minimised,

- adequate seed drilling equipment shall be used to ensure a high degree of incorporation in soil, minimisation of spillage and minimisation of dust emission.

Member States shall ensure that:

- the label of the treated seed includes the indication that the seeds were treated with fipronil and sets out the risk mitigation measures provided for in the authorisation,
- monitoring programmes are initiated to verify the real exposure of honey bees to fipronil in areas extensively used by bees for foraging or by beekeepers, where and as appropriate.;

4. in row 163 relating to fipronil, in the column 'Specific provisions', Part B the following sentence is deleted:

- ‘— the use of adequate equipment ensuring a high degree of incorporation in soil and a minimisation of spillage during application.’;

5. in row 222 relating to imidacloprid, in the column 'Specific provisions', Part A is replaced by the following:

'PART A

Only uses as insecticide may be authorised.

For the protection of non-target organisms, in particular honey bees and birds, for use as seed treatment:

- the seed coating shall only be performed in professional seed treatment facilities. Those facilities must apply the best available techniques in order to ensure that the release of dust during application to the seed, storage and transport can be minimised,
- adequate seed drilling equipment shall be used to ensure a high degree of incorporation in soil, minimisation of spillage and minimisation of dust emission.

Member States shall ensure that:

- the label of treated seed includes the indication that the seeds were treated with imidacloprid and sets out the risk mitigation measures provided for in the authorisation,
- the conditions of the authorisation, in particular for spray applications, include, where appropriate, risk mitigation measures to protect honey bees,
- monitoring programmes are initiated to verify the real exposure of honey bees to imidacloprid in areas extensively used by bees for foraging or by beekeepers, where and as appropriate.;

6. in row 222 relating to imidacloprid, in the column 'Specific provisions', Part B the following sentence is deleted:

- ‘— the protection of honey bees, in particular for spray applications and must ensure that the conditions of authorisation include, where appropriate, risk mitigation measures.’
-

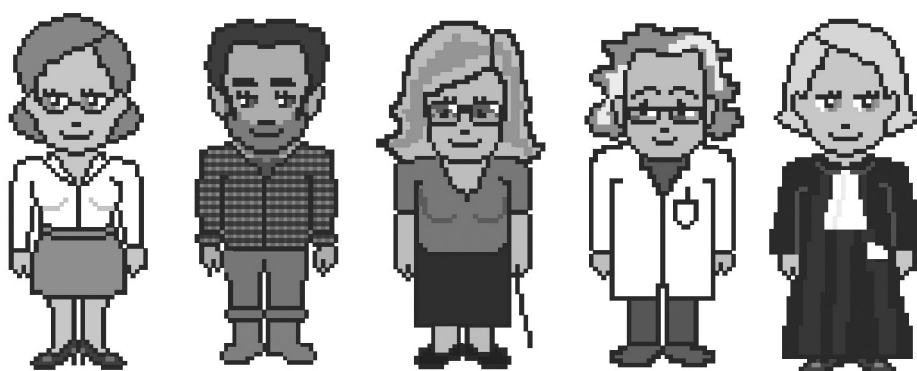




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