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Contents

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(Continued overleaf)

[1] 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.

DECISIONS

EN

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 605/2010

of 2 July 2010

laying down animal and public health and veterinary certification conditions for the introduction into the European Union of raw milk and dairy products intended for human consumption

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ([1]), and in particular the introductory phrase of Article 8, the first subparagraph of point (1) and point (4) of Article 8 and Article 9(4) thereof,

Having regard to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ([2]), and in particular Article 12 thereof,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ([3]), and in particular Article 9 thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ([4]), and in particular Articles 11(1) and 14 (4) and Article 16 thereof,

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 ([5]), and in particular Article 48 (1) thereof,

Whereas:

(1) Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products ([6]) provided for a list to be drawn up of third countries or parts thereof from which Member States were to authorise the introduction of milk or milk-based products and for such commodities to be accompanied by a health certificate and comply with certain requirements, including heat treatment requirements, and guarantees.

(2) Accordingly, Commission Decision 2004/438/EC of 29 April 2004 laying down animal and public health and veterinary certifications conditions for introduction in the Community of heat-treated milk, milk-based products and raw milk intended for human consumption ([7]) was adopted.

(3) Since the date of adoption of that Decision, a number of new animal health and public health requirements have been laid down, constituting a new regulatory framework in this area, which should be taken into account in this Regulation. In addition, Directive 92/46/EEC was repealed by Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain Directive concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption ([8]).

([1]) OJ L 18, 23.1.2003, p. 11.
([2]) OJ L 139, 30.4.2004, p. 1.
([3]) OJ L 139, 30.4.2004, p. 55.
([4]) OJ L 139, 30.4.2004, p. 206.
([5]) OJ L 165, 30.4.2004, p. 206.
([6]) OJ L 268, 14.9.1992, p. 1.
([7]) OJ L 154, 30.4.2004, p. 72.
([8]) OJ L 157, 30.4.2004, p. 33.

(4) 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 [1] lays down the general principles governing food and feed in general, and food and feed safety in particular, at European Union and national level.

(5) Directive 2002/99/EC lays down rules governing the introduction from third countries of products of animal origin intended for human consumption. It provides that such products are only to be introduced into the European Union if they comply with the requirements applicable to all stages of the production, processing and distribution of those products in the European Union or if they offer equivalent animal health guarantees.

(6) Regulation (EC) No 852/2004 lays down the general rules for food business operators on the hygiene of foodstuffs at all stages of the food chain, including at primary production level.

(7) Regulation (EC) No 853/2004 lays down specific rules for food business operators on the hygiene of food of animal origin. That Regulation provides that food business operators producing raw milk and dairy products intended for human consumption are to comply with the relevant provisions of Annex III thereto.

(8) Regulation (EC) No 854/2004 lays down specific rules for the organisation of official controls on products of animal origin.

(9) Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs [2] lays down the microbiological criteria for certain micro-organisms and the implementing rules to be complied with by food business operators when implementing the general and specific hygiene measures referred to in Article 4 of Regulation (EC) No 852/2004. Regulation (EC) No 2073/2005 provides that food business operators are to ensure that foodstuffs comply with the relevant microbiological criteria set out in that Regulation.

(10) Under the scope of Council Directive 92/46/EEC, raw milk and products thereof could only be obtained from cows, ewes, goats or buffaloes. However, the definitions of raw milk and dairy products set out in Annex I to Regulation (EC) No 853/2004 broadens the scope of milk hygiene rules to all mammalian species and defines raw milk as milk produced by the secretion of the mammary gland of farmed animals that has not been heated to more than 40 °C or undergone any treatment that has an equivalent effect. In addition, it defines dairy products as processed products resulting from the processing of raw milk or from further processing of such processed products.

(11) In view of the entry into application of Regulations (EC) Nos 852/2004, 853/2004 and 854/2004 and the acts implementing those Regulations, it is necessary to amend and update European Union public and animal health conditions and certification requirements for the introduction into the European Union of raw milk and dairy products intended for human consumption.

(12) In the interests of consistency of Union law, this Regulation should also take into account the rules laid down in Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council [3] and its implementing rules laid down in Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin [4] and Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC [5].

(13) Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products [6] lays down the rules to be observed in issuing certificates required by veterinary legislation to prevent misleading or fraudulent certification. It is appropriate to ensure that certification requirements at least equivalent to those laid down in that Directive are applied by the competent authorities of exporting third countries.

[1] OJ L 31, 1.2.2002, p. 1.
[2] OJ L 338, 22.12.2005, p. 1.
[3] OJ L 152, 16.6.2009, p. 11.
[4] OJ L 15, 20.1.2010, p. 1.
[5] OJ L 125, 23.5.1996, p. 10.
[6] OJ L 13, 16.1.1997, p. 28.

(14) In addition, Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the intenal market [1], provides for a computerized system linking veterinary authorities which has been developed in the Europena Union. The format of all model health certificates need to be amended to take into account their compatibility with possible electronic certification under the Trade Control and Expert System (TRACES) provided for in Directive 90/425/EEC. According, the rules laid down in this Regulation should take account of TRACES.

(15) Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries [2] lays down rules concerning veterinary checks on products of animal origin introduced into the European Union from third countries for their importation or transit, including certain certification requirements. Those rules are applicable to the commodities covered by this Regulation.

(16) Specific conditions for transit via the European Union of consignments to and from Russia should be provided for, owing to the geographical situation of Kaliningrad, which only concerns Latvia, Lithuania and Poland.

(17) In the interests of clarity of European law, Commission Decision 2004/438/EC should be repealed and replaced by this Regulation.

(18) To avoid any disruption in trade, the use of health certificates issued in accordance with Decision 2004/438/EC should be authorised during a transitional period.

(19) 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

Subject matter and scope

This Regulation lays down:

(a) the public and animal health conditions and certification requirements for the introduction into the European Union of consignments of raw milk and dairy products;

(b) the list of third countries from which the introduction into the European Union of such consignments is authorised.

Article 2

Imports of raw milk and dairy products from third countries or parts thereof listed in column A of Annex I

Member States shall authorise the importation of consignments of raw milk and dairy products from the third countries or parts thereof listed in column A of Annex I.

Article 3

Imports of certain dairy products from third countries or parts thereof listed in column B of Annex I

Member States shall authorise the importation of consignments of dairy products derived from raw milk of cows, ewes, goats or buffaloes from the third countries or parts thereof not at risk from foot-and-mouth disease listed in column B of Annex I, provided that such dairy products have undergone, or been produced from raw milk which has undergone a pasteurisation treatment involving a single heat treatment:

(a) with a heating effect at least equivalent to that achieved by a pasteurisation process of at least 72 °C for 15 seconds;

(b) where applicable, sufficient to ensure a negative reaction to an alkaline phosphatase test applied immediately after the heat treatment.

Article 4

Imports of certain dairy products from third countries or parts thereof listed in column C of Annex I

1. Member States shall authorise the importation of consignments of dairy products derived from raw milk of cows, ewes, goats or buffaloes from the third countries or parts thereof at risk of foot-and-mouth disease listed in column C of Annex I, provided that such dairy products have undergone, or been produced from raw milk which has undergone, a heat treatment involving:

(a) a sterilisation process, to achieve an F_0 value equal to or greater than three;

(b) an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time;

(c) (i) a high temperature short time pasteurisation treatment (HTST) at 72 °C for 15 seconds applied twice to milk with a pH equal to or greater than 7.0 achieving, where applicable, a negative reaction to a alkaline phosphatase test, applied immediately after the heat treatment; or

[1] OJ L 224, 18.8.1990, p. 29.
[2] OJ L 24, 30.1.1998, p. 9.

(ii) a treatment with an equivalent pasteurisation effect to point (i) achieving, where applicable, a negative reaction to an alkaline phosphatase test, applied immediately after the heat treatment;

(d) a HTST treatment of milk with a pH below 7.0; or

(e) a HTST treatment combined with another physical treatment by either:

(i) lowering the pH below 6 for one hour, or

(ii) additional heating equal to or greater than 72 °C, combined with desiccation.

2. Member States shall authorise the importation of consignments of dairy products derived from raw milk of animals other than those referred to in paragraph 1, from the third countries or parts thereof at risk of foot-and-mouth disease listed in column C of Annex I, provided that such dairy products have undergone, or been produced from raw milk which has undergone a treatment involving:

(a) a sterilisation process, to achieve an F_0 value equal to or greater than three; or

(b) an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time.

Article 5

Certificates

Consignments authorised for importation in accordance with Articles 2, 3 and 4 shall be accompanied by a health certificate drawn up in accordance with the appropriate model set out in Part 2 of Annex II for the commodity concerned and completed in accordance with the explanatory notes set out in Part 1 of that Annex.

However, the requirements laid down in this Article shall not preclude the use of electronic certification or of other agreed systems, harmonised at European Union level.

Article 6

Transit and storage conditions

The introduction into the European Union of consignments of raw milk and dairy products not intended for importation into the European Union but destined for a third country either by immediate transit or after storage in the European Union, in accordance with Articles 11, 12 or 13 of Council Directive 97/78/EC, shall only be authorised if the consignments comply with the following conditions:

(a) they come from a third country or part thereof authorised for the introduction into the European Union of consignments of raw milk or dairy products and comply with the appropriate heat treatment conditions for such consignments, as provided for in Articles 2, 3 and 4;

(b) they comply with the specific animal health conditions for importation into the European Union of the raw milk or dairy product concerned, as laid down in the animal health attestation in Part II.1 of the relevant model health certificate set out Part 2 of Annex II;

(c) they are accompanied by a health certificate drawn up in accordance with the appropriate model set out in Part 3 of Annex II for the consignment concerned and completed in accordance with the explanatory notes set out in Part 1 of that Annex.

(d) they are certified as acceptable for transit, including for storage as appropriate, on the common veterinary entry document referred to in Article 2(1) of Commission Regulation (EC) No 136/2004 [1], signed by the official veterinarian of the border inspection post of introduction into the European Union.

Article 7

Derogation concerning transit and storage conditions

1. By way of derogation from Article 6, the transit by road or by rail through the European Union, between designated border inspection posts in Latvia, Lithuania and Poland listed in Commission Decision 2009/821/EC [2], of consignments coming from and destined to Russia directly or via another third country shall be authorised provided that the following conditions are complied with:

(a) the consignment is sealed with a serially numbered seal at the border inspection post of introduction into the European Union by the veterinary services of the competent authority;

(b) the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC are stamped 'ONLY FOR TRANSIT TO RUSSIA VIA THE EU' on each page by the official veterinarian of the competent authority responsible for the border inspection post of introduction into the European Union;

(c) the procedural requirements provided for in Article 11 of Directive 97/78/EC are complied with;

[1] OJ L 21, 28.1.2004, p. 11.
[2] OJ L 296, 12.11.2009, p. 1

(d) the consignment is certified as acceptable for transit on the common veterinary entry document by the official veterinarian of the border inspection post of introduction into the European Union.

2. Unloading or storage, as defined in Article 12(4) or in Article 13 of Directive 97/78/EC, of such consignments on European Union territory shall not be allowed.

3. Regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the European Union territory matches the number and quantities entering the European Union.

Article 8

Specific treatment

Consignments of dairy products authorised for introduction into the European Union in accordance with Articles 2, 3, 4, 6 or 7 from third countries or parts thereof where an outbreak of foot-and-mouth disease has occurred within the period of 12 months preceding the date of the health certificate, or which have carried out vaccination against that disease during that period, shall only be authorised for introduction into the European Union if such products have undergone one of the treatments listed in Article 4.

Article 9

Repeal

Decision 2004/438/EC is repealed.

References to Decision 2004/438/EC shall be construed as references to this Regulation.

Article 10

Transitional provisions

For a transitional period until 30 November 2010, consignments of raw milk and milk-based products as defined in Decision 2004/438/EC in respect of which the relevant health certificates have been issued in accordance Decision 2004/438/EC may continue to be introduced into the European Union.

Article 11

Entry into force and applicability

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

It shall apply from 1 August 2010.

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

Done at Brussels, 2 July 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX I

List of third countries or parts thereof authorised for the introduction into the European Union of consignments of raw milk and dairy products and indicating the type of heat treatment required for such commodities

'+': third country is authorised

'0': third country is not authorised

ISO code of third country	Third country or part thereof	Column A	Column B	Column C
AD	Andorra	+	+	+
AL	Albania	0	0	+
AN	Netherlands Antilles	0	0	+
AR	Argentina	0	0	+
AU	Australia	+	+	+
BR	Brazil	0	0	+
BW	Botswana	0	0	+
BY	Belarus	0	0	+
BZ	Belize	0	0	+
BA	Bosnia and Herzegovina	0	0	+
CA	Canada	+	+	+
CH	Switzerland (*)	+	+	+
CL	Chile	0	+	+
CN	China	0	0	+
CO	Colombia	0	0	+
CR	Costa Rica	0	0	+
CU	Cuba	0	0	+
DZ	Algeria	0	0	+
ET	Ethiopia	0	0	+
GL	Greenland	0	+	+
GT	Guatemala	0	0	+
HK	Hong Kong	0	0	+
HN	Honduras	0	0	+
HR	Croatia	0	+	+
IL	Israel	0	0	+
IN	India	0	0	+
IS	Iceland	+	+	+
KE	Kenya	0	0	+

ISO code of third country	Third country or part thereof	Column A	Column B	Column C
MA	Morocco	0	0	+
MG	Madagascar	0	0	+
MK (**)	former Yugoslav Republic of Macedonia	0	+	+
MR	Mauritania	0	0	+
MU	Mauritius	0	0	+
MX	Mexico	0	0	+
NA	Namibia	0	0	+
NI	Nicaragua	0	0	+
NZ	New Zealand	+	+	+
PA	Panama	0	0	+
PY	Paraguay	0	0	+
RS (***)	Serbia	0	+	+
RU	Russia	0	0	+
SG	Singapore	0	0	+
SV	El Salvador	0	0	+
SZ	Swaziland	0	0	+
TH	Thailand	0	0	+
TN	Tunisia	0	0	+
TR	Turkey	0	0	+
UA	Ukraine	0	0	+
US	United States	+	+	+
UY	Uruguay	0	0	+
ZA	South Africa	0	0	+
ZW	Zimbabwe	0	0	+

(*) Certificates in accordance with the Agreement between the European Community and the Swiss Confederation on trade in agricultural products (OJ L 114, 30.4.2002, p. 132).

(**) The former Yugoslav Republic of Macedonia; the definitive nomenclature for this country will be agreed following the conclusion of the negotiations currently taking place on this subject at UN level.

(***) Not including Kosovo which is at present under international administration pursuant to United Nations Security Council Resolution 1244 of 10 June 1999.

ANNEX II

PART 1

Models of health certificates

'Milk-RM': Health certificate for raw milk from third countries or parts thereof authorised in column A of Annex I intended for further processing in the European Union before being used for human consumption.

'Milk-RMP': Health certificate for dairy products derived from raw milk for human consumption, from third countries or parts thereof authorised in column A of Annex I intended for importation into the European Union.

'Milk-HTB': Health certificate for dairy products derived from milk of cows, ewes, goats and buffaloes for human consumption from third countries or parts thereof authorised in column B of Annex I intended for importation into the European Union.

'Milk-HTC': Health certificate for dairy products for human consumption from third countries or parts thereof authorised in column C of Annex I intended for importation into the European Union.

'Milk-T/S': Animal health certificate for raw milk or dairy products for human consumption, for transit/storage in the European Union.

Explanatory notes

(a) The health certificates shall be issued by the competent authorities of the third country of origin, in accordance with the appropriate model set out in Part 2 of this Annex, according to the layout of the model that corresponds to the raw milk or dairy products concerned. They shall contain, in the numbered order that appears in the model, the attestations that are required for any third country and, as the case may be, those supplementary guarantees that are required for the exporting third country concerned.

(b) The original of the health certificate shall consist of a single sheet printed on both pages or, where more text is required, such that all the sheets form a whole and cannot be separated.

(c) A separate, single health certificate must be presented for each consignment of the commodity concerned, exported to the same destination from a third country listed in column 2 of the table in Annex I and transported in the same railway wagon, road vehicle, aircraft or ship.

(d) The original of the health certificate and the labels referred to in the model certificate shall be drawn up in at least one official language of the Member State where border inspection takes place and of the Member State of destination. However, those Member States may allow it to be drawn up in another official language of the European Union instead of their own, accompanied, if necessary, by an official translation.

(e) Where additional sheets are attached to the health certificate for the purpose of identifying the commodities making up the consignment, such additional sheets shall also be considered to form part of the original certificate, provided the signature and stamp of the certifying official veterinarian appear on each page.

(f) Where the health certificate comprises more than one page, each page shall be numbered '–x*(page number)* of *y(total number of pages)*–' on the bottom of the page and shall bear the certificate reference number allocated by the competent authority on the top of the page.

(g) The original of the health certificate must be completed and signed by a representative of the competent authority responsible for verifying and certifying that the raw milk or dairy products meet the health conditions laid down in Section IX, Chapter I of Annex III to Regulation (EC) No 853/2004 and in Directive 2002/99/EC.

(h) The competent authorities of the exporting third country shall ensure that principles of certification equivalent to those laid down in Directive 96/93/EC [1] are complied with.

(i) The colour of the signature of the official veterinarian shall be different from that of the printing on the health certificate. That requirement shall also apply to stamps other than embossed stamps or watermarks.

(j) The original of the health certificate must accompany the consignment until it reaches the border inspection post of introduction into the European Union.

(k) Where the model certificate states that certain statements shall be kept as appropriate, statements which are not relevant, may be crossed out and initialled and stamped by the certifying officer, or completely deleted from the certificate.

[1] OJ L 13, 16.1.1997, p. 28.

PART 2

Model Milk-RM

Health Certificate for raw milk from third countries or parts thereof authorised in column A of Annex I to Regulation (EU) No 605/2010 intended for further processing in the European Union before being used for human consumption

COUNTRY **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel. N°		I.2. Certificate reference number	I.2.a.
		I.3. Central Competent Authority	
		I.4. Local Competent Authority	
I.5. Consignee Name Address Postal code Tel. N°		I.6.	
I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code	I.10.
I.11. Place of origin Name Approval number Address		I.12.	
I.13. Place of loading		I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification: Documentary references:		I.16. Entry BIP in EU	
		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code)	
		I.20. Quantity	
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages	
I.23. Identification of container/Seal number		I.24. Type of packaging	
I.25. Commodities certified for: Further process ☐			
I.26.		I.27. For import or admission into EU ☐	

I.28. Identification of the commodities

Species (Scientific name)	Manufacturing plant	Number of packages	Net weight	Batch number

Model Milk-RM
Raw milk

COUNTRY

II. Health information	II.a. Certificate reference number	II.b.

Part II: Certification

II.1 Animal Health Attestation

I, the undersigned official veterinarian, declare that I am aware of the relevant provisions of Directive 2002/99/EC and of Regulation (EC) No 853/2004 and hereby certify that the raw milk described above has been obtained from animals:

(a) under the control of the official veterinary service,

(b) which were in a country or part thereof that has been free of foot-and-mouth disease and of rinderpest for a period of at least 12 months prior to the date of this certificate, and where vaccination against foot-and-mouth disease has not been carried out during that period,

(c) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest, and

(d) subject to regular veterinary inspections to ensure that they satisfy the animal health conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 and in Directive 2002/99/EC;

II.2 Public Health attestation

I, the undersigned official inspector, declare that I am aware of the relevant provisions of Regulations (EC) No 178/2002, (EC) No 852/2004, (EC) No 853/2004 and (EC) No 854/2004 and hereby certify that the raw milk described above was produced in accordance with those provisions, in particular that:

(a) it comes from holdings registered in accordance with Regulation (EC) No 852/2004 and checked in accordance with Annex IV to Regulation (EC) No 854/2004,

(b) it was produced, collected, cooled, stored and transported in accordance with the hygiene conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004,

(c) it meets the plate and somatic cell count criteria laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004,

(d) it does not contain antibiotic residues exceeding the limits authorised under the Annex to Regulation (EU) No 37/2010,

(e) the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Directive 96/23/EC, and in particular Article 29 thereof, are fulfilled,

(f) it does not contain pesticide residues exceeding the limits authorized by Regulation (EC) No 396/2005, and

(g) it does not contain contaminants exceeding the maximum tolerances laid down by Regulation (EC) No 1881/2006.

Notes

This certificate is intended for raw milk from third countries or parts thereof authorised in column A of Annex I to Regulation (EU) No 605/2010 intended for further processing in the European Union before being used for human consumption.

Part I:

— Box reference I.7: Provide name and ISO code of the country or part thereof as appearing in Annex I to Regulation (EU) No 605/2010.

— Box reference I.11: Name, address and approval number of the establishment of dispatch.

— Box reference I.15: Registration number (railway wagons or container and road vehicle), flight number (aircraft) or name (ship). In case of unloading and reloading, the consignor must inform the border inspection post of introduction into the European Union.

— Box reference I.19: Use the appropriate Harmonised System (HS) code of the World Customs Organisation: 04.01; 04.02 or 04.03.

Model Milk-RM
Raw milk

COUNTRY

II. Health information	II.a. Certificate reference number	II.b.

— Box reference I.20: Indicate total gross weight and total net weight.

— Box reference I.23: For containers or boxes, the container number and the seal number (if applicable) should be included.

— Box reference I.28: Manufacturing plant: introduce the approval number of the production holding(s), collection centre or standardization centre approved for exportation to the European Union.

Part II:

— The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

Official veterinarian

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

Model Milk-RMP

Health Certificate for dairy products derived from raw milk for human consumption from third countries or parts thereof authorised in column A of Annex I to Regulation (EU) No 605/2010 intended for importation into the European Union

COUNTRY **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel. Nº		I.2. Certificate reference number	I.2.a.
		I.3. Central Competent Authority	
		I.4. Local Competent Authority	
I.5. Consignee Name Address Postal code Tel. Nº		I.6.	
I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code	I.10.
I.11. Place of origin Name Approval number Address		I.12.	
I.13. Place of loading		I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification: Documentary references:		I.16. Entry BIP in EU	
		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code)	
		I.20. Quantity	
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages	
I.23. Identification of container/Seal number		I.24. Type of packaging	
I.25. Commodities certified for: Human consumption ☐			
I.26.		I.27. For import or admission into EU ☐	

I.28. Identification of the commodities

Species (Scientific name)	Manufacturing plant	Number of packages	Net weight	Batch number

Model Milk-RMP

COUNTRY **Dairy products derived from raw milk for human consumption**

II. Health information	II.a. Certificate reference number	II.b.

Part II: Certification

II.1 Animal Health Attestation

I, the undersigned official veterinarian, declare that I am aware of the relevant provisions of Directive 2002/99/EC and of Regulation (EC) No 853/2004 and hereby certify that the dairy products described above has been manufactured from raw milk obtained from animals:

(a) under the control of the official veterinary service,

(b) which were in a country or part thereof that has been free of foot-and-mouth disease and of rinderpest for a period of at least 12 months prior to the date of this certificate, and where vaccination against foot-and-mouth disease has not been carried out during that period,

(c) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest, and,

(d) subject to regular veterinary inspections to ensure that they satisfy the animal health conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 and in Directive 2002/99/EC;

II.2 Public Health attestation

I, the undersigned official inspector, declare that I am aware of the relevant provisions of Regulations (EC) No 178/2002, (EC) No 852/2004, (EC) No 853/2004 and (EC) No 854/2004 and hereby certify that the dairy product made with raw milk described above was produced in accordance with those provisions, in particular that:

(a) it was manufactured from raw milk:

(i) which comes from holdings registered in accordance with Regulation (EC) No 852/2004 and checked in accordance with Annex IV to Regulation (EC) No 854/2004,

(ii) which was produced, collected, cooled, stored and transported in accordance with the hygiene conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004,

(iii) which meets the plate and somatic cell count criteria laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004,

(iv) which does not contain antibiotic residues exceeding the limits authorised under the Annex to Regulation (EU) No 37/2010,

(v) which does not contain pesticide residues exceeding the limits authorized by Regulation (EC) No 396/2005, and

(vi) which does not contain contaminants exceeding the maximum tolerances laid down by Regulation (EC) No 1881/2006.

(b) it comes from an establishment implementing a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004,

(c) it has been obtained from raw milk that has not undergone any heat treatment or any physical or chemical treatment during the manufacturing process,

(d) it has been wrapped, packaged and labelled in accordance with Chapters III and IV of Section IX of Annex III to Regulation (EC) No 853/2004,

(e) it meets the relevant microbiological criteria laid down in Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs, and

(f) the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Directive 96/23/EC, and in particular Article 29 thereof, are fulfilled.

Model Milk-RMP

COUNTRY **Dairy products derived from raw milk for human consumption**

II. Health information	II.a. Certificate reference number	II.b.

Notes

This certificate is intended for dairy products derived from raw milk for human consumption, from third countries or parts thereof authorised in column A of Annex I to Regulation (EU) No 605/2010 intended for importation into the European Union.

Part I:

— Box reference I.7: Provide name and ISO code of the country or part thereof as appearing Annex I to Regulation (EU) No 605/2010.

— Box reference I.11: Name, address and approval number of the establishment of dispatch.

— Box reference I.15: Registration number (railway wagons or container and road vehicles), flight number (aircraft) or name (ship). In the case of transport in containers, the total number of containers and their registration number and where there is a serial number of the seal it must be indicated in box I.23. In the case of unloading and reloading, the consignor must inform the border inspection post of introduction into the European Union.

— Box reference I.19: Use the appropriate Harmonised System (HS) code of the World Customs Organisation: 04.01; 04.02; 04.03; 04.04; 04.05; 04.06 or 21.05.

— Box reference I.20: Indicate total gross weight and total net weight.

— Box reference I.23: For containers or boxes, the container number and the seal number (if applicable) should be included.

— Box reference I.28: Manufacturing plant: introduce the approval number of the production holding(s), collection centre or standardization centre approved for exportation to the European Union.

Part II:

— The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

Official veterinarian

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

Model Milk-HTB

Health Certificate for dairy products derived from milk of cows, ewes, goats and buffaloes for human consumption from third countries or parts thereof authorised in column B of Annex I to Regulation (EU) No 605/2010 intended for importation into the European Union

COUNTRY **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel. N°		I.2. Certificate reference number	I.2.a.
		I.3. Central Competent Authority	
		I.4. Local Competent Authority	
I.5. Consignee Name Address Postal code Tel. N°		I.6.	
I.7. Country of origin	ISO code	I.8. Region of origin	Code
		I.9. Country of destination	ISO code
		I.10.	
I.11. Place of origin Name Approval number Address		I.12.	
I.13. Place of loading		I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification: Documentary references:		I.16. Entry BIP in EU	
		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code)	
		I.20. Quantity	
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages	
I.23. Identification of container/Seal number		I.24. Type of packaging	
I.25. Commodities certified for: Human consumption ☐			
I.26.		I.27. For import or admission into EU ☐	

I.28. Identification of the commodities

Species (Scientific name)	Manufacturing plant	Number of packages	Net weight	Batch number

Model Milk-HTB

Dairy products derived from milk of cows, ewes, goats and buffaloes for human consumption from third countries authorised in column B

COUNTRY

II. Health information	II.a. Certificate reference number	II.b.

Part II: Certification

II.1 Animal Health Attestation

I, the undersigned official veterinarian, declare that I am aware of the relevant provisions of Directive 2002/99/EC and of Regulation (EC) No 853/2004 and hereby certify that the dairy product described above:

(a) has been obtained from animals:

(i) under the control of the official veterinary service,

(ii) which were in a country or part thereof that has been free of foot-and-mouth disease and of rinderpest for a period of at least 12 months prior to the date of this certificate, and where vaccination against foot-and-mouth disease has not been carried out during that period,

(iii) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest, and,

(iv) subject to regular veterinary inspections to ensure that they satisfy the animal health conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 and in Directive 2002/99/EC,

(b) has undergone or been produced from raw milk which has been submitted to a pasteurisation treatment involving a single heat treatment with a heating effect at least equivalent to that achieved by a pasteurisation process of at least 72 °C for at 15 seconds and where applicable, sufficient to ensure a negative reaction to an alkaline phosphatase test applied immediately after the heat treatment.

II.2 Public Health attestation

I, the undersigned official veterinarian, declare that I am aware of the relevant provisions of Regulations (EC) No 178/2002, (EC) No 852/2004, (EC) No 853/2004 and (EC) No 854/2004 and hereby certify that the dairy product described above was produced in accordance with those provisions, in particular that:

(a) it was manufactured from raw milk:

(i) which comes from holdings registered in accordance with Regulation (EC) No 852/2004 and checked in accordance with Annex IV to Regulation (EC) No 854/2004,

(ii) which was produced, collected, cooled, stored and transported in accordance with the hygiene conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004,

(iii) which meets the plate and somatic cell count criteria laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004,

(iv) which does not contain antibiotic residues exceeding the limits authorised under the Annex to Regulation (EU) No 37/2010;

(v) which does not contain pesticide residues exceeding the limits authorized by Regulation (EC) No 396/2005, and

(vi) which does not contain contaminants exceeding the maximum tolerances laid down by Regulation (EC) No 1881/2006.

(b) it comes from an establishment implementing a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004,

(c) it has been processed, stored, wrapped, packaged and transported in accordance with the relevant hygiene conditions laid down in Annex II to Regulation (EC) No 852/2004 and Chapter II of Section IX of Annex III to Regulation (EC) No 853/2004,

(d) it meets the relevant criteria laid down in Chapter II of Section IX of Annex III to Regulation (EC) No 853/2004 and the relevant microbiological criteria laid down in Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs,

(e) the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Directive 96/23/EC, and in particular Article 29 thereof, are fulfilled.

Model Milk-HTB

Dairy products derived from milk of cows, ewes, goats and buffaloes for human consumption from third countries authorised in column B

COUNTRY

II. Health information	II.a. Certificate reference number	II.b.

Notes

This certificate is intended for dairy products for human consumption from third countries or parts thereof authorised in column B of Annex I of Regulation (EU) No 605/2010 intended for importation into the European Union.

Part I:

— Box reference I.7: Provide name and ISO code of the country or part thereof as appearing in Annex I to Regulation (EU) No 605/2010.

— Box reference I.11: Name, address and approval number of establishment of dispatch.

— Box reference I.15: Registration number (railway wagons or container and road vehicle), flight number (aircraft) or name (ship). In the case of transport in containers, the total number of containers and their registration number and where there is a serial number of the seal it must be indicated in box I.23. In case of unloading and reloading, the consignor must inform the border inspection post of introduction into the European Union.

— Box reference I.19: Use the appropriate Harmonised System (HS) code of the World Customs Organisation: 04.01; 04.02; 04.03; 04.04; 04.05; 04.06 or 21.05.

— Box reference I.20: Indicate total gross weight and total net weight..

— Box reference I.23: For containers or boxes, the container number and the seal number (if applicable) should be included.

— Box reference I.28: Manufacturing plant: introduce the approval number of the treatment and/or processing establishment(s) approved for export to the European Union.

Part II:

— The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

Official veterinarian

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

Model Milk-HTC

Health Certificate for dairy products for human consumption from third countries or parts thereof authorised in column C of Annex I to Regulation (EU) No 605/2010 intended for importation into the European Union

COUNTRY **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel. Nº		I.2. Certificate reference number	I.2.a.
		I.3. Central Competent Authority	
		I.4. Local Competent Authority	
I.5. Consignee Name Address Postal code Tel. Nº		I.6.	
I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code	I.10.
I.11. Place of origin Name Approval number Address		I.12.	
I.13. Place of loading		I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification: Documentary references:		I.16. Entry BIP in EU	
		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code)	
		I.20. Quantity	
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages	
I.23. Identification of container/Seal number		I.24. Type of packaging	
I.25. Commodities certified for: Human consumption ☐			
I.26.		I.27. For import or admission into EU ☐	

I.28. Identification of the commodities

Species (Scientific name)	Manufacturing plant	Number of packages	Net weight	Batch number

Model Milk-HTC

COUNTRY **Dairy products from third countries authorised in column C**

II. Health information	II.a. Certificate reference number	II.b.

Part II: Certification

II.1 Animal Health Attestation

I, the undersigned official veterinarian, declare that I am aware of the relevant provisions of Directive 2002/99/EC and of Regulation (EC) No 853/2004 and hereby certify that the dairy product described above:

(a) has been obtained from animals:

(i) under the control of the official veterinary service,

(ii) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest, and,

(iii) subject to regular veterinary inspections to ensure that they satisfy the animal health conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 and in Directive 2002/99/EC,

(1) either [(b) in the case of dairy products made from raw milk sourced from cows, ewes, goats or buffaloes have undergone, prior to import into the territory of the European Union:

(1) either [(i) a sterilisation process, to achieve an F_0 value equal to or greater than three;]

(1) or [(ii) an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time;]

(1) or [(iii) a high temperature short time pasteurisation treatment (HTST) at 72 °C for 15 seconds applied twice to milk with a pH equal to or greater than 7.0 achieving, where applicable, a negative reaction to a alkaline phosphatase test, applied immediately after the heat treatment;]

(1) or [(iv) a treatment with an equivalent pasteurisation effect to point (iii) achieving, where applicable, a negative reaction to a alkaline phosphatase test, applied immediately after the heat treatment;]

(1) or [(v) a HTST treatment with a pH below 7.0;]

(1) or [(vi) a HTST treatment combined with another physical treatment by

(1) either [(vi) (1) lowering the pH below 6 for one hour;]

(1) or [(vi) (2) additional heating equal to or greater than 72 °C or more, combined with desiccation;]]

(1) or [(b) in the case of dairy products made from raw milk sourced from animals other than cows, ewes, goats or buffaloes have undergone, prior to import into the territory of the European Union:

(1) either [(i) a sterilisation process, to achieve an F_0 value equal to or greater than three;]

(1) or [(ii) an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time;]]

II.2 Public Health attestation

I, the undersigned official inspector, declare that I am aware of the relevant provisions of Regulations (EC) No 178/2002, (EC) No 852/2004, (EC) No 853/2004 and (EC) No 854/2004 and hereby certify that the dairy product described above was produced in accordance with provisions, in particular that:

(a) it was manufactured from raw milk:

(i) which comes from holdings registered in accordance with Regulation (EC) No 852/2004 and checked in accordance with Annex IV to Regulation (EC) No 854/2004;

(ii) which was produced, collected, cooled, stored and transported in accordance with the hygiene conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004;

Model Milk-HTC

COUNTRY **Dairy products from third countries authorised in column C**

II. Health information	II.a. Certificate reference number	II.b.

(iii) which meets the plate and somatic cell count criteria laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004;

(iv) which does not contain antibiotic residues exceeding the limits authorised under the Annex to Regulation (EU) No 37/2010;

(v) which does not contain pesticide residues exceeding the limits authorized by Regulation (EC) No 396/2005, and

(vi) which does not contain contaminants exceeding the maximum tolerances laid down by Regulation (EC) No 1881/2006.

(b) it comes from an establishment implementing a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004,

(c) it has been processed, stored, wrapped, packaged and transported in accordance with the relevant hygiene conditions laid down in Annex II to Regulation (EC) No 852/2004 and Chapter II of Section IX of Annex III to Regulation (EC) No 853/2004,

(d) it meets the relevant criteria laid down in Chapter II of Section IX of Annex III to Regulation (EC) No 853/2004 and the relevant microbiological criteria laid down in Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs,

(e) the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Directive 96/23/EC, and in particular Article 29 thereof, are fulfilled.

Notes

This certificate is intended for dairy products for human consumption from third countries or parts thereof authorised in column C of Annex I to Regulation (EU) No 605/2010 intended for importation into the European Union.

Part I:

— Box reference I.7: Provide name and ISO code of the country or part thereof as appearing in Annex I to Regulation (EU) No 605/2010.

— Box reference I.11: Name, address and approval number of establishments of dispatch.

— Box reference I.15: Registration number (railway wagons or container and road vehicles), flight number (aircraft) or name (ship) is to be provided. In the case of transport in containers, the total number of containers and their registration number and where there is a serial number of the seal it must be indicated in box I.23. In the case of unloading and reloading, the consignor must inform the border inspection post of introduction into the European Union.

— Box reference I.19: Use the appropriate Harmonised System (HS) code of the World Customs Organisation: 04.01; 04.02; 04.03; 04.04; 04.05; 04.06; 19.01; 21.05; 21.06.90; 35.01 or 35.02.

— Box reference I.20: Indicate total gross weight and total net weight.

— Box reference I.23: For containers or boxes, the container number and the seal number (if applicable) should be included.

— Box reference I.28: Manufacturing plant: introduce the approval number of the treatment and/or processing establishment(s) approved for export to the European Union.

Part II:

([1]) Keep as appropriate.

— The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

Model Milk-HTC

COUNTRY **Dairy products from third countries authorised in column C**

II. Health information	II.a. Certificate reference number	II.b.
Official veterinarian Name (in capital letters): Qualification and title: Date: Signature: Stamp:		

PART 3

Model Milk-T/S

Animal Health Certificate for raw milk or dairy products for human consumption, for [transit]/[storage] (1) (2) in the European Union

COUNTRY **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel. Nº	I.2. Certificate reference number	I.2.a.
	I.3. Central Competent Authority	
	I.4. Local Competent Authority	
I.5. Consignee Name Address Postal code Tel. Nº	I.6. Person responsible for the load in EU Name Address Postal code Tel. Nº	
I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code / I.10.
I.11. Place of origin Name Approval number Address	I.12. Place of origin Customs warehouse ☐ Ship supplier ☐ Name Approval number Address Postal code	
I.13. Place of loading	I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification: Documentary references:	I.16. Entry BIP in EU	I.17.
I.18. Description of commodity	I.19. Commodity code (HS code)	I.20. Quantity
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages
I.23. Identification of container/Seal number		I.24. Type of packaging
I.25. Commodities certified for: Human consumption ☐		
I.26. For transit through EU to 3rd Country ☐ 3rd country ISO code		I.27.
I.28. Identification of the commodities Species (Scientific name) Manufacturing plant Number of packages Net weight Batch number		

Model Milk-T/S

Raw milk or dairy products intended for human consumption for transit or storage

COUNTRY

II. Health information	II.a. Certificate reference number	II.b.

Part II: Certification

II.1 Animal Health Attestation

I, the undersigned official veterinarian, hereby certify that the[raw milk] / [dairy products] (1) (2) for [transit] / [storage] (2) in the European Union described above:

(a) come from a country or part thereof authorised for imports to the European Union of raw milk or dairy products as laid down in Annex I to Regulation (EU) No 605/2010,

(b) comply with the relevant animal health conditions for the products concerned as laid down in the animal health attestation in Part II.1 of the model certificates [Milk-RM] / [Milk-RMP] / [Milk-HTB] / [Milk-HTC] (2) in Part 2 of Annex II to Regulation (EU) No 605/2010;

(c) was produced on ..... or between ..... and ..... (3).

Notes

Part I:

— Box reference I.7: Provide name and ISO code of the country or part thereof as appearing in Annex I to Regulation (EU) No 605/2010

— Box reference I.11: Name, address and approval number of establishments of dispatch. Name of the country of origin which must be the same as the country of export.

— Box reference I.15: Registration number (railway wagons or container and road vehicles), flight number (aircraft) or name (ship). In the case of transport in containers, the total number of containers and their registration number and where there is a serial number of the seal it must be indicated in box I.23. In case of unloading and reloading, the consignor must inform the border inspection post of introduction into the European Union.

— Box reference I.19: Use the appropriate Harmonised System (HS) code of the World Customs Organisation: 04.01; 04.02; 04.03; 04.04; 04.05; 04.06; 19.01; 21.05; 21.06.90; 35.01 or 35.02.

— Box reference I.20: Indicate total gross weight and total net weight.

— Box reference I.23: For containers or boxes, the container number and the seal number (if applicable) should be included.

— Box reference I.28: Manufacturing plant: introduce the approval number of the production holding(s), collection centre or standardization centre approved for exportation to the European Union.

Part II:

(1) Raw milk and dairy products means, raw milk and dairy products for human consumption in transit or storage in accordance with Article 12(4) or Article 13 of Council Directive 97/78/EC.

(2) Keep as appropriate.

(3) Date or dates of production. Imports of raw milk and dairy products shall not be allowed when obtained either prior to the date of authorisation for exportation to the European Union of the third country or part thereof mentioned under I.7 and I.8, or during a period where restrictive measures have been adopted by the European Union against imports of raw milk and dairy products from this third country or part thereof.

— The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

Model Milk-T/S

Raw milk or dairy products intended for human consumption for transit or storage

COUNTRY

II. Health information	II.a. Certificate reference number	II.b.
Official veterinarian Name (in capital letters): Qualification and title: Date: Signature: Stamp:		

COMMISSION REGULATION (EU) No 606/2010

of 9 July 2010

on the approval of a simplified tool developed by the European organisation for air safety navigation (Eurocontrol) to estimate the fuel consumption of certain small emitting aircraft operators

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC [1], and in particular Article 14(1) thereof,

Whereas:

(1) The complete, consistent, transparent and accurate monitoring and reporting of greenhouse gas emissions in accordance with the guidelines laid down in Commission Decision 2007/589/EC of 18 July 2007 establishing guidelines for the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council [2] are fundamental for the effective functioning of the greenhouse gas emission allowance trading scheme established in Directive 2003/87/EC.

(2) Article 14(3) of Directive 2003/87/EC requires that from 1 January 2010 an aircraft operator should monitor and report for each calendar year the quantity of carbon dioxide emitted from the flights it operates in accordance with the guidelines established by Decision 2007/589/EC.

(3) Each aircraft operator should prepare and submit a monitoring plan to its administering Member State setting out the measures it intends to implement to monitor and report its emissions and that the competent authorities of the administering Member State should approve such monitoring plans in accordance with the guidelines established by Decision 2007/589/EC.

(4) Part 4 of Annex XIV to Decision 2007/589/EC reduces the administrative burden for certain aircraft operators responsible for a limited number of flights per annum or with small emissions of carbon dioxide by establishing a simplified procedure to estimate the fuel consumption of the aircraft they operate using tools implemented by the European organisation for air safety navigation (Eurocontrol) or other relevant organisations which can process all relevant air traffic information such as that available to Eurocontrol if these tools have been approved by the Commission.

(5) Eurocontrol has established and documented a simplified tool for the estimation of fuel consumption and carbon dioxide emissions for specific flights between aerodromes. That tool uses the actual route length of each flight based upon the most comprehensive air traffic and operational flight information currently available and addresses the fuel consumed during all aspects of a particular flight including that at the departure gate, during taxiing operations, during landing, take-off and cruise as well as during air traffic management actions. The tool uses statistically robust fuel consumption coefficients for the most important aircraft types as well as a more generic approach for other aircraft which determines fuel consumption coefficients as a function of the aircraft's maximum take-off mass which result in acceptable levels of uncertainty.

(6) This tool meets the requirements of the guidelines established by Decision 2007/589/EC in respect of the approach based on individual flights, actual route length and statistically sound fuel consumption relationships. It is therefore appropriate that this tool be available and approved for use by the relevant aircraft operators in order to allow them to fulfil their monitoring and reporting obligations in an administratively less burdensome manner.

(7) Due to reasons beyond its control, an aircraft operator may be unable to monitor the actual fuel consumed for a particular flight. In such circumstances, and in the absence of other means to determine the actual fuel consumption, it is appropriate that the fuel consumption estimation tool utilised by small emitters should also be available to other aircraft operators to determine estimates of fuel consumption for specific flights where actual fuel consumption data is missing.

(8) Part 6 of Annex XIV to Decision 2007/589/EC requires an aircraft operator which employs a fuel consumption estimation tool to include in its monitoring plan evidence that the conditions for small emitters are satisfied, as well as providing a confirmation and description of the tool used.

[1] OJ L 275, 25.10.2003, p. 32.
[2] OJ L 229, 31.8.2007, p. 1.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The fuel consumption estimation tool developed and offered for use by the European organisation for air safety navigation (Eurocontrol) [1] is approved for use by:

1. Small emitters in fulfilment of their monitoring and reporting obligations pursuant to Article 14(3) of Directive 2003/87/EC and Part 4 of Annex XIV to Decision 2007/589/EC;

2. All aircraft operators pursuant to Part 5 of Annex XIV to Decision 2007/589/EC for the purposes of estimating the fuel consumption of particular flights covered by Annex I to Directive 2003/87/EC where the data necessary to monitor the emissions of carbon dioxide are missing as a result of the circumstances beyond the control of the aircraft operator and which cannot be determined by an alternative method defined in the operator's monitoring plan.

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, 9 July 2010.

For the Commission
The President
José Manuel BARROSO

[1] www.eurocontrol.int/ets/small_emitters

COMMISSION REGULATION (EU) No 607/2010

of 9 July 2010

amending Regulation (EC) No 1542/2007 on landing and weighing procedures for herring, mackerel and horse mackerel

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy [1], and in particular Article 5(b) thereof,

Whereas:

(1) Procedures for landing and weighing have been developed in close cooperation between the Community and Norway and the Faeroe Islands. These are established in Commission Regulation (EC) No 1542/2007 [2]. The scope of those rules was limited to the stocks which were subject to cooperation with Norway and the Faeroe Islands. However, the zones corresponding to the southern component of mackerel and horse mackerel, as well as other zones subject to catch limitations were not covered. It is appropriate to extend the scope of those rules to all zones where catch limitations are established and where the conservation status of the stocks and the need to ensure effective control so require.

(2) According to Article 9 paragraph 3 of Regulation (EC) No 1542/2007, a weighing logbook is to be kept by the party weighing the fish, but there is no indication as to the time-frame for complying with this obligation. In order to avoid any uncertainty in the interpretation of this provision, a clear deadline for the completion of the logbook should be specified.

(3) According to Article 9 paragraph 3(b) of Regulation (EC) No 1542/2007, each tanker load used to transport fish from the quayside to the processing plant is to be weighed and recorded separately. However, to avoid undue delay to the discharge of the cargo, it should be made possible to only record the total weight of all tanker loads from the same vessel provided that these tanker loads are weighed consecutively and without interruption.

(4) Regulation (EC) No 1542/2007 should therefore be amended accordingly.

(5) Article 60 of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy [3] establishes the general rules for the weighing of fisheries products and empowers the Commission to adopt detailed rules for its application. Considering that this Article will only apply from 1 January 2011 and having regard to the urgency for the amendment of Regulation (EC) No 1542/2007 to apply during the 2010 fishing season, it is appropriate to make use of Article 5(b) of Regulation (EC) No 2847/93 as legal basis for this amendment.

(6) The Committee for Fisheries and Aquaculture has not delivered an opinion within the time limit laid down by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1542/2007 is hereby amended as follows:

1. Article 1 shall be replaced by the following:

'Article 1

Scope

This Regulation shall apply to landings in the European Union (EU) by EU vessels and third country fishing vessels, or by EU fishing vessels in third countries, of quantities per landing exceeding 10 tonnes of herring (*Clupea harengus*), mackerel (*Scomber scombrus*) and horse mackerel (*Trachurus* spp.) or a combination thereof, taken in

(a) for herring in ICES zones (*) I, II, IIIa, IV, Vb, VI and VII;

(b) for mackerel in ICES zones: IIa, IIIa, IV, Vb, VI, VII, VIII, IX, X, XII, XIV and EU waters of CECAF (**);

(c) for horse mackerel: ICES zones IIa, IV, Vb, VI, VII, VIII, IX, X, XII, XIV and EU waters of CECAF.

(*) ICES (International Council for the Exploration of the Sea) zones, as defined in Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (OJ L 87, 31.3.2009, p. 70).

(**) CECAF (Eastern Central Atlantic or FAO major fishing zone 34), as defined in Regulation (EC) No 216/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic (OJ L 87, 31.3.2009, p. 1).';

[1] OJ L 261, 20.10.1993, p. 1.
[2] OJ L 337, 21.12.2007, p. 56.
[3] OJ L 343, 22.12.2009, p. 1.

2. in Article 9, paragraph 3 shall be replaced by the following:

'3. The party weighing the fish shall for each weighing system keep a bound, paginated logbook (weighing logbook). It shall be completed immediately after the completion of weighing of an individual landing and at the latest by 23.59 local time of the day of completion of weighing. The weighing logbook shall indicate:

(a) the name and registration number of the vessel from which the fish has been landed;

(b) the identity number of the tankers in cases where fish has been transported from the port of landing before weighing in accordance with Article 7. Each tanker load shall be weighed and recorded separately. However, the total weight of all the tanker loads from the same vessel may be recorded as a whole in case these tanker loads are weighed consecutively and without interruption;

(c) the species of fish;

(d) the weight of each landing;

(e) the date and time of the beginning and end of the weighing.'.

Article 2

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

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

Done at Brussels, 9 July 2010.

For the Commission
The President
José Manuel BARROSO

COMMISSION REGULATION (EU) No 608/2010

of 9 July 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) [1],

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector [2], and in particular Article 138(1) thereof,

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 10 July 2010.

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

Done at Brussels, 9 July 2010.

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

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	MK	54,3
	ZZ	54,3
0707 00 05	MK	41,0
	TR	121,6
	ZZ	81,3
0709 90 70	TR	94,2
	ZZ	94,2
0805 50 10	AR	86,9
	TR	111,6
	UY	78,6
	ZA	77,9
	ZZ	88,8
0808 10 80	AR	95,7
	BR	63,7
	CA	119,1
	CL	86,9
	CN	65,8
	NZ	115,1
	US	113,7
	UY	116,3
	ZA	92,5
	ZZ	96,5
0808 20 50	AR	105,7
	CL	104,4
	CN	98,4
	NZ	144,8
	ZA	102,2
	ZZ	111,1
0809 10 00	TR	204,6
	ZZ	204,6
0809 20 95	TR	299,8
	US	509,9
	ZZ	404,9
0809 30	AR	137,1
	TR	162,6
	ZZ	149,9
0809 40 05	IL	131,9
	ZZ	131,9

(1) Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EU) No 609/2010

of 9 July 2010

amending Regulation (EU) No 576/2010 fixing the import duties in the cereals sector applicable from 1 July 2010

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) [1],

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 in respect of import duties in the cereals sector [2], and in particular Article 2(1) thereof,

Whereas:

(1) The import duties in the cereals sector applicable from 1 July 2010 were fixed by Commission Regulation (EU) No 576/2010 [3].

(2) As the average of the import duties calculated differs by more than EUR 5/tonne from that fixed, a corresponding adjustment must be made to the import duties fixed by Regulation (EU) No 576/2010.

(3) Regulation (EU) No 576/2010 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EU) No 576/2010 are hereby replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 10 July 2010.

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

Done at Brussels, 9 July 2010.

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

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[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 161, 29.6.1996, p. 125.
[3] OJ L 166, 1.7.2010, p. 11.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 10 July 2010

CN code	Description	Import duties [1] (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	29,07
1005 10 90	Maize seed other than hybrid	5,34
1005 90 00	Maize, other than seed [2]	5,34
1007 00 90	Grain sorghum other than hybrids for sowing	29,07

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

— 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or on the Black Sea,

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

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

ANNEX II

Factors for calculating the duties laid down in Annex I

30.6.2010-8.7.2010

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

(EUR/t)

	Common wheat (1)	Maize	Durum wheat, high quality	Durum wheat, medium quality (2)	Durum wheat, low quality (3)	Barley
Exchange	Minnéapolis	Chicago	—	—	—	—
Quotation	170,70	111,08	—	—	—	—
Fob price USA	—	—	139,88	129,88	109,88	74,05
Gulf of Mexico premium	—	14,26	—	—	—	—
Great Lakes premium	40,50	—	—	—	—	—

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

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

Freight costs: Gulf of Mexico–Rotterdam:	26,36 EUR/t
Freight costs: Great Lakes–Rotterdam:	53,91 EUR/t

DECISIONS

COUNCIL DECISION

of 29 June 2010

on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (budget lines)

(2010/383/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area [1], and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Protocol 31 to the EEA Agreement contains specific provisions on the cooperation between the European Union and the EEA EFTA States outside the four freedoms.

(2) It is appropriate to continue beyond 31 December 2009 the cooperation of the Contracting Parties to the Agreement in Union actions funded from the General Budget of the Union regarding the implementation, operation and development of the internal market. This concerns the following budget lines:

12 01 04 01 Implementation and development of the internal market — Expenditure on administrative management.

12 02 01 Implementation and development of the internal market.

02 03 01 Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation.

02 01 04 01 Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation — Expenditure on administrative management.

(3) Protocol 31 to the EEA Agreement should therefore be amended accordingly. It is appropriate to set out the position to be taken by the Union in the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Sole Article

The position to be adopted by the Union in the EEA Joint Committee on an envisaged amendment to Protocol 31 to the EEA Agreement on cooperation in specific fields outside the four freedoms is to approve the draft Decision of the EEA Joint Committee attached to this Decision.

Done at Luxembourg, 29 June 2010.

For the Council

The President

E. ESPINOSA

[1] OJ L 305, 30.11.1994, p. 6.

ANNEX

DRAFT

DECISION OF THE EEA JOINT COMMITTEE

No

of

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86 and 98 thereof,

Whereas:

(1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 93/2009 of 3 July 2009 [1].

(2) It is appropriate to continue the cooperation of the Contracting Parties to the Agreement in Union actions funded from the General Budget of the Union regarding the implementation, operation and development of the internal market.

(3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to continue beyond 31 December 2009,

HAS ADOPTED THIS DECISION:

Article 1

Article 7 of Protocol 31 to the Agreement is hereby amended as follows:

1. The words 'years 2004, 2005, 2006, 2007, 2008 and 2009' in paragraph 6 are replaced by the words 'years 2004, 2005, 2006, 2007, 2008, 2009 and 2010'.

2. The words 'years 2006, 2007, 2008 and 2009' in paragraph 7 are replaced by the words 'years 2006, 2007, 2008, 2009 and 2010'.

3. The words 'years 2008 and 2009' in paragraph 8 are replaced by the words 'years 2008, 2009 and 2010'.

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (*).

It shall apply from 1 January 2010.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee	*The Secretaries*
The President	*to the EEA Joint Committee*

[1] OJ L 277, 22.10.2009, p. 49.

(*) (No constitutional requirements indicated). (Constitutional requirements indicated).

COMMISSION DECISION

of 9 July 2010

on the Community-wide quantity of allowances to be issued under the EU Emission Trading Scheme for 2013

(notified under document C(2010) 4658)

(2010/384/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC [1], and in particular the second paragraph of Article 9 thereof,

Whereas:

(1) In accordance with Article 9 of Directive 2003/87/EC, the Commission is to base the absolute Community-wide quantity of allowances for 2013 on the total quantities of allowances issued or to be issued by the Member States in accordance with the Commission decisions on their national allocation plans for the period from 2008 to 2012.

(2) The Community Independent Transaction Log provides the relevant information on the quantities of allowances issued or to be issued in accordance with Article 9 of Directive 2003/87/EC. Supplementary information with respect to the quantities of allowances to be auctioned in the period from 2008 to 2012 is provided by the National Allocation Plan tables referred to in Article 44 of Commission Regulation (EC) No 2216/2004 of 21 December 2004 for a standardised and secured system of registries pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council [2].

(3) Allowances issued or to be issued to installations in the EU Emission Trading Scheme including new entrants and allowances according to the National Allocation Plan tables and allowances to be issued for auctioning, as indicated in the National Allocation Plan table should be considered to represent allowances in the sense of Article 9 of Directive 2003/87/EC.

(4) These allowances represent allowances in the sense of Article 9 of Directive 2003/87/EC, as they represent the quantity of allowances for initial issuance, as indicated in the relevant National Allocation Plan table of Member States for the period from 2008 to 2012 and in accordance with Article 45 of Commission Regulation (EC) No 2216/2004.

(5) For the purpose of this Decision, allowances reserved for new entrants that have not been allocated to a new entrant before 30 April 2010, should only be considered to represent allowances in the sense of Article 9 of Directive 2003/87/EC, if they will be allocated to new entrants or alternatively sold or auctioned before the end of the period from 2008 to 2012, as the corresponding amount of allowances will only be issued at the time of allocation.

(6) While additional information, in particular changes to National Allocation Plans including as a result of legal proceedings, may become available, it will remain possible for this information to be reflected in future adjustments to the Community-wide quantity of allowances for 2013.

(7) For these reasons, the Commission has taken into account the following quantities of allowances to determine the Community-wide quantity of allowances to be issued for 2013:

— allowances that have been or will be allocated to installations that are in the EU Emission Trading Scheme as from 2008,

— allowances that have been or will be auctioned or sold in the EU Emission Trading Scheme in the period from 2008 to 2012 and that are indicated in the relevant National Allocation Plan tables of Member States for that purpose,

— allowances that have been allocated to new entrants from the national reserve of Member States for new entrants from 1 January 2008 to 30 April 2010,

[1] OJ L 275, 25.10.2003, p. 32.
[2] OJ L 386, 29.12.2004, p. 1.

— allowances that have not been allocated to new entrants from the national reserve of Member States for new entrants, in the event that the Member State concerned has determined, by means of national legislation or, where there is no such national legislation yet, by appropriate statements in its National Allocation Plan that allowances from the reserve for new entrants that will not have been distributed to new entrants by the end of the period from 2008 to 2012 will be auctioned or sold.

(8) Allowances set aside in accordance with Commission Decision 2006/780/EC of 13 November 2006 on avoiding double counting of greenhouse gas emission reductions under the Community emissions trading scheme for project activities under the Kyoto Protocol pursuant to Directive 2003/87/EC of the European Parliament and of the Council [1] or other reasons, as indicated in the National Allocation Plan table decisions of some Member States, should only be added to the overall Community-wide quantity of allowances for 2013 and subsequent years if they are issued and allocated or if they are issued and auctioned or sold until 31 December 2012.

(9) Since Article 10 of Directive 2003/87/EC requires Member States to allocate at least 90 % of the allowances free of charge, allowances reserved for new entrants should only be taken into account for the determination of the Community-wide quantity of allowances for 2013 to the extent, that the overall quantity of those allowances plus the quantity of allowances to be auctioned or sold does not exceed 10 % of the total quantity of allowances indicated in the National Allocation Plan table of a Member State.

(10) The quantity of allowances to be allocated to aircraft operators pursuant to Directive 2003/87/EC is not included in the quantities laid down in this Decision as, pursuant to Article 3c of this Directive, a separate decision is required.

(11) The calculation of the absolute Community-wide quantity of allowances for 2013 is based on the information available to the Commission up until 30 April 2010.

(12) The average annual total quantity of allowances issued by Member States in accordance with the Commission Decisions on their national allocation plans for the period from 2008 to 2012, which is taken into account for the calculation of the Community-wide quantity of allowances pursuant to Article 9 of Directive 2003/87/EC, as amended by Directive 2009/29/EC of the European Parliament and of the Council [2], amounts to 2 032 998 912 allowances.

(13) The total quantity of allowances to be issued from 2013 onwards is to annually decrease by a linear factor of 1,74 %, amounting to 35 374 181 allowances,

HAS ADOPTED THIS DECISION:

Article 1

For 2013, the absolute Community-wide quantity of allowances referred to in Article 9 of Directive 2003/87/EC amounts to 1 926 876 368.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 July 2010.

For the Commission
Connie HEDEGAARD
Member of the Commission

[1] OJ L 316, 16.11.2006, p. 12.

[2] OJ L 140, 5.6.2009, p. 63.

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