

Official Journal

of the European Union

L 47



English edition

Legislation

Volume 54

22 February 2011

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) No 157/2011 of 21 February 2011 amending Regulation (EC) No 884/2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005, as regards the financing of intervention expenditure incurred in the context of public storage operations** 1
- ★ **Commission Regulation (EU) No 158/2011 of 21 February 2011 entering a name in the register of traditional specialities guaranteed ('Špekáčky'/'Špekačky' (TSG))** 3
- ★ **Commission Regulation (EU) No 159/2011 of 21 February 2011 entering a name in the register of traditional specialities guaranteed (Spišské páčky (TSG))** 5
- ★ **Commission Regulation (EU) No 160/2011 of 21 February 2011 entering a name in the register of traditional specialities guaranteed ('Lovecký salám'/'Lovecká saláma' (TSG))** 7
- ★ **Commission Regulation (EU) No 161/2011 of 21 February 2011 entering a name in the register of traditional specialities guaranteed ('Liptovská saláma' or 'Liptovský salám' (TSG))** 9
- ★ **Commission Regulation (EU) No 162/2011 of 21 February 2011 determining the intervention centres for rice** 11

Price: EUR 3

(Continued overleaf)

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 163/2011 of 21 February 2011 establishing the standard import values for determining the entry price of certain fruit and vegetables 14

Commission Regulation (EU) No 164/2011 of 21 February 2011 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year 16

DECISIONS

★ **Council Decision 2011/119/CFSP of 21 February 2011 extending the mandate of the European Union Special Representative in Kosovo** 18

2011/120/EU:

★ **Commission Decision of 21 February 2011 concerning the non-inclusion of methyl bromide in Annex I to Council Directive 91/414/EEC (notified under document C(2011) 950) ⁽¹⁾** 19



⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 157/2011

of 21 February 2011

amending Regulation (EC) No 884/2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005, as regards the financing of intervention expenditure incurred in the context of public storage operations

THE EUROPEAN COMMISSION,

procedure laid down in Article 195(2) of 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) ⁽³⁾.

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

(3) Regulation (EC) No 884/2006 should therefore be amended accordingly.

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 42 thereof,

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the Agricultural Funds,

Whereas:

HAS ADOPTED THIS REGULATION:

(1) Article 4(1)(b) of Commission Regulation (EC) No 884/2006 ⁽²⁾ provides that expenditure on physical operations relating to buying-in, sale or other forms of transfer of products is financed by the European Agricultural Guarantee Fund (EAGF) based on uniform standard amounts. Moreover, Article 4(1)(c) of that Regulation provides that expenditure on physical operations not necessarily connected with buying-in, sale or other forms of transfer of products is financed by the EAGF based on standard amounts or non-standard amounts.

Article 1

In Article 4(1) of Regulation (EC) No 884/2006, the following point (ca) is inserted after point (c):

(2) For reasons of clarity, it is appropriate to specify in Article 4(1) of Regulation (EC) No 884/2006 that the expenditure financed by the EAGF may include costs resulting from transport inside or outside the territory of the Member State or from export under certain conditions. The financing of such expenditure should be subject to an approval in accordance with the

'(ca) Expenditure resulting from transport inside or outside the territory of the Member State or from export, on the basis of standard amounts or non-standard amounts, to be approved in accordance with the procedure laid down in Article 195(2) of Regulation (EC) No 1234/2007.'

Article 2

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

⁽¹⁾ OJ L 209, 11.8.2005, p. 1.

⁽²⁾ OJ L 171, 23.6.2006, p. 35.

⁽³⁾ OJ L 299, 16.11.2007, p. 1.

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

Done at Brussels, 21 February 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 158/2011**of 21 February 2011****entering a name in the register of traditional specialities guaranteed ('Špekáčky'/'Špekačky' (TSG))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed ⁽¹⁾, and in particular the first subparagraph of Article 9(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006, the Czech Republic and Slovakia's joint application to register the name 'Špekáčky'/'Špekačky' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no objection under Article 9 of Regulation (EC) No 509/2006 has been received by the Commission, that name should therefore be entered in the register.

- (3) Protection as referred to in Article 13(2) of Regulation (EC) No 509/2006 has not been requested,

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, 21 February 2011.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 1.

⁽²⁾ OJ C 94, 14.4.2010, p. 18.

ANNEX

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

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

CZECH REPUBLIC

Špekáčky (TSG)

SLOVAKIA

Špekáčky (TSG)

COMMISSION REGULATION (EU) No 159/2011**of 21 February 2011****entering a name in the register of traditional specialities guaranteed (Spišské pářky (TSG))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed ⁽¹⁾, and in particular the first subparagraph of Article 9(4) thereof,

Whereas:

(1) In accordance with the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006, and pursuant to Article 19(3) of the same Regulation, the Czech Republic and Slovakia's application to register the name 'Spišské pářky' was published in the *Official Journal of the European Union* ⁽²⁾.

(2) As no objection pursuant to Article 9 of Regulation (EC) No 509/2006 has been received by the Commission, that name should therefore be entered in the register.

(3) The application also requested protection pursuant to Article 13(2) of Regulation (EC) No 509/2006. That protection should be granted to the name 'Spišské pářky' in so far as, in the absence of objections, it could not be demonstrated that the name is used in a lawful, renowned and economically significant manner for similar agricultural products or foodstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Protection as referred to in Article 13(2) of Regulation (EC) No 509/2006 shall apply.

*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, 21 February 2011.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 1.

⁽²⁾ OJ C 95, 15.4.2010, p. 34.

ANNEX

Products listed in Annex I to the Treaty, intended for human consumption:

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

CZECH REPUBLIC AND SLOVAKIA

Spišské párky (TSG)

The use of the name is reserved.

COMMISSION REGULATION (EU) No 160/2011**of 21 February 2011****entering a name in the register of traditional specialities guaranteed ('Lovecký salám'/'Lovecká saláma' (TSG))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed ⁽¹⁾, and in particular the first subparagraph of Article 9(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006, the Czech Republic and Slovakia's joint application to register the name 'Lovecký salám'/'Lovecká saláma' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no objection under Article 9 of Regulation (EC) No 509/2006 has been received by the Commission, that name should therefore be entered in the register.

- (3) Protection as referred to in Article 13(2) of Regulation (EC) No 509/2006 has not been requested,

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, 21 February 2011.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 1.

⁽²⁾ OJ C 96, 16.4.2010, p. 18.

ANNEX

Products listed in Annex I to the Treaty, intended for human consumption:

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

CZECH REPUBLIC

Lovecký salám (TSG)

SLOVAKIA

Lovecká saláma (TSG)

COMMISSION REGULATION (EU) No 161/2011**of 21 February 2011****entering a name in the register of traditional specialities guaranteed ('Liptovská saláma' or 'Liptovský salám' (TSG))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed ⁽¹⁾, and in particular the first subparagraph of Article 9(4) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006, the Czech Republic and Slovakia's joint application to register the name 'Liptovská saláma'/'Liptovský salám' was published in the *Official Journal of the European Union* ⁽²⁾.

(2) As no objection under Article 9 of Regulation (EC) No 509/2006 has been received by the Commission, that name should therefore be entered in the register.

(3) The application also requested protection under Article 13(2) of Regulation (EC) No 509/2006. That protection should be granted to the name 'Liptovská saláma'/'Liptovský salám' in so far as, in the absence of objections, it could not be demonstrated that the name is used in a lawful, renowned and economically significant manner for similar agricultural products or foodstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Protection as referred to in Article 13(2) of Regulation (EC) No 509/2006 shall apply.

*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, 21 February 2011.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 1.

⁽²⁾ OJ C 103, 22.4.2010, p. 14.

ANNEX

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

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

CZECH REPUBLIC

Liptovský salám (TSG)

SLOVAKIA

Liptovská saláma (TSG)

The use of the name is reserved.

COMMISSION REGULATION (EU) No 162/2011
of 21 February 2011
determining the intervention centres for rice

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 41 in conjunction with Article 4 thereof,

Whereas:

- (1) Annex B to Commission Regulation (EC) No 1173/2009 ⁽²⁾ lists the intervention centres for rice referred to in Article 2 of Commission Regulation (EC) No 670/2009 ⁽³⁾. Annex A to that Regulation, which lists the intervention centres for durum wheat, was repealed by Commission Regulation (EU) No 1125/2010 of 3 December 2010 determining the intervention centres for cereals and amending Regulation (EC) No 1173/2009 ⁽⁴⁾.
- (2) 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 ⁽⁵⁾ sets out the conditions to be complied with, from the 2010/2011 marketing year onwards, for the designation and approval of intervention centres for rice and their storage premises.
- (3) With effect from 1 September 2010, Regulation (EU) No 1272/2009 repeals Regulation (EC) No 670/2009 with regard to rice.
- (4) With effect from 1 September 2010, the intervention centres for rice designated pursuant to Article 41 of Regulation (EC) No 1234/2007 must comply with the conditions laid down in Articles 2 and 3 of Regulation (EU) No 1272/2009. Regulation (EC) No 1173/2009 should therefore be repealed.
- (5) In accordance with Article 55(1) of Regulation (EU) No 1272/2009, the Member States have sent the Commission a list of intervention centres for rice for actual designation and a list of the storage premises attached to those centres which they have approved as fulfilling the minimum standards required by EU legislation. In cases where rice production levels are low, or where estimates do not indicate any rice sectors generating surpluses and intervention has not been used for a significant period, some Member States have not reported any intervention centres for rice.
- (6) In order to ensure that the public intervention scheme works efficiently, the Commission should designate intervention centres on the basis of their geographical location and publish a list of the storage premises attached thereto, together with all the information required by the operators involved in public intervention.
- (7) 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

The intervention centres for rice referred to in Article 2 of Regulation (EU) No 1272/2009 are designated in the Annex hereto.

The addresses of the storage premises linked to each intervention centre and the detailed information relating to these premises and intervention centres are published on the Internet ⁽⁶⁾.

Article 2

Regulation (EC) No 1173/2009 is hereby repealed.

Article 3

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 314, 1.12.2009, p. 48.

⁽³⁾ OJ L 194, 25.7.2009, p. 22.

⁽⁴⁾ OJ L 318, 4.12.2010, p. 10.

⁽⁵⁾ OJ L 349, 29.12.2009, p. 1.

⁽⁶⁾ The addresses of the storage premises of the intervention centres are available on the European Commission website CIRCA (http://circa.europa.eu/Public/irc/agri/cereals/library?l=/publicdomain/cereals/intervention_agencies&vm=detailed&sb=Title).

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

Done at Brussels, 21 February 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

Intervention centres for rice

BULGARIA

Пловдив

SPAIN

Cadiz

Cordoba

Sevilla

Zaragoza

Albacete

Ciudad real

Cuenca

Lérida

Badajoz

Caceres

Navarra

FRANCE

Bouches-du-Rhone

Gard

GREECE

Θεσσαλονίκη

Γιαννιτσά

Βόλος

Λαμία

HUNGARY

Jász-Nagykun-Szolnok

Békés

Szabolcs-Szatmár-Bereg

ITALY

Piemonte

PORTUGAL

Silo de Évora

Silo de Cuba

ROMANIA

Ianca

Braila

Faurei

Baraganul

Palas

Cogealac

Movila

Fetesti

Tandarei

Bucu

Alexandria

Corabia

Carpinis

COMMISSION REGULATION (EU) No 163/2011
of 21 February 2011
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 22 February 2011.

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

Done at Brussels, 21 February 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
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	IL	120,5
	MA	78,2
	TN	102,0
	TR	109,9
	ZZ	102,7
0707 00 05	JO	204,2
	MK	140,7
	TR	177,0
	ZZ	174,0
0709 90 70	MA	46,5
	TR	117,7
	ZZ	82,1
0805 10 20	EG	58,1
	IL	56,5
	MA	56,3
	TN	45,0
	TR	70,2
	ZZ	57,2
0805 20 10	IL	163,3
	MA	88,8
	TR	79,6
	US	107,8
	ZZ	109,9
	0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN
IL		108,3
JM		73,5
MA		113,6
TR		64,8
ZZ		86,1
0805 50 10	EG	62,1
	MA	49,3
	TR	51,5
	ZZ	54,3
0808 10 80	CA	91,7
	CM	53,6
	CN	107,2
	MK	55,8
	US	131,3
	ZZ	87,9
0808 20 50	AR	120,7
	CL	140,0
	CN	60,2
	US	122,3
	ZA	107,9
	ZZ	110,2

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

COMMISSION REGULATION (EU) No 164/2011**of 21 February 2011****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 154/2011 ⁽⁴⁾.

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EU) No 867/2010 for the 2010/11, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 February 2011.

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

Done at Brussels, 21 February 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 259, 1.10.2010, p. 3.

⁽⁴⁾ OJ L 46, 19.2.2011, p. 25.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 22 February 2011

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	56,59	0,00
1701 11 90 ⁽¹⁾	56,59	0,00
1701 12 10 ⁽¹⁾	56,59	0,00
1701 12 90 ⁽¹⁾	56,59	0,00
1701 91 00 ⁽²⁾	53,60	1,39
1701 99 10 ⁽²⁾	53,60	0,00
1701 99 90 ⁽²⁾	53,60	0,00
1702 90 95 ⁽³⁾	0,54	0,20

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

DECISIONS

COUNCIL DECISION 2011/119/CFSP

of 21 February 2011

extending the mandate of the European Union Special Representative in Kosovo ⁽¹⁾

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular Articles 28, 31(2) and 33 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 4 February 2008, the Council adopted Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO ⁽²⁾ and Joint Action 2008/123/CFSP ⁽³⁾ appointing Mr Pieter FEITH European Union Special Representative (EUSR) in Kosovo.
- (2) On 11 August 2010, the Council adopted Decision 2010/446/CFSP ⁽⁴⁾ extending the mandate of the EUSR until 28 February 2011.
- (3) The mandate of the EUSR should be extended until 30 April 2011.
- (4) The EUSR will implement his mandate in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/446/CFSP is hereby amended as follows:

- (1) Article 1 is replaced by the following:

'Article 1

European Union Special Representative

The mandate of Mr Pieter FEITH as the EUSR in Kosovo is hereby extended until 30 April 2011.'

- (2) Article 5(1) is replaced by the following:

'1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR in the period from 1 September 2010 to 30 April 2011 shall be EUR 1 230 000.'

- (3) Article 6 is replaced by the following:

'Article 6

Constitution and composition of the team

1. A dedicated staff shall be assigned to assist the EUSR to implement his mandate and to contribute to the coherence, visibility and effectiveness of Union action in Kosovo overall. Within the limits of his mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting his team. The team shall include the expertise on specific policy issues as required by the mandate. The EUSR shall keep the Council and the Commission promptly informed of the composition of his team.

2. Member States, institutions of the Union and the European External Action Service (EEAS) may propose the secondment of staff to work with the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the Union institutions or the EEAS may also be posted to the EUSR. International contracted staff shall have the nationality of a Member State.

3. All seconded personnel shall remain under the administrative authority of the sending Member State, the Union institution or the EEAS and shall carry out their duties and act in the interest of the mandate of the EUSR.'

Article 2

Entry into force

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

Done at Brussels, 21 February 2011.

For the Council

The President

C. ASHTON

⁽¹⁾ Under United Nations Security Council Resolution 1244 (1999).

⁽²⁾ OJ L 42, 16.2.2008, p. 92.

⁽³⁾ OJ L 42, 16.2.2008, p. 88.

⁽⁴⁾ OJ L 211, 12.8.2010, p. 36.

COMMISSION DECISION

of 21 February 2011

concerning the non-inclusion of methyl bromide in Annex I to Council Directive 91/414/EEC

(notified under document C(2011) 950)

(Text with EEA relevance)

(2011/120/EU)

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Commission Regulations (EC) No 451/2000 ⁽²⁾ and (EC) No 1490/2002 ⁽³⁾ lay down the detailed rules for the implementation of the second and third stages of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list included methyl bromide.
- (2) In accordance with Article 11f of Regulation (EC) No 1490/2002 and Article 12(1)(a) and Article 12(2)(b) of that Regulation Commission Decision 2008/753/EC of 18 September 2008 concerning the non-inclusion of methyl bromide in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance ⁽⁴⁾ was adopted.
- (3) In agreement with the original notifier, another person (hereinafter 'the applicant') submitted a new application pursuant to Article 6(2) of Directive 91/414/EEC requesting the accelerated procedure to be applied, as provided for in Articles 14 to 19 of Commission Regulation (EC) No 33/2008 of 17 January 2008 laying down detailed rules for the application of Council Directive 91/414/EEC as regards a regular and an accelerated procedure for the assessment of active substances

which were part of the programme of work referred to in Article 8(2) of that Directive but have not been included into its Annex I ⁽⁵⁾.

- (4) The application was submitted to the United Kingdom, which had been designated rapporteur Member State by Regulation (EC) No 1490/2002. The time period for the accelerated procedure was respected. The specification of the active substance and the supported uses are the same as were the subject of Decision 2008/753/EC. That application also complies with the remaining substantive and procedural requirements of Article 15 of Regulation (EC) No 33/2008.
- (5) The United Kingdom evaluated the additional data submitted by the applicant and prepared an additional report. It communicated that report to the European Food Safety Authority (hereinafter 'the Authority') and to the Commission on 26 November 2009. The Authority communicated the additional report to the other Member States and the applicant for comments and forwarded the comments it had received to the Commission. In accordance with Article 20(1) of Regulation (EC) No 33/2008 and at the request of the Commission, the Authority presented its conclusion on methyl bromide to the Commission on 3 November 2010 ⁽⁶⁾. The draft assessment report, the additional report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and the Animal Health and finalised on 28 January 2011 in the format of the Commission review report for methyl bromide.
- (6) The additional report by the rapporteur Member State and the conclusion by the Authority concentrate on the concerns that lead to the non-inclusion. Those concerns were harmful effects on human health in particular on bystanders, because the exposure was greater than 100 % of the AOEL, and on consumers, because the exposure was greater than 100 % of the ADI and the ARfD. More concerns were identified in the review report for methyl bromide.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 55, 29.2.2000, p. 25.

⁽³⁾ OJ L 224, 21.8.2002, p. 23.

⁽⁴⁾ OJ L 258, 26.9.2008, p. 68.

⁽⁵⁾ OJ L 15, 18.1.2008, p. 5.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance methyl bromide. EFSA Journal 2011;9(1):1893. [32 pp.]. doi:10.2903/j.efsa.2011.1893. Available online: www.efsa.europa.eu/efsajournal

- (7) Additional information was submitted by the applicant, in particular as regards reducing exposure by applying a recapture technology. In order to reduce the risk to consumers and non-target species, the applicant has limited its support to uses on wood packaging material in containers.
- (8) However, the additional information provided by the applicant did not permit to eliminate all of the specific concerns arising in respect of methyl bromide.
- (9) In particular, the information available was not sufficient to conduct a quantitative exposure assessment for bystanders. Furthermore, the information available was insufficient to estimate the possible air concentrations of methyl bromide around containers with wood packaging material on which methyl bromide was used and to finalise the risk assessment for non-target organisms. In addition, data were not available to address the risk of indirect exposure of soil, surface water and groundwater.
- (10) The Commission invited the applicant to submit its comments on the conclusion by the Authority. Furthermore, in accordance with Article 21(1) to Regulation (EC) No 33/2008, the Commission invited the applicant to submit comments on the draft review report. The applicant submitted its comments, which have been carefully examined.
- (11) However, despite the arguments put forward by the applicant, the concerns identified could not be eliminated, and assessments made on the basis of the information submitted and evaluated during the expert meetings of the Authority have not demonstrated that it may be expected that, under the proposed conditions of use, plant protection products containing methyl bromide satisfy in general the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC.
- (12) Methyl bromide should therefore not be included in Annex I to Directive 91/414/EEC.
- (13) Decision 2008/753/EC should be repealed.
- (14) This Decision does not prejudice the submission of a further application for methyl bromide pursuant to Article 6(2) of Directive 91/414/EEC and Chapter II of Regulation (EC) No 33/2008.
- (15) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Methyl bromide shall not be included as active substance in Annex I to Directive 91/414/EEC.

Article 2

Decision 2008/753/EC is repealed.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 February 2011.

For the Commission

John DALLI

Member of the Commission

2011 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

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

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

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

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

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

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

Sales and subscriptions

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

http://publications.europa.eu/others/agents/index_en.htm

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

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

