

# Official Journal

## of the European Union

L 94



English edition

Legislation

Volume 53

15 April 2010

Contents

II *Non-legislative acts*

## REGULATIONS

- ★ **Commission Regulation (EU) No 304/2010 of 9 April 2010 amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 2-phenylphenol in or on certain products <sup>(1)</sup> .....** 1
- ★ **Commission Regulation (EU) No 305/2010 of 14 April 2010 replacing Annexes I and II to Council Regulation (EC) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America .....** 15
- ★ **Commission Regulation (EU) No 306/2010 of 14 April 2010 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Pecorino Toscano (PDO)) .....** 19
- ★ **Commission Regulation (EU) No 307/2010 of 14 April 2010 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Monti Iblei (PDO)) .....** 21
- ★ **Commission Regulation (EU) No 308/2010 of 14 April 2010 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Prosciutto di Carpegna (PDO)) .....** 23

Price: EUR 3

(Continued overleaf)

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

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ <b>Commission Regulation (EU) No 309/2010 of 9 April 2010 concerning the classification of certain goods in the Combined Nomenclature</b> .....	25
★ <b>Commission Regulation (EU) No 310/2010 of 9 April 2010 concerning the classification of certain goods in the Combined Nomenclature</b> .....	27
Commission Regulation (EU) No 311/2010 of 14 April 2010 establishing the standard import values for determining the entry price of certain fruit and vegetables .....	29
Commission Regulation (EU) No 312/2010 of 14 April 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 .....	31

DECISIONS

2010/216/EU:

★ <b>Commission Decision of 14 April 2010 amending Directive 2009/42/EC of the European Parliament and of the Council on statistical returns in respect of carriage of goods and passengers by sea <sup>(1)</sup></b> .....	33
---	----



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

## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION REGULATION (EU) No 304/2010

of 9 April 2010

amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 2-phenylphenol in or on certain products

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC <sup>(1)</sup>, and in particular Article 14(1) thereof,

Whereas:

- (1) 2-phenylphenol is an active substance belonging to the fourth stage of the review programme of Council Directive 91/414/EEC <sup>(2)</sup> for which the assessment report was presented to the Commission on 19 December 2008 in the format of the EFSA Scientific Report for 2-phenylphenol <sup>(3)</sup>. That report includes the opinion of the European Food Safety Authority, hereinafter 'the Authority', on the necessity of setting MRLs for that active substance in accordance with Article 12(1)(b) of Regulation (EC) No 396/2005, and a proposal for such MRLs.
- (2) The Authority examined in particular the risks to consumers and animals. It evaluated the representative use as a post harvest fungicide on citrus and pears and concluded that, based on the available information, a maximum residue level (MRL) of 5 mg/kg should be set provisionally for the notified use on citrus fruit by

drench application. In order to confirm the risk assessment, the Authority requested confirmation that the analytical method applied in the residue trials correctly quantifies the residues of 2-phenylphenol, 2-phenylhydroquinone and their conjugates. In addition, the Authority concluded that the notifier should submit two additional residue trials on citrus fruit and valid storage stability studies. As regards the notified use on pears, the Authority could not propose any MRL because the submitted residue data were not acceptable. In the absence of a specific MRL, the lowest limit of analytical determination should apply.

- (3) The risk assessment carried out by the Authority took into account the most recent information on the toxicological properties of 2-phenylphenol. It showed that an MRL of 5 mg/kg for citrus fruit is acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. The lifetime exposure assessment via consumption of all food products that may contain 2-phenylphenol showed that there is no risk that the acceptable daily intake (ADI) is exceeded. As an acute reference dose (ARfD) is not necessary for 2-phenylphenol, there was no need to evaluate the short term exposure.
- (4) The Commission invited the notifier to submit its comments on the EFSA Scientific report for 2-phenylphenol, including the proposed MRLs. The notifier submitted its comments, which have been carefully examined.
- (5) Based on the Scientific Report of the Authority and taking into account the factors relevant to the matter under consideration, the proposed MRLs fulfil the requirements of Article 14(2) of Regulation (EC) No 396/2005.

<sup>(1)</sup> OJ L 70, 16.3.2005, p. 1.

<sup>(2)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(3)</sup> EFSA Scientific Report (2008) 217, Conclusion regarding the peer review of the pesticide risk assessment of the active substance 2-phenylphenol (finalised 19 December 2008).

- (6) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EC) No 396/2005 is amended in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 2011.

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

Done at Brussels, 9 April 2010.

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

---

## ANNEX

In Annex II to Regulation (EC) No 396/2005 the following column for 2-phenylphenol is added:

**'Pesticide residues and maximum residue levels (mg/kg)**

Code number	Groups and examples of individual products to which the MRLs apply <sup>(a)</sup>	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
100000	<b>1. FRUIT FRESH OR FROZEN; NUTS</b>	
110000	(i) <b>Citrus fruit</b>	5 <sup>(f)</sup>
110010	Grapefruit	
110020	Oranges	
110030	Lemons	
110040	Limes	
110050	Mandarins	
110990	Others	
120000	(ii) <b>Tree nuts (shelled or unshelled)</b>	0,1 <sup>(*)</sup>
120010	Almonds	
120020	Brazil nuts	
120030	Cashew nuts	
120040	Chestnuts	
120050	Coconuts	
120060	Hazelnuts	
120070	Macadamia	
120080	Pecans	
120090	Pine nuts	
120100	Pistachios	
120110	Walnuts	
120990	Others	
130000	(iii) <b>Pome fruit</b>	0,05 <sup>(*)</sup>
130010	Apples	
130020	Pears	
130030	Quinces	
130040	Medlar	
130050	Loquat	
130990	Others	
140000	(iv) <b>Stone fruit</b>	0,05 <sup>(*)</sup>

Code number	Groups and examples of individual products to which the MRLs apply <sup>(6)</sup>	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
140010	Apricots	
140020	Cherries	
140030	Peaches	
140040	Plums	
140990	Others	
150000	<b>(v) Berries and small fruit</b>	0,05 (*)
151000	<i>(a) Table and wine grapes</i>	
151010	Table grapes	
151020	Wine grapes	
152000	<i>(b) Strawberries</i>	
153000	<i>(c) Cane fruit</i>	
153010	Blackberries	
153020	Dewberries	
153030	Raspberries	
153990	Others	
154000	<i>(d) Other small fruit and berries</i>	
154010	Blueberries	
154020	Cranberries	
154030	Currants (red, black and white)	
154040	Gooseberries	
154050	Rose hips	
154060	Mulberries	
154070	Azarole (Mediterranean medlar)	
154080	Elderberries	
154990	Others	
160000	<b>(vi) Miscellaneous fruit</b>	0,05 (*)
161000	<i>(a) Edible peel</i>	
161010	Dates	
161020	Figs	
161030	Table olives	
161040	Kumquats	
161050	Carambola	
161060	Persimmon	

Code number	Groups and examples of individual products to which the MRLs apply (*)	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
161070	Jambolan (java plum)	
161990	Others	
162000	(b) <i>Inedible peel, small</i>	
162010	Kiwi	
162020	Lychee (Litchi)	
162030	Passion fruit	
162040	Prickly pear (cactus fruit)	
162050	Star apple	
162060	American persimmon (Virginia kaki)	
162990	Others	
163000	(c) <i>Inedible peel, large</i>	
163010	Avocados	
163020	Bananas	
163030	Mangoes	
163040	Papaya	
163050	Pomegranate	
163060	Cherimoya (Custard apple, sugar apple (sweetsop), llama and other medium sized Annonaceae)	
163070	Guava	
163080	Pineapples	
163090	Bread fruit	
163100	Durian	
163110	Soursop (guanabana)	
163990	Others	
200000	<b>2. VEGETABLES FRESH OR FROZEN</b>	0,05 (*)
210000	(i) <b>Root and tuber vegetables</b>	
211000	(a) <i>Potatoes</i>	
212000	(b) <i>Tropical root and tuber vegetables</i>	
212010	Cassava	
212020	Sweet potatoes	
212030	Yams	
212040	Arrowroot	
212990	Others	

Code number	Groups and examples of individual products to which the MRLs apply <sup>(6)</sup>	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
213000	(c) <i>Other root and tuber vegetables except sugar beet</i>	
213010	Beetroot	
213020	Carrots	
213030	Celeriac	
213040	Horseradish	
213050	Jerusalem artichokes	
213060	Parsnips	
213070	Parsley root	
213080	Radishes	
213090	Salsify	
213100	Swedes	
213110	Turnips	
213990	Others	
220000	(ii) <b>Bulb vegetables</b>	
220010	Garlic	
220020	Onions	
220030	Shallots	
220040	Spring onions	
220990	Others	
230000	(iii) <b>Fruiting vegetables</b>	
231000	(a) <i>Solanacea</i>	
231010	Tomatoes	
231020	Peppers	
231030	Aubergines	
231040	Okra, lady's fingers	
231990	Others	
232000	(b) <i>Cucurbits — edible peel</i>	
232010	Cucumbers	
232020	Gherkins	
232030	Courgettes (Summer squash, marrow (patisson))	
232990	Others	
233000	(c) <i>Cucurbits inedible peel</i>	



Code number	Groups and examples of individual products to which the MRLs apply (*)	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
233010	Melons	
233020	Pumpkins	
233030	Watermelons	
233990	Others	
234000	(d) <i>Sweet corn</i>	
239000	(e) <i>Other fruiting vegetables</i>	
240000	(iv) <b>Brassica vegetables</b>	
241000	(a) <i>Flowering brassica</i>	
241010	Broccoli	
241020	Cauliflower	
241990	Others	
242000	(b) <i>Head brassica</i>	
242010	Brussels sprouts	
242020	Head cabbage	
242990	Others	
243000	(c) <i>Leafy brassica</i>	
243010	Chinese cabbage	
243020	Kale	
243990	Others	
244000	(d) <i>Kohlrabi</i>	
250000	(v) <b>Leaf vegetables and fresh herbs</b>	
251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>	
251010	Lamb's lettuce	
251020	Lettuce	
251030	Scarole	
251040	Cress	
251050	Land cress	
251060	Rocket, Rucola	
251070	Red mustard	
251080	Leaves and sprouts of Brassica spp.	
251990	Others	
252000	(b) <i>Spinach and similar (leaves)</i>	

Code number	Groups and examples of individual products to which the MRLs apply <sup>(e)</sup>	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
252010	Spinach	
252020	Purslane	
252030	Beet leaves (chard)	
252990	Others	
253000	(c) <i>Vine leaves (grape leaves)</i>	
254000	(d) <i>Water cress</i>	
255000	(e) <i>Witloof</i>	
256000	(f) <i>Herbs</i>	
256010	Chervil	
256020	Chives	
256030	Celery leaves	
256040	Parsley	
256050	Sage	
256060	Rosemary	
256070	Thyme	
256080	Basil	
256090	Bay leaves	
256100	Tarragon	
256990	Others	
260000	(vi) <b>Legume vegetables (fresh)</b>	
260010	Beans (with pods)	
260020	Beans (without pods)	
260030	Peas (with pods)	
260040	Peas (without pods)	
260050	Lentils	
260990	Others	
270000	(vii) <b>Stem vegetables (fresh)</b>	
270010	Asparagus	
270020	Cardoons	
270030	Celery	
270040	Fennel	
270050	Globe artichokes	
270060	Leek	

Code number	Groups and examples of individual products to which the MRLs apply (*)	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
270070	Rhubarb	
270080	Bamboo shoots	
270090	Palm hearts	
270990	Others	
280000	(viii) <b>Fungi</b>	
280010	Cultivated	
280020	Wild	
280990	Others	
290000	(ix) <b>Sea weeds</b>	
300000	<b>3. PULSES, DRY</b>	0,05 (*)
300010	Beans	
300020	Lentils	
300030	Peas	
300040	Lupins	
300990	Others	
400000	<b>4. OILSEEDS AND OILFRUITS</b>	
401000	(i) <b>Oilseeds</b>	0,1 (*)
401010	Linseed	
401020	Peanuts	
401030	Poppy seed	
401040	Sesame seed	
401050	Sunflower seed	
401060	Rape seed	
401070	Soya bean	
401080	Mustard seed	
401090	Cotton seed	
401100	Pumpkin seeds	
401110	Safflower	
401120	Borage	
401130	Gold of pleasure	
401140	Hempseed	
401150	Castor bean	

Code number	Groups and examples of individual products to which the MRLs apply <sup>(6)</sup>	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
401990	Others	
402000	(ii) <b>Oilfruits</b>	
402010	Olives for oil production	0,05 (*)
402020	Palm nuts (palmoil kernels)	0,1 (*)
402030	Palmfruit	0,1 (*)
402040	Kapok	0,1 (*)
402990	Others	0,1 (*)
500000	<b>5. CEREALS</b>	0,05 (*)
500010	Barley	
500020	Buckwheat	
500030	Maize	
500040	Millet	
500050	Oats	
500060	Rice	
500070	Rye	
500080	Sorghum	
500090	Wheat	
500990	Others	
600000	<b>6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA</b>	0,1 (*)
610000	(i) <b>Tea (dried leaves and stalks, fermented or otherwise of <i>Camellia sinensis</i>)</b>	
620000	(ii) <b>Coffee beans</b>	
630000	(iii) <b>Herbal infusions (dried)</b>	
631000	(a) <i>Flowers</i>	
631010	Camomille flowers	
631020	Hybiscus flowers	
631030	Rose petals	
631040	Jasmine flowers	
631050	Lime (linden)	
631990	Others	
632000	(b) <i>Leaves</i>	
632010	Strawberry leaves	
632020	Rooibos leaves	

Code number	Groups and examples of individual products to which the MRLs apply (*)	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
632030	Maté	
632990	Others	
633000	(c) <i>Roots</i>	
633010	Valerian root	
633020	Ginseng root	
633990	Others	
639000	(d) <i>Other herbal infusions</i>	
640000	(iv) <b>Cocoa (fermented beans)</b>	
650000	(v) <b>Carob (St Johns bread)</b>	
700000	<b>7. HOPS (dried), including hop pellets and unconcentrated powder</b>	0,1 (*)
800000	<b>8. SPICES</b>	0,1 (*)
810000	(i) <b>Seeds</b>	
810010	Anise	
810020	Black caraway	
810030	Celery seed	
810040	Coriander seed	
810050	Cumin seed	
810060	Dill seed	
810070	Fennel seed	
810080	Fenugreek	
810090	Nutmeg	
810990	Others	
820000	(ii) <b>Fruits and berries</b>	
820010	Allspice	
820020	Anise pepper (Japan pepper)	
820030	Caraway	
820040	Cardamom	
820050	Juniper berries	
820060	Pepper, black and white	
820070	Vanilla pods	
820080	Tamarind	
820990	Others	

Code number	Groups and examples of individual products to which the MRLs apply <sup>(6)</sup>	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
830000	(iii) <b>Bark</b>	
830010	Cinnamon	
830990	Others	
840000	(iv) <b>Roots or rhizome</b>	
840010	Liquorice	
840020	Ginger	
840030	Turmeric (Curcuma)	
840040	Horseradish	
840990	Others	
850000	(v) <b>Buds</b>	
850010	Cloves	
850020	Capers	
850990	Others	
860000	(vi) <b>Flower stigma</b>	
860010	Saffron	
860990	Others	
870000	(vii) <b>Aril</b>	
870010	Mace	
870990	Others	
900000	<b>9. SUGAR PLANTS</b>	0,05 (*)
900010	Sugar beet (root)	
900020	Sugar cane	
900030	Chicory roots	
900990	Others	
1000000	<b>10. PRODUCTS OF ANIMAL ORIGIN — TERRESTRIAL ANIMALS</b>	0,05 (*)
1010000	(i) <b>Meat, preparations of meat, offals, blood, animal fats fresh chilled or frozen, salted, in brine, dried or smoked or processed as flours or meals; other processed products such as sausages and food preparations based on these</b>	
1011000	(a) <i>Swine</i>	
1011010	Meat	
1011020	Fat free of lean meat	
1011030	Liver	
1011040	Kidney	

Code number	Groups and examples of individual products to which the MRLs apply <sup>(a)</sup>	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
1011050	Edible offal	
1011990	Others	
1012000	(b) <i>Bovine</i>	
1012010	Meat	
1012020	Fat	
1012030	Liver	
1012040	Kidney	
1012050	Edible offal	
1012990	Others	
1013000	(c) <i>Sheep</i>	
1013010	Meat	
1013020	Fat	
1013030	Liver	
1013040	Kidney	
1013050	Edible offal	
1013990	Others	
1014000	(d) <i>Goat</i>	
1014010	Meat	
1014020	Fat	
1014030	Liver	
1014040	Kidney	
1014050	Edible offal	
1014990	Others	
1015000	(e) <i>Horses, asses, mules or hinnies</i>	
1015010	Meat	
1015020	Fat	
1015030	Liver	
1015040	Kidney	
1015050	Edible offal	
1015990	Others	
1016000	(f) <i>Poultry — chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>	
1016010	Meat	

Code number	Groups and examples of individual products to which the MRLs apply <sup>(*)</sup>	Sum of 2-Phenylphenol, its salts and conjugates, expressed as 2-phenylphenol
1016020	Fat	
1016030	Liver	
1016040	Kidney	
1016050	Edible offal	
1016990	Others	
1017000	(g) <i>Other farm animals</i>	
1017010	Meat	
1017020	Fat	
1017030	Liver	
1017040	Kidney	
1017050	Edible offal	
1017990	Others	
1020000	(ii) <b>Milk and cream, not concentrated, nor containing added sugar or sweetening matter, butter and other fats derived from milk, cheese and curd</b>	
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others	
1030000	(iii) <b>Birds' eggs, fresh preserved or cooked; Shelled eggs and egg yolks fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or sweetening matter</b>	
1030010	Chicken	
1030020	Duck	
1030030	Goose	
1030040	Quail	
1030990	Others	
1040000	(iv) <b>Honey</b>	
1050000	(v) <b>Amphibians and reptiles</b>	
1060000	(vi) <b>Snails</b>	
1070000	(vii) <b>Other terrestrial animal products</b>	

<sup>(\*)</sup> For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

<sup>(\*)</sup> Indicates lower limit of analytical determination.

<sup>(\*)</sup> MRL valid until 30 September 2012 pending the submission and evaluation of two additional residue trials on citrus fruit and valid storage stability studies.'



## COMMISSION REGULATION (EU) No 305/2010

of 14 April 2010

replacing Annexes I and II to Council Regulation (EC) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America

THE EUROPEAN COMMISSION,

amended Annex I represents, over 1 year, a value of trade that does not exceed USD 95,83 million.

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

- (5) Article 6(1) and 6(2) of Regulation (EC) No 673/2005 contain specific exemptions from the additional import duty. Since the applicability of those exemptions is dependent on certain conditions being met before the entry into force or on the date of application of Regulation (EC) No 673/2005, the exemptions cannot in practice apply for imports of the 19 products added by this Regulation to the list in Annex I. Specific provisions should therefore be adopted to make these exemptions effective for imports of those products.

Having regard to Council Regulation (EC) No 673/2005 of 25 April 2005 establishing additional customs duties on imports of certain products originating in the United States of America <sup>(1)</sup>, and in particular Article 3 thereof,

Whereas:

- (6) To avoid circumvention of the additional duty, this Regulation should enter into force on the day of its publication.

(1) As a result of the United States' failure to bring the Continued Dumping and Subsidy Offset Act (CDSOA) in conformity with its obligations under the World Trade Organisation (WTO) agreements, Regulation (EC) No 673/2005 imposed a 15 % *ad valorem* additional customs duty on imports of certain products originating in the United States of America as from 1 May 2005. In conformity with the WTO authorisation to suspend the application of concessions in respect of certain products originating in the United States, the Commission shall adjust the level of suspension annually to the level of nullification or impairment caused by the CDSOA to the European Union at that time.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on trade retaliation,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 673/2005 is replaced by Annex I to this Regulation.

*Article 2*

Annex II to Regulation (EC) No 673/2005 is replaced by Annex II to this Regulation.

*Article 3*

1. Products for which an import licence with an exemption from, or a reduction of duty, was issued before the date of entry into force of this Regulation shall not be subject to the additional duty provided they are classified under one of the following CN codes <sup>(2)</sup>: 9406 00 38, 6101 30 10, 6102 30 10, 6201 12 10, 6201 13 10, 6102 30 90, 6201 92 00, 6101 30 90, 6202 93 00, 6202 11 00, 6201 13 90, 6201 93 00, 6201 12 90, 6204 42 00, 6104 43 00, 6204 49 10, 6204 44 00, 6204 43 00, 6203 42 31.

(2) The CDSOA disbursements for the most recent year for which data are available relate to the distribution of anti-dumping and countervailing duties collected during the Fiscal Year 2009 (1 October 2008-30 September 2009). On the basis of the data published by the United States' Customs and Border Protection, the level of nullification or impairment caused to the European Union is calculated at USD 95,83 million.

(3) Since the level of nullification or impairment and consequently of suspension has increased, the first 19 products of the list in Annex II to Regulation (EC) No 673/2005 should be added to the list set out in Annex I to Regulation (EC) No 673/2005.

(4) The effect of a 15 % *ad valorem* additional import duty on imports from the United States of the products in the

<sup>(2)</sup> The description of products classified under these codes can be found in Annex I to Council Regulation (EEC) No 2658/87 (OJ L 256, 7.9.1987, p. 1), as amended by Regulation (EC) No 493/2005 (OJ L 82, 31.3.2005, p. 1).

<sup>(1)</sup> OJ L 110, 30.4.2005, p. 1.

2. Products for which it can be demonstrated that they are already en route to the European Union or in temporary storage or in a free zone or free warehouse or under a suspensive procedure within the meaning of Article 84(1)(a) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code <sup>(1)</sup> on the date of application of this Regulation, and whose destination cannot be changed, shall not be subject to the additional duty provided they are classified under one of the following CN codes <sup>(2)</sup>: 9406 00 38, 6101 30 10, 6102 30 10, 6201 12 10, 6201 13 10,

6102 30 90, 6201 92 00, 6101 30 90, 6202 93 00,  
6202 11 00, 6201 13 90, 6201 93 00, 6201 12 90,  
6204 42 00, 6104 43 00, 6204 49 10, 6204 44 00,  
6204 43 00, 6203 42 31.

*Article 4*

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

It shall apply from 1 May 2010.

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

Done at Brussels, 14 April 2010.

*For the Commission*

*The President*

José Manuel BARROSO

---

<sup>(1)</sup> OJ L 302, 19.10.1992, p. 1.

<sup>(2)</sup> The description of products classified under these codes can be found in Annex I to Council Regulation (EEC) No 2658/87 (OJ L 256, 7.9.1987, p. 1), as amended by Regulation (EC) No 493/2005 (OJ L 82, 31.3.2005, p. 1).

## ANNEX I

The products on which additional duties are to apply are identified by their eight-digit CN codes. The description of products classified under these codes can be found in Annex I 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> as amended by Regulation (EC) No 493/2005 <sup>(2)</sup>.

4820 10 50  
6204 63 11  
6204 69 18  
6204 63 90  
6104 63 00  
6203 43 11  
6103 43 00  
6204 63 18  
6203 43 19  
6204 69 90  
6203 43 90  
0710 40 00  
9003 19 30  
8705 10 00  
9406 00 38  
6101 30 10  
6102 30 10  
6201 12 10  
6201 13 10  
6102 30 90  
6201 92 00  
6101 30 90  
6202 93 00  
6202 11 00  
6201 13 90  
6201 93 00  
6201 12 90  
6204 42 00  
6104 43 00  
6204 49 10  
6204 44 00  
6204 43 00  
6203 42 31.

---

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

<sup>(2)</sup> OJ L 82, 31.3.2005, p. 1.

*ANNEX II*

The products in this Annex are identified by their eight-digit CN codes. The description of products classified under these codes can be found in Annex I to Council Regulation (EEC) No 2658/87, as amended by Regulation (EC) No 493/2005.

6204 62 31.

---

**COMMISSION REGULATION (EU) No 306/2010****of 14 April 2010****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Pecorino Toscano (PDO))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Pursuant to the first subparagraph of Article 9(1) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Pecorino Toscano' registered under Commission Regulation (EC) No 1107/96 <sup>(2)</sup>, as amended by Regulation (EC) No 1263/96 <sup>(3)</sup>.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* <sup>(4)</sup>, as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been sent to the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amendments to the specification published in the *Official Journal of the European Union* regarding the name in the Annex to this Regulation are hereby approved.

*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 April 2010.

For the Commission

The President

José Manuel BARROSO

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

<sup>(2)</sup> OJ L 148, 21.6.1996, p. 1.

<sup>(3)</sup> OJ L 163, 2.7.1996, p. 19.

<sup>(4)</sup> OJ C 188, 11.8.2009, p. 30.

## ANNEX

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

**Class 1.3. Cheeses**

ITALY

Pecorino Toscano (PDO)  

---

**COMMISSION REGULATION (EU) No 307/2010****of 14 April 2010****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Monti Iblei (PDO))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Pursuant to the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006 and in accordance with Article 17(2) thereof, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Monti Iblei' registered under Commission Regulation (EC) No 1107/96 <sup>(2)</sup>, as amended by Regulation (EC) No 2325/97 <sup>(3)</sup>.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* <sup>(4)</sup>, as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been sent to the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amendments to the specification published in the *Official Journal of the European Union* regarding the name in the Annex to this Regulation are hereby approved.

*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 April 2010.

For the Commission

The President

José Manuel BARROSO

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

<sup>(2)</sup> OJ L 148, 21.6.1996, p. 1.

<sup>(3)</sup> OJ L 322, 25.11.1997, p. 33.

<sup>(4)</sup> OJ C 198, 22.8.2009, p. 23.

## ANNEX

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

**Class 1.5. Oils and fats (butter, margarine, oils, etc.)**

ITALY

Monti Iblei (PDO)

---



**COMMISSION REGULATION (EU) No 308/2010****of 14 April 2010****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Prosciutto di Carpegna (PDO))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) In accordance with the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Prosciutto di Carpegna' registered under Commission Regulation (EC) No 1107/96 <sup>(2)</sup>, as amended by Regulation (EC) No 1263/96 <sup>(3)</sup>.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* <sup>(4)</sup>, as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been sent to the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amendments to the specification published in the *Official Journal of the European Union* regarding the name in the Annex to this Regulation are hereby approved.

*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 April 2010.

For the Commission  
The President  
José Manuel BARROSO

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

<sup>(2)</sup> OJ L 148, 21.6.1996, p. 1.

<sup>(3)</sup> OJ L 163, 2.7.1996, p. 19.

<sup>(4)</sup> OJ C 189, 12.8.2009, p. 23.

## ANNEX

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

**Class 1.2. Meat products (cooked, salted, smoked, etc.)**

ITALY

Prosciutto di Carpegna (PDO)

---

**COMMISSION REGULATION (EU) No 309/2010**  
**of 9 April 2010**  
**concerning the classification of certain goods in the Combined Nomenclature**

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) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

(4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>(2)</sup>.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

*Article 2*

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

*Article 3*

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, 9 April 2010.

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

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

<sup>(2)</sup> OJ L 302, 19.10.1992, p. 1.

## ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>A three-layered fir wood panel with overall dimensions of 1 000 × 500 × 27 mm.</p> <p>The outer layers are 8,5 mm thick and consist of timber pieces glued edge-to-edge running parallel to one another.</p> <p>The core layer, perpendicularly placed to the vein of the outer layers, is 10 mm thick and consists of timber pieces (blocks/laths) glued edge-to-edge running parallel to one another.</p> <p>The outer layers and the edges are coated with resin.</p> <p>See image (*).</p>	4412 94 90	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 4412, 4412 94 and 4412 94 90.</p> <p>Classification under heading 4418 as carpentry of wood, more specifically as shuttering for concrete constructional work, is excluded, as the product does not have any characteristics other than the coating of resin, enabling it to be identified as being designed for constructional purposes. See also the Harmonised System Explanatory Notes to heading 4418 (in particular the last sentence of paragraph 3). The intended use for construction shuttering is therefore not inherent to the product. Consequently, the product does not have the objective characteristics and properties to be classified under heading 4418.</p> <p>Given its characteristics, the product is to be classified under CN code 4412 94 90 as other blockboard, laminboard and battenboard (see also the Harmonised System Explanatory Notes to heading 4412, (3)).</p>

(\*) The image is purely for information.



**COMMISSION REGULATION (EU) No 310/2010**  
**of 9 April 2010**  
**concerning the classification of certain goods in the Combined Nomenclature**

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) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

(4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of 3 months, continue to be invoked by the holder, pursuant to Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>(2)</sup>.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

*Article 2*

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of 3 months pursuant to Article 12(6) of Regulation (EEC) No 2913/92.

*Article 3*

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, 9 April 2010.

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

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

<sup>(2)</sup> OJ L 302, 19.10.1992, p. 1.

## ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>An apparatus having the appearance of a walk-through portal used at airport security points (so-called 'mass spectrometer'). It is designed for the detection of illicit substances, such as explosives and narcotics, by using Ion Trap Mobility Spectrometer (ITMS) technology.</p> <p>The analysis is based on samples of air which pass through a semi-permeable membrane and enter an ionisation chamber where an ionisation source emits beta particles resulting in ion formation in the gaseous phase. The ionisation is then pulsed into a drift tube where an electric field accelerates the ions to a collector electrode. The sample is then analysed based on the time taken by the ions to reach the collector. Consequently, the apparatus separates ionised vapours and then measures the mobility of the ions in an electric field.</p> <p>The apparatus does not use optical radiation.</p>	9027 80 17	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9027, 9027 80 and 9027 80 17.</p> <p>Classification under heading 9022 as an apparatus based on the use of beta radiation is excluded, as the radiation is used only in a preparatory step, prior to the analysis, to ionise the sample. The radiation is only an initial stage of the chemical analysis process which uses spectrometry technology.</p> <p>The apparatus for physical or chemical analysis — spectrometers — are specifically mentioned under heading 9027.</p> <p>As the apparatus does not use optical radiation (UV, visible, IR), it is therefore to be classified under CN code 9027 80 17 as other apparatus for physical or chemical analysis.</p>

**COMMISSION REGULATION (EU) No 311/2010****of 14 April 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 15 April 2010.

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

Done at Brussels, 14 April 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 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	JO	87,5
	MA	94,5
	TN	129,2
	TR	116,6
	ZZ	107,0
0707 00 05	MA	62,1
	TR	108,2
	ZZ	85,2
0709 90 70	MA	39,9
	TR	105,9
	ZZ	72,9
0805 10 20	EG	50,9
	IL	50,6
	MA	52,2
	TN	56,6
	TR	63,4
	ZZ	54,7
0805 50 10	EG	66,0
	IL	66,2
	TR	66,8
	ZA	67,9
	ZZ	66,7
0808 10 80	AR	84,6
	BR	84,7
	CA	80,0
	CL	92,3
	CN	78,3
	MK	22,1
	NZ	94,6
	US	131,4
	UY	72,7
	ZA	81,6
	ZZ	82,2
0808 20 50	AR	91,1
	CL	109,6
	CN	96,9
	ZA	104,3
	ZZ	100,5

<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 312/2010****of 14 April 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 302/2010 <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 15 April 2010.

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

Done at Brussels, 14 April 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 92, 13.4.2010, p. 8.

## 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 April 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>	35,27	0,70
1701 11 90 <sup>(1)</sup>	35,27	4,32
1701 12 10 <sup>(1)</sup>	35,27	0,57
1701 12 90 <sup>(1)</sup>	35,27	4,03
1701 91 00 <sup>(2)</sup>	39,56	5,60
1701 99 10 <sup>(2)</sup>	39,56	2,47
1701 99 90 <sup>(2)</sup>	39,56	2,47
1702 90 95 <sup>(3)</sup>	0,40	0,28

<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.

## DECISIONS

## COMMISSION DECISION

of 14 April 2010

**amending Directive 2009/42/EC of the European Parliament and of the Council on statistical returns in respect of carriage of goods and passengers by sea**

(Text with EEA relevance)

(2010/216/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/42/EC of the European Parliament and of the Council of 6 May 2009 on statistical returns in respect of carriage of goods and passengers by sea <sup>(1)</sup>, and in particular Article 3 thereof,

Whereas:

- (1) In the production of European Statistics there should be a balance between the needs of the users and the burden on respondents.
- (2) A technical analysis of the existing data collected under the European legislation on statistical returns in respect of carriage of goods and passengers by sea and of the dissemination policy has been carried out at European level in order to propose possible technical solutions to simplify, as much as possible, the various activities necessary for the statistical production, while keeping the final output in line with present and foreseeable users' needs.
- (3) As a result of this analysis, the existing quarterly statistics on passenger transport in the main European ports and the existing quarterly statistics on vessel traffic in the main European ports should be transmitted to the Commission (Eurostat) and disseminated on an annual basis, while the variable related to the classification dimension 'nationality of registration of vessels' in the existing quarterly statistics on passenger transport in the main European ports should be collected by Member States on a voluntary basis.

(4) The nomenclature on the maritime coastal areas and the nomenclature on the nationality of registration of vessels need to be adapted to technical developments.

(5) Directive 2009/42/EC should therefore be amended accordingly.

(6) The measures provided for in this Decision are in accordance with the opinion of the European Statistical System Committee, set up by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics <sup>(2)</sup>,

HAS ADOPTED THIS DECISION:

*Article 1*

Annexes IV, V and VIII to Directive 2009/42/EC are replaced by the text set out in the Annex to this Decision.

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

The first reference year for the application of this Decision shall be 2009, covering the 2009 data.

Done at Brussels, 14 April 2010.

*For the Commission**The President*

José Manuel BARROSO

<sup>(1)</sup> OJ L 141, 6.6.2009, p. 29.

<sup>(2)</sup> OJ L 87, 31.3.2009, p. 164.

## ANNEX

## 'ANNEX IV

**MARITIME COASTAL AREAS**

The nomenclature to be used is the Geonomenclature (the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States) <sup>(1)</sup> in force in the year to which the data refer.

The code consists of four digits: the ISO alpha 2 standard code for each country from the abovementioned nomenclature, followed by two zeros (e.g. code GR00 for Greece), except for countries which are divided into two or more maritime coastal areas, which are identified by a fourth digit other than zero (from 1 to 7), as below:

<i>Code</i>	<i>Maritime coastal areas</i>
FR01	France: Atlantic and North Sea
FR02	France: Mediterranean
FR03	French overseas departments: French Guiana
FR04	French overseas departments: Martinique and Guadeloupe
FR05	French overseas departments: Réunion
DE01	Germany: North Sea
DE02	Germany: Baltic
DE03	Germany: Inland
GB01	United Kingdom
GB02	Isle of Man
GB03	Channels Islands
ES01	Spain: Atlantic (North)
ES02	Spain: Mediterranean and Atlantic (South), including the Balearic and Canary Islands
SE01	Sweden: Baltic
SE02	Sweden: North Sea
TR01	Turkey: Black Sea
TR02	Turkey: Mediterranean
RU01	Russia: Black Sea
RU03	Russia: Asia
RU04	Russia: Barents and White Seas
RU05	Russia: Baltic, Gulf of Finland only
RU06	Russia: Baltic, excluding Gulf of Finland
RU07	Russia: European inland waterways, including Caspian Sea
MA01	Morocco: Mediterranean
MA02	Morocco: West Africa
EG01	Egypt: Mediterranean
EG02	Egypt: Red Sea
IL01	Israel: Mediterranean
IL02	Israel: Red Sea
SA01	Saudi Arabia: Red Sea
SA02	Saudi Arabia: Gulf
US01	United States of America: Atlantic (North)
US02	United States of America: Atlantic (South)
US03	United States of America: Gulf
US04	United States of America: Pacific (South)
US05	United States of America: Pacific (North)
US06	United States of America: Great Lakes

<i>Code</i>	<i>Maritime coastal areas</i>
US07	Puerto Rico
CA01	Canada: Atlantic
CA02	Canada: Great Lakes and Upper Saint Lawrence
CA03	Canada: West Coast
CO01	Colombia: North Coast
CO02	Colombia: West Coast

*With the additional codes*

ZZ01	Offshore installations not elsewhere specified
ZZ02	Aggregates and not elsewhere specified

(<sup>1</sup>) The version currently in force is laid down in Commission Regulation (EC) No 1833/2006 of 13 December 2006 on the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States (OJ L 354, 14.12.2006, p. 19).

ANNEX V

**NATIONALITY OF REGISTRATION OF VESSELS**

The nomenclature to be used is the Geonomenclature (the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States) (<sup>1</sup>) in force in the year to which the data refer.

The code consists of four digits: the ISO alpha 2 standard code for each country from the abovementioned nomenclature, followed by two zeros (e.g. code GR00 for Greece), except for countries with more than one register which are identified by a fourth digit other than zero, as below:

FR01	France
FR02	French Antarctic Territory (including the Kerguelen Islands) ( <i>register discontinued at the end of April 2007</i> )
FR03	France (RIF) ( <i>new register introduced in May 2007</i> )
IT01	Italy — first register
IT02	Italy — international register
GB01	United Kingdom
GB02	Isle of Man
GB03	Channel Islands
GB04	Gibraltar
DK01	Denmark
DK02	Denmark (DIS)
PT01	Portugal
PT02	Portugal (MAR)
ES01	Spain
ES02	Spain (Rebeca)
NO01	Norway
NO02	Norway (NIS)
US01	United States of America
US02	Puerto Rico

(<sup>1</sup>) The version currently in force is laid down in Commission Regulation (EC) No 1833/2006 of 13 December 2006 on the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States (OJ L 354, 14.12.2006, p. 19).

## ANNEX VIII

## STRUCTURE FOR STATISTICAL DATA SETS

The data sets specified in this Annex define the periodicity for the maritime transport statistics required by the Community. Each data set defines a cross classification of a limited set of dimensions at different levels of the nomenclatures, aggregated across all other dimensions, for which statistics of good quality are required.

The conditions for collecting data set B1 shall be decided by the Council on a proposal from the Commission in the light of the results of the pilot study carried out during a 3-year transitional period, as provided for in Article 10 of Directive 95/64/EC and concerning the feasibility and the cost to Member States and to the respondents of collecting those items of information.

## SUMMARY AND DETAILED STATISTICS

- The data sets to be provided for selected ports for goods and passengers are A1, A2, B1, C1, D1, E1, F1 and/or F2.
- The data sets to be provided for selected ports for goods but not for passengers are A1, A2, A3, B1, C1, E1, F1 and/or F2.
- The data sets to be provided for selected ports for passengers but not for goods are A3, D1, F1 and/or F2.
- The data set to be provided for selected ports and for ports which are not selected (for neither goods nor passengers) is A3.

**Data set A1:** Seaborne transport in the main European ports, by port, type of cargo and relation

Periodicity of data transmission: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	A1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	One-character alphanumeric	Type of cargo, Annex II

Data: Gross weight of goods in tonnes.

**Data set A2:** Non-unit-load seaborne transport in the main European ports, by port, type of cargo and relation

Periodicity of data transmission: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	A2
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	Two-character alphanumeric	Type of cargo (non-unit-load only), Annex II (subcategories 1X, 11, 12, 13, 19, 2X, 21, 22, 23, 29, 9X, 91, 92 and 99)

Data: Gross weight of goods in tonnes.

**Data set A3:** Data required for both selected ports and ports for which detailed statistics are not required (see Article 4(3))

Periodicity of data transmission: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	A3
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(0)
	Reporting port	Five-character alphanumeric	All ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)

Data: Gross weight of goods in tonnes.

Number of passengers (excluding cruise passengers).

Number of cruise passengers starting and ending a cruise.

Number of cruise passengers on cruise passenger excursion: direction: inwards (1) only — (optional).

**Data set B1:** Seaborne transport in the main European ports, by port, type of cargo, goods and relation

Periodicity of data transmission: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	B1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(0)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	Two-character alphanumeric	Type of cargo, Annex II
	Commodity	Two-character alphanumeric	Goods nomenclature, Annex III

Data: Gross weight of goods in tonnes.

**Data set C1:** Unit-load seaborne transport in the main European ports, by port, type of cargo, relation and loaded status

Periodicity of data transmission: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	C1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	Two-character alphanumeric	Type of cargo (container, ro-ro only) Annex II (subcategories 3X, 31, 32, 33, 34, 5X, 51, 52, 53, 54, 56, 59, 6X, 61, 62, 63 and 69)

Data: Gross weight of goods in tonnes (type of cargo: subcategories 3X, 31, 32, 33, 34, 5X, 51, 54, 56, 59, 6X, 61, 62, 63 and 69).  
Number of units (type of cargo: subcategories 3X, 31, 32, 33, 34, 5X, 51, 52, 53, 54, 56, 59, 6X, 61, 62, 63 and 69).  
Number of units without cargo (type of cargo: subcategories 3X, 31, 32, 33, 34, 5X, 51, 59, 6X, 61, 63 and 69).



**Data set D1:** Passenger transport in the main European ports, by relation and nationality of registration of vessel

Periodicity of data transmission: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	D1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Nationality of registration of vessel (optional)	Four-character alphanumeric	Nationality of registration of vessels, Annex V

*Data:* Number of passengers excluding cruise passengers starting and ending a cruise and cruise passengers on excursion.

**Data set E1:** Seaborne transport in the main European ports, by port, type of cargo, relation and nationality of registration of vessels

Periodicity of data transmission: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	E1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(0)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	One-character alphanumeric	Type of cargo, Annex II
	Nationality of registration of vessel	Four-character alphanumeric	Nationality of registration of vessels, Annex V

*Data:* Gross weight of goods in tonnes.

**Data set F1:** European port vessel traffic in the main European ports, by port, type and size of vessels loading or unloading cargo, embarking or disembarking passengers (including cruise passengers on cruise passenger excursion)

Periodicity of data transmission: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	F1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Type of vessel	Two-character alphanumeric	Type of ship, Annex VI
	Size of vessel DWT	Two-character alphanumeric	Dead weight size classes, Annex VII

Data: Number of vessels.  
Dead weight of vessels in tonnes.

**Data set F2:** European port vessel traffic in the main European ports, by port, type and size of vessels loading or unloading cargo, embarking or disembarking passengers (including cruise passengers on cruise passenger excursion)

Periodicity of data transmission: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	F2
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Type of vessel	Two-character alphanumeric	Type of ship, Annex VI
	Size of vessel GT	Two-character alphanumeric	Gross tonnage size classes, Annex VII

Data: Number of vessels.  
Gross tonnage of vessels.



## 2010 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 100 per year
EU Official Journal, L + C series, paper + annual CD-ROM	22 official EU languages	EUR 1 200 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 770 per year
EU Official Journal, L + C series, monthly CD-ROM (cumulative)	22 official EU languages	EUR 400 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, CD-ROM, two editions per week	multilingual: 23 official EU languages	EUR 300 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual CD-ROM.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

CD-Rom formats will be replaced by DVD formats during 2010.

## Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our commercial distributors. The list of commercial distributors is available at:

[http://publications.europa.eu/others/agents/index\\_en.htm](http://publications.europa.eu/others/agents/index_en.htm)

**EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.**

**For further information on the European Union, see: <http://europa.eu>**

