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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) No 883/2010 of 7 October 2010 concerning the authorisation of a new use of *Saccharomyces cerevisiae* NCYC Sc 47 as a feed additive for calves for rearing (holder of the authorisation Société industrielle Lesaffre) ⁽¹⁾** 1
- ★ **Commission Regulation (EU) No 884/2010 of 7 October 2010 amending Regulation (EC) No 1464/2004 as regards the withdrawal time of the additive 'Monteban', belonging to the group of coccidiostats and other medicinal substances ⁽¹⁾** 4
- ★ **Commission Regulation (EU) No 885/2010 of 7 October 2010 concerning the authorisation of the preparation of narasin and nicarbazin as a feed additive for chickens for fattening (holder of authorisation Eli Lilly and Company Ltd) and amending Regulation (EC) No 2430/1999 ⁽¹⁾** 5
- ★ **Commission Regulation (EU) No 886/2010 of 7 October 2010 entering a name in the register of protected designations of origin and protected geographical indications [Prleška tunka (PGI)]** 9
- Commission Regulation (EU) No 887/2010 of 7 October 2010 establishing the standard import values for determining the entry price of certain fruit and vegetables 11

Price: EUR 3

(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.

Commission Regulation (EU) No 888/2010 of 7 October 2010 not fixing a minimum selling price in response to the eighth individual invitation to tender for the sale of butter within the tendering procedure opened by Regulation (EU) No 446/2010 13

Commission Regulation (EU) No 889/2010 of 7 October 2010 fixing the minimum selling price for skimmed milk powder for the eighth individual invitation to tender within the tendering procedure opened by Regulation (EU) No 447/2010 14

DECISIONS

★ **Council Decision 2010/603/CFSP of 7 October 2010 on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)** 15

2010/604/EU:

★ **Commission Decision of 6 October 2010 on the reallocation to Portugal of additional days at sea within ICES Divisions VIIIc and IXa excluding the Gulf of Cadiz** (*notified under document C(2010) 6735*) 17

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 883/2010

of 7 October 2010

concerning the authorisation of a new use of *Saccharomyces cerevisiae* NCYC Sc 47 as a feed additive for calves for rearing (holder of the authorisation Société industrielle Lesaffre)

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex to this Regulation. That application was accompanied by the particulars and documents required pursuant to Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of *Saccharomyces cerevisiae* NCYC Sc 47 as a feed additive for calves for rearing, to be classified in the additive category 'zootechnical additives'.
- (4) The use of that preparation was authorised for dairy cows by Commission Regulation (EC) No 1811/2005⁽²⁾, for cattle for fattening by Commission Regulation (EC) No 316/2003⁽³⁾, for weaned piglets by Commission Regulation (EC) No 2148/2004⁽⁴⁾, for sows by Commission Regulation (EC) No 1288/2004⁽⁵⁾, for

rabbits for fattening by Commission Regulation (EC) No 600/2005⁽⁶⁾, for horses by Commission Regulation (EC) No 186/2007⁽⁷⁾, for dairy goats and dairy sheep by Commission Regulation (EC) No 188/2007⁽⁸⁾, for lambs for fattening by Commission Regulation (EC) No 1447/2006⁽⁹⁾, for pigs for fattening by Commission Regulation (EC) No 209/2008⁽¹⁰⁾ and for dairy buffaloes by Commission Regulation (EC) No 232/2009⁽¹¹⁾.

- (5) New data were submitted in support of the application for the authorisation of the preparation for calves for rearing. The European Food Safety Authority (the Authority) concluded in its opinion of 7 April 2010⁽¹²⁾ that *Saccharomyces cerevisiae* NCYC Sc 47, under the proposed conditions of use, does not have an adverse effect on animal health, human health or the environment, and that its use improves the average daily weight gain of the target species. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (6) The assessment of *Saccharomyces cerevisiae* NCYC Sc 47 shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of this preparation should be authorised as specified in the Annex to this Regulation.
- (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,

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.⁽²⁾ OJ L 291, 5.11.2005, p. 12.⁽³⁾ OJ L 46, 20.2.2003, p. 15.⁽⁴⁾ OJ L 370, 17.12.2004, p. 24.⁽⁵⁾ OJ L 243, 15.7.2004, p. 10.⁽⁶⁾ OJ L 99, 19.4.2005, p. 5.⁽⁷⁾ OJ L 63, 1.3.2007, p. 6.⁽⁸⁾ OJ L 57, 24.2.2007, p. 3.⁽⁹⁾ OJ L 271, 30.9.2006, p. 28.⁽¹⁰⁾ OJ L 63, 7.3.2008, p. 3.⁽¹¹⁾ OJ L 74, 20.3.2009, p. 14.⁽¹²⁾ EFSA Journal (2010); 8(4):1576.

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

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, 7 October 2010.

For the Commission
The President

José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: gut flora stabilisers									
4b1702	Société Industrielle Lesaffre	<i>Saccharomyces cerevisiae</i> NCYC Sc 47	<p><i>Additive composition</i></p> <p>Preparation of <i>Saccharomyces cerevisiae</i> NCYC Sc 47 containing a minimum of 5×10^9 CFU/g</p> <p><i>Characterisation of active substance</i></p> <p><i>Saccharomyces cerevisiae</i> NCYC Sc 47</p> <p><i>Analytical methods</i> ⁽¹⁾</p> <p>Pour plate method using a chloramphenicol yeast extract agar based on the ISO 7954 method.</p> <p>Polymerase chain reaction (PCR)</p>	Calves for rearing	—	$1,5 \times 10^9$	—	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.	28.10.2020

⁽¹⁾ Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/crl-feed-additives

COMMISSION REGULATION (EU) No 884/2010

of 7 October 2010

amending Regulation (EC) No 1464/2004 as regards the withdrawal time of the additive 'Monteban', belonging to the group of coccidiostats and other medicinal substances

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) Regulation (EC) No 1831/2003 provides for the possibility to modify the authorisation of a feed additive further to a request from the holder of the authorisation and an opinion of the European Food Safety Authority ('the Authority').
- (3) The use of narasin (Monteban) was authorised for 10 years for chickens for fattening by Commission Regulation (EC) No 1464/2004 of 17 August 2004 concerning the authorisation for 10 years of the additive 'Monteban' in feedingstuffs, belonging to the group of coccidiostats and other medicinal substances⁽²⁾.
- (4) The holder of the authorisation submitted an application for a modification of the authorisation of this additive to

reduce the withdrawal time before slaughtering from one day to zero days. The holder of the authorisation submitted the relevant data to support its request.

- (5) The Authority concluded in its opinion of 10 March 2010 that the use of Monteban in chickens for fattening at the maximum dose proposed, and without applying a withdrawal period, is safe for the consumer and that, therefore, the request for reducing the withdrawal time from one day to zero days can be accepted⁽³⁾.
- (6) The conditions provided for in Article 5 of Regulation (EC) No 1831/2003 are satisfied.
- (7) Regulation (EC) No 1464/2004 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

In the ninth column, 'Other provisions', of the table in the Annex to Regulation (EC) No 1464/2004, the sentence 'Use prohibited at least one day before slaughter.' is deleted.

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

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

Done at Brussels, 7 October 2010.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.⁽²⁾ OJ L 270, 18.8.2004, p. 8.⁽³⁾ EFSA Journal 2010; 8(3):1549.

COMMISSION REGULATION (EU) No 885/2010

of 7 October 2010

concerning the authorisation of the preparation of narasin and nicarbazin as a feed additive for chickens for fattening (holder of authorisation Eli Lilly and Company Ltd) and amending Regulation (EC) No 2430/1999

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC⁽²⁾.
- (2) The preparation of narasin, CAS number 55134-13-9, and nicarbazin, CAS number 330-95-0, was authorised for ten years in accordance with Directive 70/524/EEC as a feed additive for use on chickens for fattening by Commission Regulation (EC) No 2430/1999⁽³⁾. That additive was subsequently entered in the Community Register of feed additives as an existing product, in accordance with Article 10(1) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 of that Regulation, an application was submitted for the re-evaluation of that additive, requesting that additive to be classified in the additive category 'coccidiostats and histomonostats'. That application was accompanied by the particulars and documents required pursuant to Article 7(3) of Regulation (EC) No 1831/2003.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 7 April 2010 that, under the proposed conditions of use, the preparation of narasin and of nicarbazin do not have an adverse effect on animal health, consumer health or the environment and that these additives are effective in controlling coccidiosis in chickens for fattening⁽⁴⁾. It considers that there is a need for specific requirements of post-market monitoring to control the possible development of bacterial and/or *Eimeria* spp resistances. Since p-nitroaniline, an

impurity associated with nicarbazin, leads to possible residues of this substance, the Authority recommends that the content of that impurity be limited at the lowest achievable level. The Authority also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.

- (5) The assessment of the preparation of narasin and nicarbazin shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation. In view of the opinion of the Authority, it is, however, necessary to limit the content of the impurity p-nitroaniline. To give producers and users time to adapt, it is appropriate for this limitation to start to apply three years after this Regulation becomes applicable.
- (6) As a consequence of the granting of a new authorisation under Regulation (EC) No 1831/2003, the provisions on that preparation in Regulation (EC) No 2430/1999 should be deleted.
- (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,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'coccidiostats and histomonostats', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

In Annex I to Regulation (EC) No 2430/1999, the entry under the registration number of additive E 772, concerning Narasin 80 g/kg — Nicarbazin 80 g/kg (Maxiban G160), is deleted.

Premixture and compound feed containing the feed additive labelled in accordance with Regulation (EC) No 2430/1999 may continue to be placed on the market and remain on the market and used until stocks are exhausted.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 270, 14.12.1970, p. 1.

⁽³⁾ OJ L 296, 17.11.1999, p. 3.

⁽⁴⁾ EFSA Journal 2010; 8(4):1574.

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, 7 October 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation	Maximum Residue Limits (MRLs) in the relevant foodstuffs of animal origin
						mg of active substance/kg of complete feedingstuff with a moisture content of 12 %				
<i>Coccidiostats and histomonostats</i>										
5 1 772	Eli Lilly and Company Ltd	Narasin 80 g activity/kg Nicarbazin 80 g/kg (Maxiban G160)	<p><i>Additive composition</i></p> <p>Narasin: 80 g activity/kg</p> <p>Nicarbazin: 80 g/kg</p> <p>(Ratio 1:1)</p> <p>Vegetal or mineral oil: 10-30 g/kg</p> <p>Vermiculite: 0-20 g/kg</p> <p>Micro tracer red: 11 g/kg</p> <p>Corn cob grits or rice hulls qs 1 kg</p> <p><i>Active substance</i></p> <p>1. Narasin, C₄₃H₇₂O₁₁</p> <p>CAS number: 55134-13-9</p> <p>polyether monocarboxylic acid produced by <i>Streptomyces aureofaciens</i> (NRRL 8092), in granular form</p> <p>Narasin A activity: ≥ 85 %</p> <p>2. Nicarbazin, C₁₉H₁₈N₆O₆.</p> <p>CAS number: 330-95-0</p> <p>equimolecular complex of 1,3-bis(4-nitrophenyl) urea and 4,6 dimethylpyrimidin-2-ol, in granular form</p> <p>Related impurities: p-nitroaniline: ≤ 0,3 %</p>	Chickens for fattening	—	40 mg Narasin 40 mg Nicarbazin	50 mg Narasin 50 mg Nicarbazin	<p>1. Indicate in the instructions for use: 'Dangerous for equine species, turkeys and rabbits'</p> <p>'This feedingstuff contains an ionophore: simultaneous use with certain medicinal substances can be contraindicated'.</p> <p>2. The additive shall be incorporated in compound feed in form of a premixture.</p> <p>3. The preparation of narasin and nicarbazin shall not be mixed with other coccidiostats.</p> <p>4. A post-market monitoring program on the resistance to bacteria and <i>Eimeria</i> spp. shall be planned and executed by the holder of authorisation.</p> <p>5. From 28 October 2013 the p-nitroaniline content shall be ≤ 0,1 %.</p> <p>6. For safety: breathing protection shall be used during handling.</p>	28 October 2020	<p>50 µg of narasin/kg for fresh liver, muscle, kidney and skin/fat.</p> <p>15 000 µg of dinitrocarbanilide (DNC)/kg of fresh liver;</p> <p>6 000 µg of DNC/kg of fresh kidney;</p> <p>4 000 µg of DNC/kg for fresh muscle and fresh skin/fat.</p>

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation	Maximum Residue Limits (MRLs) in the relevant foodstuffs of animal origin
						mg of active substance/kg of complete feedingstuff with a moisture content of 12 %				
			<p><i>Analytical methods</i> ⁽¹⁾</p> <p>For the determination of narasin: reversed-phase high performance liquid chromatography (HPLC) using post-column derivatisation with vanillin and detection at 520 nm - ISO 14183:2005.</p> <p>For determination of nicarbazin: high performance liquid chromatography method and ultraviolet detection (HPLC-UV) spectrometry (LC-MS/MS)</p>							

⁽¹⁾ Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/crl-feed-additives

COMMISSION REGULATION (EU) No 886/2010**of 7 October 2010****entering a name in the register of protected designations of origin and protected geographical indications [Prleška tünka (PGI)]**

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⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

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

(2) As no statement of objection pursuant to Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

*Article 2*This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 7 October 2010.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 34, 11.2.2010, p. 8.

ANNEX

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

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

SLOVENIA

Prleška tiinka (PGI)

COMMISSION REGULATION (EU) No 887/2010**of 7 October 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 8 October 2010.

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

Done at Brussels, 7 October 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	MA	84,6
	MK	45,6
	TR	77,0
	XS	50,2
	ZZ	64,4
0707 00 05	MK	41,0
	TR	135,2
	ZZ	88,1
0709 90 70	TR	126,1
	ZZ	126,1
0805 50 10	AR	105,2
	BR	100,4
	CL	53,2
	IL	102,3
	MA	148,6
	TR	111,6
	UY	117,2
	ZA	92,4
	ZZ	103,9
0806 10 10	BR	201,9
	TR	122,9
	ZA	63,4
	ZZ	129,4
0808 10 80	AR	75,7
	AU	203,7
	BR	52,7
	CL	80,8
	CN	82,6
	NZ	107,7
	US	84,3
	ZA	78,2
	ZZ	95,7
0808 20 50	CN	92,9
	ZA	69,2
	ZZ	81,1

⁽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 888/2010**of 7 October 2010****not fixing a minimum selling price in response to the eighth individual invitation to tender for the sale of butter within the tendering procedure opened by Regulation (EU) No 446/2010**

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⁾, and in particular Article 43(j), in conjunction with Article 4 thereof,

Whereas:

- (1) Commission Regulation (EU) No 446/2010 ⁽²⁾ has opened the sales of butter by a tendering procedure, in accordance with the conditions provided for in Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention ⁽³⁾.
- (2) In the light of the tenders received in response to individual invitations to tender, the Commission should fix a

minimum selling price or should decide not to fix a minimum selling price, in accordance with Article 46(1) of Regulation (EU) No 1272/2009.

- (3) In the light of the tenders received for the eighth individual invitation to tender, no minimum selling price should be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the eighth individual invitation to tender for selling of butter within the tendering procedure opened by Regulation (EU) No 446/2010, in respect of which the time limit for the submission of tenders expired on 5 October 2010, no minimum selling price for butter shall be fixed.

Article 2

This Regulation shall enter into force on 8 October 2010.

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

Done at Brussels, 7 October 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 126, 22.5.2010, p. 17.

⁽³⁾ OJ L 349, 29.12.2009, p. 1.

COMMISSION REGULATION (EU) No 889/2010**of 7 October 2010****fixing the minimum selling price for skimmed milk powder for the eighth individual invitation to tender within the tendering procedure opened by Regulation (EU) No 447/2010**

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⁾, and in particular Article 43(j), in conjunction with Article 4 thereof,

Whereas:

- (1) Commission Regulation (EU) No 447/2010 ⁽²⁾ has opened the sales of skimmed milk powder by a tendering procedure, in accordance with the conditions provided for in Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention ⁽³⁾.
- (2) In the light of the tenders received in response to individual invitations to tender, the Commission should fix a minimum selling price or should decide not to fix a

minimum selling price, in accordance with Article 46(1) of Regulation (EU) No 1272/2009.

- (3) In the light of the tenders received for the eighth individual invitation to tender, a minimum selling price should be fixed.
- (4) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

For the eighth individual invitation to tender for selling of skimmed milk powder within the tendering procedure opened by Regulation (EU) No 447/2010, in respect of which the time limit for the submission of tenders expired on 5 October 2010, the minimum selling price for skimmed milk powder shall be EUR 211,60/100 kg.

Article 2

This Regulation shall enter into force on 8 October 2010.

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

Done at Brussels, 7 October 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 126, 22.5.2010, p. 19.

⁽³⁾ OJ L 349, 29.12.2009, p. 1.

DECISIONS

COUNCIL DECISION 2010/603/CFSP

of 7 October 2010

on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 11 October 2004, the Council adopted Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) ⁽¹⁾, with the aim of freezing all funds and economic resources belonging to all persons who have been indicted by the ICTY for war crimes but who are not in the custody of the ICTY. That Common Position was extended by Common Position 2009/717/CFSP ⁽²⁾ until 10 October 2010.
- (2) The restrictive measures should be extended for a further year until 10 October 2011.
- (3) The Union implementing measures are set out in Regulation (EC) No 1763/2004 of 11 October 2004 imposing certain restrictive measures in support of effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) ⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

1. All funds and economic resources belonging to the natural persons listed in the Annex, who have been indicted by the ICTY, shall be frozen.
2. No funds or economic resources shall be made available directly or indirectly to or for the benefit of the natural persons listed in the Annex.
3. Exemptions may be made for funds or economic resources which are:

- (a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources;
- (d) necessary for extraordinary expenses.

4. Paragraph 2 shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts; or
- (b) payments due under contracts, agreements or obligations that were concluded or arose before the date on which those accounts became subject to restrictive measures,

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

Article 2

1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall adopt amendments to the list contained in the Annex as required.
2. The Council shall communicate its decision, including the grounds for listing, to the person concerned, either directly, if the address is known, or through the publication of a notice, providing such person with an opportunity to present observations.
3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the person concerned accordingly.

⁽¹⁾ OJ L 315, 14.10.2004, p. 52.

⁽²⁾ OJ L 253, 25.9.2009, p. 17.

⁽³⁾ OJ L 315, 14.10.2004, p. 14.

Article 3

In order to maximise the impact of the abovementioned measures, the Union shall encourage third States to adopt restrictive measures similar to those contained in this Decision.

Article 4

Council Common Position 2004/694/CFSP is hereby repealed. References to it shall be read as references to this Decision.

Article 5

1. This Decision shall enter into force on the date of its adoption.

2. This Decision shall apply until 10 October 2011. It shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.

Done at Luxembourg, 7 October 2010.

For the Council

The President

M. WATHELET

 ANNEX

LIST OF PERSONS REFERRED TO IN ARTICLE 1

	Individual	Reason
1.	Name: HADZIC Goran (male) Date of birth: 7.9.1958 Place of birth: Vinkovci, Croatia National of Serbia	Indicted by the ICTY and still at large Indictment: 4 June 2004 Case No: IT 04 75
2.	Name: MLADIC Ratko (male) Date of birth: 12.3.1948 Place of birth: Bozanovici, Kalinovik municipality, Bosnia and Herzegovina National of Bosnia and Herzegovina	Indicted by the ICTY and still at large Initial indictment: 25 July 1995; second indictment: 16 November 1995; amended indictment: 8 November 2002 Case No: IT-95-5/18

COMMISSION DECISION

of 6 October 2010

on the reallocation to Portugal of additional days at sea within ICES Divisions VIIIc and IXa excluding the Gulf of Cadiz

(notified under document C(2010) 6735)

(Only the Portuguese text is authentic)

(2010/604/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required and amending Regulations (EC) No 1359/2008, (EC) No 754/2009, (EC) No 1226/2009 and (EC) No 1287/2009 ⁽¹⁾, and in particular point 7.5 of Annex IIB thereto,

Whereas:

- (1) Point 5.1 of Annex IIB to Regulation (EU) No 53/2010 specifies the maximum number of days on which EU vessels of an overall length equal to or greater than 10 meters carrying on board trawls, Danish seines and similar gears of mesh size equal to or larger than 32 mm and gill-nets of mesh size equal to or larger than 60 mm and bottom long-lines may be present within ICES Divisions VIIIc and IXa, excluding the Gulf of Cadiz, from 1 February 2010 to 31 January 2011.
- (2) Point 7.5 of Annex IIB enables the Commission to take a decision that reassesses additional number of days resulting from a permanent cessation of fishing activity previously allocated by the Commission.
- (3) The reassessment of additional fishing days previously allocated by the Commission should take account of the calculation method provided for in the second paragraph of point 7.1 of Annex IIB and be computed on the basis of the current gear groupings and limitations on days at sea.
- (4) On 8 and 23 February, 25 March and 22 April 2010 Portugal submitted data and requested the Commission to reassess the number of days previously allocated by the Commission.

- (5) Having regard to Commission Decision 2007/474/EC of 4 July 2007 on the allocation to Portugal of additional days at sea within ICES Divisions VIIIc and IXa excluding the Gulf of Cadiz ⁽²⁾, and on the basis of the current gear groupings and limitations on days at sea, fourteen additional days at sea for vessels carrying on board the fishing gears specified in point 2 a) of Annex IIB to Regulation (EU) No 53/2010 should be allocated to Portugal for the period from 1 February 2010 to 31 January 2011.
- (6) Having regard to Commission Decision 2010/415/EU of 26 July 2010 on the allocation to Portugal of additional days at sea within ICES Divisions VIIIc and IXa excluding the Gulf of Cadiz ⁽³⁾, and on the basis of the current gear groupings and limitations on days at sea, nineteen additional days at sea for vessels carrying on board the fishing gears specified in point 2 a) of Annex IIB to Regulation (EU) No 53/2010 should be allocated to Portugal for the period from 1 February 2010 to 31 January 2011,

HAS ADOPTED THIS DECISION:

Article 1

The maximum number of days on which a fishing vessel flying the flag of Portugal and carrying on board the fishing gear grouping mentioned in point 2 a) of Annex IIB to Regulation (EU) No 53/2010 and not subject to any of the special conditions listed in point 5.2 of that Annex may be present within ICES Divisions VIIIc and IXa excluding the Gulf of Cadiz, as laid down in Table I of that Annex, shall be amended to 191 days per year.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 6 October 2010.

For the Commission

Maria DAMANAKI

Member of the Commission

⁽¹⁾ OJ L 21, 26.1.2010, p. 1.

⁽²⁾ OJ L 179, 7.7.2007, p. 53.

⁽³⁾ OJ L 195, 27.7.2010, p. 76.

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