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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.

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

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION REGULATION (EU) No 354/2011

of 12 April 2011

**opening and providing for the management of tariff quotas of the Union for certain fish and fishery products originating in Bosnia and Herzegovina**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 594/2008 of 16 June 2008 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, and for applying the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part <sup>(1)</sup>, and in particular Article 2 thereof,

Whereas:

- (1) A Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part ('the Stabilisation and Association Agreement'), was signed in Luxembourg on 16 June 2008. The Stabilisation and Association Agreement is in the process of ratification.
- (2) On 16 June 2008 an Interim Agreement was concluded on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part <sup>(2)</sup> ('the Interim Agreement'), which was approved by Council Decision 2008/474/EC <sup>(3)</sup>. The Interim Agreement provides for the early entry into force of the trade and trade-related provisions of the Stabilisation and Association Agreement. It entered into force on 1 July 2008.
- (3) The Interim Agreement and the Stabilisation and Association Agreement provide that certain fish and

fishery products originating in Bosnia and Herzegovina may be imported into the European Union, within the limits of tariff quotas of the Union ('quotas'), at a reduced or a zero rate of customs duty.

- (4) The tariff quotas provided for in the Interim Agreement and in the Stabilisation and Association Agreement are annual and have been adopted for an indefinite period. It is necessary to open the tariff quotas for 2008 and following years and to provide for a common system for their management.
- (5) This common management should ensure that all importers in the European Union have equal and continuous access to the tariff quotas and that the rates laid down for the quotas are applied uninterrupted to all imports of the products in question into all Member States until the quotas are exhausted. In order to ensure the efficiency of the system, Member States should be authorised to draw from the quota volumes the necessary quantities corresponding to actual imports. Close cooperation between the Member States and the Commission is required and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly. For reasons of speed and efficiency, communication between the Member States and the Commission should, as far as possible, take place by electronic transmission.
- (6) The quotas opened by this Regulation should therefore be managed in accordance with the system for management of tariff quotas designed to be used following the chronological order of dates of acceptance of customs declarations which is provided for in Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code <sup>(4)</sup>.

<sup>(1)</sup> OJ L 169, 30.6.2008, p. 1.

<sup>(2)</sup> OJ L 169, 30.6.2008, p. 13.

<sup>(3)</sup> OJ L 169, 30.6.2008, p. 10.

<sup>(4)</sup> OJ L 253, 11.10.1993, p. 1.

- (7) As the Interim Agreement entered into force on 1 July 2008, this Regulation should apply from the same date and should remain in force after the entry into force of the Stabilisation and Association Agreement.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

Fish and fishery products originating in Bosnia and Herzegovina and listed in the Annex that are put into free circulation in the European Union shall benefit from a reduced or a zero rate of customs duty, at the levels and within the limits of the annual tariff quotas of the Union set out in the Annex.

In order to benefit from these preferential rates, the products in question shall be accompanied by a proof of origin as provided for in Protocol 2 to the Interim Agreement with Bosnia and Herzegovina or in Protocol 2 to the Stabilisation and Association Agreement with Bosnia and Herzegovina.

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

Done at Brussels, 12 April 2011.

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

*Article 2*

1. The tariff quotas referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

2. Communications referring to the management of tariff quotas between the Member States and the Commission shall be effected, as far as possible, by electronic transmission.

*Article 3*

The Member States and the Commission shall cooperate closely to ensure compliance with this Regulation.

*Article 4*

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

It shall apply from 1 July 2008.

## ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

## FISH AND FISHERY PRODUCTS

Order No	CN Code	TARIC subdivision	Description	Annual Tariff Quota volume (in tonnes net weight)	Rate of quota duty
09.1594	0301 91 10		Trout ( <i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> , <i>Oncorhynchus clarki</i> , <i>Oncorhynchus aguabonita</i> , <i>Oncorhynchus gilae</i> , <i>Oncorhynchus apache</i> and <i>Oncorhynchus chrysogaster</i> ): live; fresh or chilled; frozen; dried, salted or in brine, smoked; fillets and other fish meat; flours, meals and pellets, fit for human consumption	60 tonnes	Free
	0301 91 90				
	0302 11 10				
	0302 11 20				
	0302 11 80				
	0303 21 10				
	0303 21 20				
	0303 21 80				
	0304 19 15				
	0304 19 17				
	ex 0304 19 19 <sup>(1)</sup>	30			
	ex 0304 19 91	10			
	0304 29 15				
	0304 29 17				
	ex 0304 29 19 <sup>(2)</sup>	30			
	ex 0304 99 21	11, 12, 20			
	ex 0305 10 00	10			
	ex 0305 30 90	50			
	0305 49 45				
ex 0305 59 80	61				
ex 0305 69 80	61				
09.1595	0301 93 00		Carp: live; fresh or chilled; frozen; dried, salted or in brine, smoked; fillets and other fish meat; flours, meals and pellets, fit for human consumption	130 tonnes	Free
	0302 69 11				
	0303 79 11				
	ex 0304 19 19 <sup>(1)</sup>	20			
	ex 0304 19 91	20			

Order No	CN Code	TARIC subdivision	Description	Annual Tariff Quota volume (in tonnes net weight)	Rate of quota duty
	ex 0304 29 19 <sup>(2)</sup>	20			
	ex 0304 99 21	16			
	ex 0305 10 00	20			
	ex 0305 30 90	60			
	ex 0305 49 80	30			
	ex 0305 59 80	63			
	ex 0305 69 80	63			
09.1596	ex 0301 99 80 0302 69 61 0303 79 71 ex 0304 19 39 ex 0304 19 99 ex 0304 29 99 ex 0304 99 99 ex 0305 10 00 ex 0305 30 90 ex 0305 49 80 ex 0305 59 80 ex 0305 69 80	80   80 77 50 20 30 70 40 65 65	Sea bream ( <i>Dentex dentex</i> and <i>Pagellus</i> spp.): live; fresh or chilled; frozen; dried, salted or in brine, smoked; fillets and other fish meat; flours, meals and pellets, fit for human consumption	30 tonnes	Free
09.1597	ex 0301 99 80 0302 69 94 ex 0303 77 00 ex 0304 19 39 ex 0304 19 99 ex 0304 29 99 ex 0304 99 99 ex 0305 10 00 ex 0305 30 90 ex 0305 49 80 ex 0305 59 80 ex 0305 69 80	22  10 85 79 60 70 40 80 50 67 67	Sea bass ( <i>Dicentrarchus labrax</i> ): live; fresh or chilled; frozen; dried, salted or in brine, smoked; fillets and other fish meat; flours, meals and pellets, fit for human consumption	30 tonnes	Free

Order No	CN Code	TARIC subdivision	Description	Annual Tariff Quota volume (in tonnes net weight)	Rate of quota duty
09.1598	1604 13 11		Prepared or preserved sardines	50 tonnes	6 %
	1604 13 19				
	ex 1604 20 50	10, 19			
09.1599	1604 16 00		Prepared or preserved anchovies	50 tonnes	12,5 %
	1604 20 40				

(<sup>1</sup>) From 1 January 2010 the CN code ex 0304 19 19 changed to ex 0304 19 18.

(<sup>2</sup>) From 1 January 2010 the CN code ex 0304 29 19 changed to ex 0304 29 18.

## COMMISSION IMPLEMENTING REGULATION (EU) No 355/2011

of 8 April 2011

## approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Montasio (PDO))

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

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

Done at Brussels, 8 April 2011.

For the Commission,  
On behalf of the President,  
Dacian CIOLOŞ  
Member of the Commission

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

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

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

<sup>(4)</sup> OJ C 212, 5.8.2010, p. 9.



## ANNEX

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

**Class 1.3. Cheeses**

ITALY

Montasio (PDO)  
  

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**COMMISSION IMPLEMENTING REGULATION (EU) No 356/2011****of 12 April 2011****amending Regulation (EU) No 447/2010 opening the sale of skimmed milk powder by a tendering procedure**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>, and in particular Article 43(f) and (j), in conjunction of Article 4 thereof,

Whereas:

- (1) Article 1 of Commission Regulation (EU) No 447/2010 <sup>(2)</sup> lays down that the skimmed milk powder entered into storage before 1 November 2009 is available for sale by tendering procedure. For sake of clarity, it is appropriate to fix the unit of measure to which the proposed price should refer to.
- (2) Article 2 of Regulation (EU) No 447/2010 lays down that the submission of the tenders in response to individual invitations to tender has to be made on the first and the third Tuesday of the month. The current dairy market situation allows reducing the number of individual invitations to tender to once per month.
- (3) Regulation (EU) No 447/2010 should therefore be amended accordingly.

- (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*

Regulation (EU) No 447/2010 is amended as follows:

- (a) in Article 1 the following paragraph is added:

‘The proposed price shall be the price per 100 kg of products.’;

- (b) in Article 2, paragraph 1 is replaced by the following:

‘1. The time limit for submission of tenders in response to the individual invitations to tender shall be 11.00 (Brussels time) on the third Tuesday of the month. However, in August it shall be 11.00 (Brussels time) of the fourth Tuesday and in December it shall be 11.00 (Brussels time) on the second Tuesday. If Tuesday is a public holiday the time limit shall be 11.00 (Brussels time) on the previous working day.’.

*Article 2*

This Regulation shall enter into force on the third 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, 12 April 2011.

*For the Commission,  
On behalf of the President,  
Neelie KROES  
Vice-President*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 126, 22.5.2010, p. 19.

**COMMISSION IMPLEMENTING REGULATION (EU) No 357/2011****of 12 April 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) <sup>(1)</sup>,Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector <sup>(2)</sup>, and in particular Article 138(1) thereof,

Whereas:

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 13 April 2011.

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

Done at Brussels, 12 April 2011.

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

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<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 350, 31.12.2007, p. 1.

## ANNEX

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

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	EG	74,4
	JO	68,6
	MA	47,4
	TN	113,1
	TR	83,5
	ZZ	77,4
0707 00 05	EG	152,2
	TR	136,6
	ZZ	144,4
0709 90 70	MA	82,8
	TR	112,8
	ZA	15,5
	ZZ	70,4
0805 10 20	EG	60,2
	IL	77,0
	MA	50,4
	TN	47,1
	TR	73,9
	ZZ	61,7
0805 50 10	EG	53,5
	TR	50,7
	ZZ	52,1
0808 10 80	AR	105,9
	BR	82,2
	CA	114,9
	CL	92,2
	CN	122,4
	MK	50,2
	NZ	122,7
	US	121,4
	UY	57,7
	ZA	86,0
	ZZ	95,6
0808 20 50	AR	91,2
	CL	119,7
	CN	85,8
	US	72,1
	ZA	89,2
	ZZ	91,6

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

**COMMISSION IMPLEMENTING REGULATION (EU) No 358/2011****of 12 April 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) <sup>(1)</sup>,Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector <sup>(2)</sup>, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

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

for the 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 <sup>(3)</sup>. These prices and duties have been last amended by Commission Regulation (EU) No 353/2011 <sup>(4)</sup>.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (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 13 April 2011.

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

Done at Brussels, 12 April 2011.

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24.<sup>(3)</sup> OJ L 259, 1.10.2010, p. 3.<sup>(4)</sup> OJ L 97, 12.4.2011, p. 26.

## ANNEX

**Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 13 April 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 <sup>(1)</sup>	45,90	0,00
1701 11 90 <sup>(1)</sup>	45,90	1,13
1701 12 10 <sup>(1)</sup>	45,90	0,00
1701 12 90 <sup>(1)</sup>	45,90	0,84
1701 91 00 <sup>(2)</sup>	48,51	2,92
1701 99 10 <sup>(2)</sup>	48,51	0,00
1701 99 90 <sup>(2)</sup>	48,51	0,00
1702 90 95 <sup>(3)</sup>	0,49	0,22

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

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

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

## DECISIONS

## DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 5 April 2011

**on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (application EGF/2010/010 CZ/Unilever from the Czech Republic)**

(2011/233/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management <sup>(1)</sup>, and in particular point 28 thereof,

Having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 establishing the European Globalisation Adjustment Fund <sup>(2)</sup>, and in particular Article 12(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) was established to provide additional support for workers made redundant as a result of major structural changes in world trade patterns due to globalisation and to assist them with their reintegration into the labour market.
- (2) The scope of the EGF was broadened for applications submitted from 1 May 2009 to include support for workers made redundant as a direct result of the global financial and economic crisis.
- (3) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the EGF within the annual ceiling of EUR 500 million.

(4) The Czech Republic submitted an application on 24 March 2010 to mobilise the EGF in respect of redundancies in Unilever ČR spol.s r.o. and supplemented it with additional information up to 20 September 2010. This application complies with the requirements for determining the financial contributions as laid down in Article 10 of Regulation (EC) No 1927/2006. The Commission, therefore, proposes to mobilise an amount of EUR 323 820.

(5) The EGF should, therefore, be mobilised in order to provide a financial contribution for the application submitted by the Czech Republic,

HAVE ADOPTED THIS DECISION:

*Article 1*

For the general budget of the European Union for the financial year 2011, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 323 820 in commitment and payment appropriations.

*Article 2*

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

Done at Strasbourg, 5 April 2011.

*For the European Parliament*

*The President*

J. BUZEK

*For the Council*

*The President*

GYŐRI E.

<sup>(1)</sup> OJ C 139, 14.6.2006, p. 1.

<sup>(2)</sup> OJ L 406, 30.12.2006, p. 1.

## COMMISSION IMPLEMENTING DECISION

of 11 April 2011

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

(notified under document C(2011) 2437)

(Text with EEA relevance)

(2011/234/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 <sup>(1)</sup>, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulations (EC) No 451/2000 <sup>(2)</sup> and (EC) No 1490/2002 <sup>(3)</sup> 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 dichlobenil.
- (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 2008/754/EC of 18 September 2008 concerning the non-inclusion of dichlobenil in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance <sup>(4)</sup> was adopted.
- (3) The original notifier (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 <sup>(5)</sup>.
- (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 2008/754/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 7 October 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 dichlobenil to the Commission on 29 July 2010 <sup>(6)</sup>. 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 Animal Health and finalised on 11 March 2011 in the format of the Commission review report for dichlobenil.
- (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; in particular, there was a concern with regard to the consumer exposure from drinking water and the leaching to groundwater. More concerns were identified in the review report for dichlobenil.
- (7) Additional information was submitted by the applicant, in particular as regards the leaching to groundwater, the consumer exposure from drinking water, the risks to birds and mammals and methods of analysis for impurities in the technical material and for products of animal origin.
- (8) However, the additional information provided by the applicant did not permit to eliminate all of the specific concerns arising in respect of dichlobenil.

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

<sup>(2)</sup> OJ L 55, 29.2.2000, p. 25.

<sup>(3)</sup> OJ L 224, 21.8.2002, p. 23.

<sup>(4)</sup> OJ L 258, 26.9.2008, p. 70.

<sup>(5)</sup> OJ L 15, 18.1.2008, p. 5.

<sup>(6)</sup> European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance dichlobenil. EFSA Journal 2010;8(8):1705. [68 pp.]. doi:10.2903/j.efsa.2010.1705. Available online: [www.efsa.europa.eu/efsajournal](http://www.efsa.europa.eu/efsajournal)



- (9) During the evaluation of this active substance, a number of concerns have been identified. Several unacceptable effects on the environment were identified. In particular, the potential groundwater contamination by the very persistent metabolite 2,6-dichlorobenzamide (BAM) is expected to be very high, with concentrations well above 10 µg/l for all modelled scenarios. There is a potential for long-range transport of the metabolite BAM through the atmosphere. A high acute risk to birds and a high long-term risk to earthworm-eating birds and mammals were identified. The available data were insufficient to address the nature of residues of the metabolite BAM in processed commodities.
- (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 dichlobenil satisfy in general the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC.
- (12) Dichlobenil should therefore not be included in Annex I to Directive 91/414/EEC.
- (13) In the interest of clarity, Decision 2008/754/EC should be repealed.
- (14) This Decision does not prejudice the submission of a further application for dichlobenil 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*

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

*Article 2*

Commission Decision 2008/754/EC is repealed.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 11 April 2011.

*For the Commission*

John DALLI

*Member of the Commission*

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## CORRIGENDA

**Corrigendum to Commission Implementing Regulation (EU) No 351/2011 of 11 April 2011 amending Regulation (EU) No 297/2011 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station**

(Official Journal of the European Union L 97 of 12 April 2011)

On page 23, Annex II is replaced as follows:

## ‘ANNEX II

**Maximum levels for foodstuffs <sup>(1)</sup> (Bq/kg)**

	Foods for infants and young children	Milk and dairy products	Other foodstuffs, except liquid foodstuffs	Liquid foodstuffs
Sum of Isotopes of strontium, notably Sr-90	75	125	750	125
Sum of Isotopes of iodine, notably I-131	100 <sup>(1)</sup>	300 <sup>(1)</sup>	2 000	300 <sup>(1)</sup>
Sum of Alpha-emitting isotopes of plutonium and trans-plutonium elements, notably Pu-239, Am-241	1	1 <sup>(1)</sup>	10 <sup>(1)</sup>	1 <sup>(1)</sup>
Sum of all other nuclides of half-life greater than 10 days, notably Cs-134 and Cs-137, except C-14 and H-3	200 <sup>(1)</sup>	200 <sup>(1)</sup>	500 <sup>(1)</sup>	200 <sup>(1)</sup>

<sup>(1)</sup> In order to ensure consistency with action levels currently applied in Japan, these values replace on a provisional basis the values laid down in Council Regulation (Euratom) No 3954/87.

**Maximum levels for feedingstuffs <sup>(2)</sup> (Bq/kg)**

	Feedingstuffs
Sum of Cs-134 and Cs-137	500 <sup>(1)</sup>
Sum of Isotopes of iodine, notably I-131	2 000 <sup>(2)</sup>

<sup>(1)</sup> In order to ensure consistency with action levels currently applied in Japan, this value replaces on a provisional basis the value laid down in Commission Regulation (Euratom) No 770/90.

<sup>(2)</sup> This value is laid down on a provisional basis and taken to be the same as for foodstuffs, pending an assessment of transfer factors of iodine from feedingstuffs to food products.

<sup>(1)</sup> The level applicable to concentrated or dried products is calculated on the basis of the reconstituted product as ready for consumption.

<sup>(2)</sup> Maximum level is relative to a feed with a moisture content of 12 %.



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